

## Committee Officer Report

<b>APPLICATION NO:</b> 25/00849/LBC	<b>OFFICER:</b> Ms Lara Daniali
<b>DATE REGISTERED:</b> 29th May 2025	<b>DATE OF EXPIRY:</b> 24th July 2025
<b>DATE VALIDATED:</b> 29th May 2025	<b>DATE OF SITE VISIT:</b>
<b>WARD:</b> Pittville	<b>PARISH:</b>
<b>APPLICANT:</b>	Mr Oggy Boytchev
<b>AGENT:</b>	
<b>LOCATION:</b>	53 Pittville Lawn Cheltenham Gloucestershire
<b>PROPOSAL:</b>	Like-for-like replacement of damaged front steps (3 steps and a landing).

**RECOMMENDATION:** Grant



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 No.53 Pittville Lawn is part of a terrace of 5 houses constructed in the early 19<sup>th</sup> century.
- 1.2 The buildings and their attached railings were listed in March 1955 (Grade II; list entry number 1387470). The application site is located within the Pittville Character Area of the Central Conservation Area.
- 1.3 Listed building consent is sought for replacement of the front steps.
- 1.4 The application is before planning committee as the applicant is related to Cllr Julian Tooke.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Airport Safeguarding over 45m  
Conservation Area  
Listed Buildings Grade 2  
Principal Urban Area

### **Relevant Planning History:**

**14/02144/FUL 16th February 2015 PER**

Restoration of Grade II listed property from four separate flats to a single domicile with alteration to granny flat basement apartment. Installation of solar panels on South facing pitch of main roof. Internal renovation to remove non original aspects and uncover concealed original cornices, including removal of ground floor rear modern extension to create garden deck.

**14/02144/LBC 16th February 2015 GRANT**

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**15/00152/FUL 15th July 2015 PER**

New garage to the rear of 53 Pittville Lawn.

**15/00723/DISCON 21st March 2016 NOT**

Discharge of conditions 4a - new or replacement surrounds and inserts, 4b - internal doors including architraves, 4c - external doors including door surround and reveals, 4d - materials for raised terrace, 4e - balustrade design for raised terrace, 4f - boiler/fuel positions, 4g - solar panels on planning permission 14/02144/LBC

## 3. POLICIES AND GUIDANCE

### **National Planning Policy Framework (NPPF) 2024**

Section 4 Decision-making

Section 16 Conserving and enhancing the historic environment

### **Adopted Joint Core Strategy (JCS) Policies 2017**

SD8 Historic Environment

## 4. CONSULTATIONS

### **Building Control**

*9th June 2025* - This application may require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

## **5. PUBLICITY AND REPRESENTATIONS**

- 5.1** A site notice was posted near the site, and an advertisement was placed in the Gloucestershire Echo.
- 5.2** No comments were received.

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

- 6.2** The key consideration for this application is the impact on Grade II listed building.
- 6.3** In considering whether to grant listed building consent for any works, there is a duty placed on the local planning authority under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.4** When considering the impact of a proposal on its significance, paragraph 212 of the NPPF requires great weight to be given to the heritage asset's conservation (and the more important the asset, the greater the weight should be).
- 6.5** Policy SD8 of the JCS highlights the desirability of proposals that sustain and enhance the significance of a heritage asset, having regards to local character, distinctiveness, and sense of place. It further encourages proposals that will secure the future conservation and maintenance of heritage assets and their settings that are at risk through neglect, decay or other threats.

### **6.6 Impact on heritage**

- 6.7** The existing front steps in a deteriorated condition despite evidence of previous repairs.
- 6.8** The proposal is to replace the existing steps and cheek walls using Forest of Dean Pennant Sandstone, a traditional building material historically used in Cheltenham. However, the new stone is likely to differ in colour from the existing due to absence of patina of age and natural weathering.
- 6.9** The proposal will also involve temporary dismantling of the existing side rails and boot scraper, which are to be reinstalled in their original position upon completion of works.
- 6.10** While the proposal will lead to loss of historic fabric, it is considered that the works are justified by the poor state of the existing steps and will contribute to the long term conservation of the heritage asset.

### **6.11 Other considerations**

#### Public Sector Equality Duty (PSED):

- 6.12** 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.

**6.13** 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.

**6.14** In the context of the above PSED duties this proposal is considered to be acceptable.

## **7. CONCLUSION AND RECOMMENDATION**

**7.1** It is considered that the proposal will sustain the significance of heritage asset, thereby aligning with policy SD8 of the JCS and section 16 of the NPPF.

**7.2** It is recommended to grant Listed Building Consent subject to the conditions set out below.

## **8. CONDITIONS**

- 1 The listed building consent 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The listed building consent 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.

- 3 The replacement stone shall be Forest of Dean Pennant Sandstone to match the original steps, and the jointing mortar shall be lime-based.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 4 The following items forming part of the listed building shall be carefully taken down, protected, and reinstated in their original position upon completion of work:

- a) Railings
- b) Boot Scraper

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

- 5 All disturbed surfaces shall be made good using materials to match the existing materials, composition, form, finish and colour of the existing building.

Reason: In the interests of the special architectural and historic qualities of the listed building, having regard to adopted policy SD8 of the Joint Core Strategy (2017), Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.