

APPLICATION NO: 23/02140/FUL		OFFICER: Mrs Victoria Harris
DATE REGISTERED: 10th January 2024		DATE OF EXPIRY: 6th March 2024
DATE VALIDATED: 10th January 2024		EXTENSION OF TIME: 25.03.2024
WARD: Lansdown		DATE OF SITE VISIT:
WARD: Lansdown		PARISH:
APPLICANT:	Cheltenham Borough Council	
AGENT:	Cheltenham Borough Homes Ltd	
LOCATION:	Flat 1 16 Eldorado Road Cheltenham	
PROPOSAL:	Replacement of existing critall (metal) 3no. windows with 3no. white aluminium windows	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located along Eldorado Road, within Lansdown ward, and comprises a large, detached building which has been subdivided into flats. The building is faced in red brick, with a pitched, slate tiled roof, and white timber and metal windows. The application relates to Flat 1 16 Eldorado Road; a ground floor flat. The site is located within Cheltenham's Central Conservation area and within the Eldorado Character Area.
- 1.2 The applicant is seeking planning permission for the replacement of 3 windows within flat 1. The windows are located within the single-storey side addition. The new windows will be white, Alitherm heritage, modern double-glazed units. The hall window and kitchen window will retain the same look as the existing windows. The bathroom window will have a different design to existing and incorporate a top hung opening.
- 1.3 The plans have been revised following officers' concerns relating to design. The hall window and kitchen window have been revised so that they now match the existing windows in terms of design.
- 1.4 An extension of time has been agreed to allow for the submission of revised plans and for determination of the application at planning committee.
- 1.5 The application is at planning committee as Cheltenham Borough Homes are the applicant and Cheltenham Borough Council are the landowner.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Honeybourne Line
Principal Urban Area
Residents Associations
Smoke Control Order

Relevant Planning History:

18/02632/CLPUD 18th January 2019 CERTPU
Proposed window replacement to 34 sites - see property schedule

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 8 Promoting healthy and safe communities
Section 12 Achieving well-designed places
Section 14 Meeting the challenge of climate change, flooding and coastal change
Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design
HE1 Buildings of Local Importance and Non-Designated Heritage Assets
SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD3 Sustainable Design and Construction
SD4 Design Requirements

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

Central conservation area: Eldorado Character Area and Management Plan (July 2008)

Cheltenham Climate Change (2022)

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	16
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1** 16 letters were sent to neighbouring properties, a site notice was displayed and an advert was published in the Gloucestershire Echo. No letters of representation have been received.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2** The key considerations in relation to this application are the design, the impact on the conservation area and any impact on neighbouring amenity.

6.3 Design

- 6.4** Section 12 of the NPPF emphasises the importance of achieving well designed places that are visually attractive and sympathetic to local character and setting. In addition, policy SD4 of the JCS and policy D1 of the Cheltenham Plan require development to be of a high standard of architectural design that positively responds to and respects the site and its surroundings.

- 6.5** The application site is located within the Conservation Area. As such the local authority should have regard to the duty to pay special attention to the desirability of preserving or enhancing its character or appearance.

- 6.6** The application proposes to replace the windows within Flat 1, 16 Eldorado Road; ground floor flat, as such this application is seeking to change only some of the windows within the building. The new hall window and kitchen window would have the same visual appearance as the existing windows. However, the replacement windows may be slightly more 'chunky' due to the modern double glazed units; however they would retain a similar appearance.

- 6.7** The property is not listed or locally indexed, is not adjacent to any Listed Buildings, nor will the setting of any listed buildings be impacted and there are a number of modern windows in the vicinity of the site. In addition, the windows will be located within the single-storey side addition and not the original building. As such, it is not considered that the replacement windows would result in harm to the character of the building or the wider Conservation Area.

6.8 The design is therefore considered to be appropriate and complies with policy SD4 of the JCS and policy D1 of the Cheltenham Plan.

6.9 Impact on neighbouring property

6.10 Policy SD14 of the JCS and saved Local Plan policy CP4 require development not to cause unacceptable harm to the amenity of adjoining land users and the locality. It is considered that as a result of the replacement windows and door there would be no harm to the amenity of surrounding land users.

6.11 Sustainability

6.12 Section 14 The NPPF prescribes that the planning system should support the transition to a low carbon future in a changing climate. This is a key theme and objective of the Cheltenham Local Plan. This aim is recognised in Policy SD3 of the JCS, which sets out an expectation that all development should be adaptable to climate change.

6.13 The Cheltenham Climate Change SPD (adopted June 2022), sets out a strategy for decarbonising homes over the next decade. For residential alterations and extensions there is an opportunity to improve the environmental performance of a home through the inclusion of technologies and features such as photovoltaics, replacement windows, heat recovery, permeable (or minimal) hard surfaces, works to chimneys, insulation, replacement heating systems (heat pump) and thoughtful kitchen design.

6.14 In this instance the application includes new windows. Given the scale of development proposed within this application this is considered to be an acceptable response to climate change and the SPD.

6.15 Public Sector Equalities Duty (PSED)

6.16 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims: - Removing or minimising disadvantages suffered by people due to their protected characteristics; - Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and - Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

6.17 Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

6.18 In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

7.1 For the reasons set out above, the proposed replacement windows are considered to be acceptable and therefore the recommendation is to permit this application subject to the conditions set out below.

8. CONDITIONS / INFORMATIVES

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

Approved Plans

Reference	Type	Received	Notes
2140.05.	Drawing	11th March 2024	
2140.03.	Drawing	4th January 2024	
2140.01.	OS Extract	21st December 2023	
2140.02.	Drawing	21st December 2023	

CASE OFFICER: Mrs Victoria Harris

AUTHORISING OFFICER:

DATE:

Consultations Appendix

Building Control

1st February 2024 - This application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.