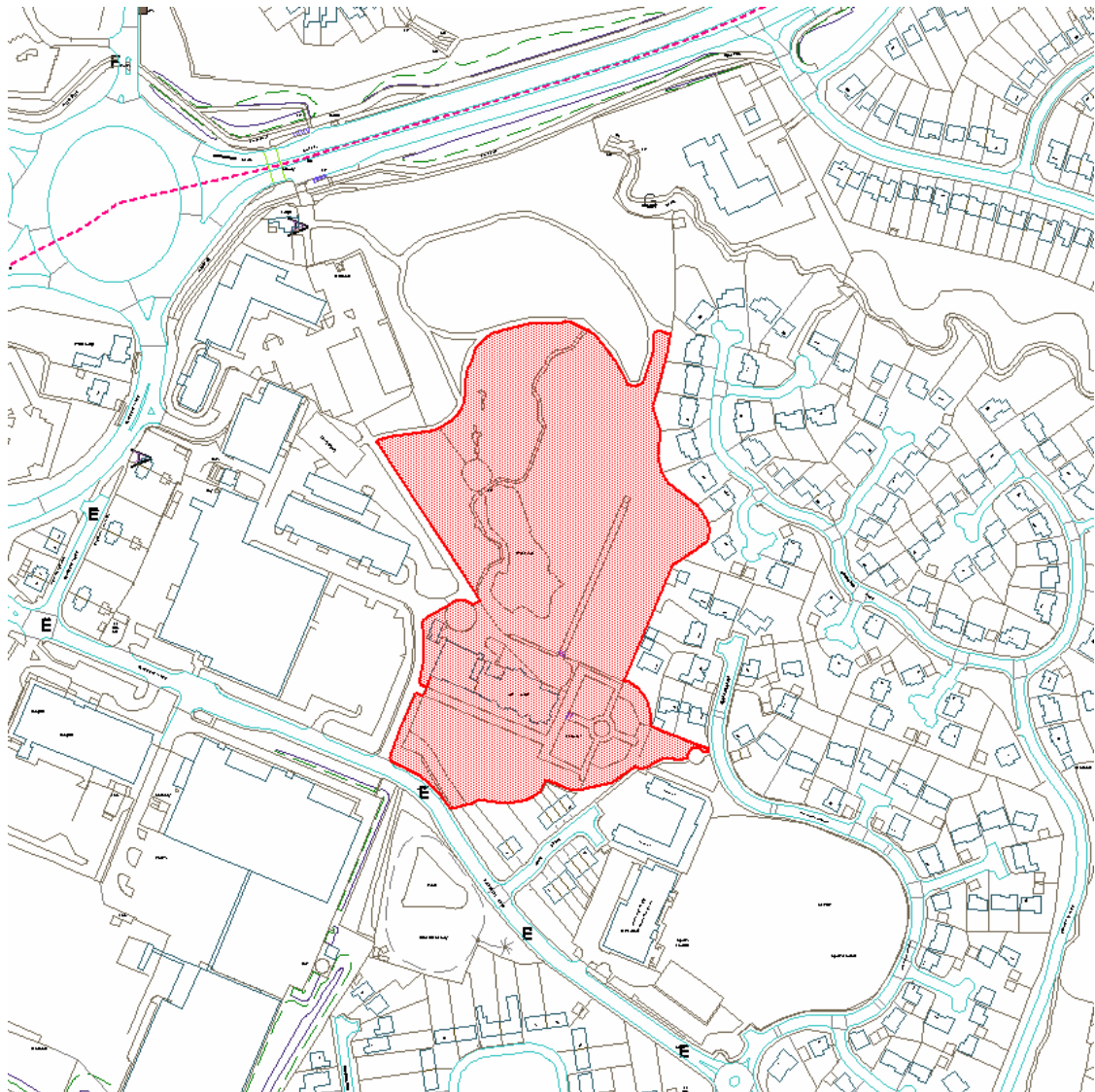


APPLICATION NO: 13/00383/FUL	OFFICER: Mr Martin Chandler
DATE REGISTERED: 8th March 2013	DATE OF EXPIRY: 3rd May 2013
WARD: Benhall/The Reddings	PARISH: None
APPLICANT:	Manor By The Lake Ltd
AGENT:	David Scott
LOCATION:	The Manor By The Lake Cheltenham, Film Studios, Hatherley Lane
PROPOSAL:	Erection of pavilion and gazebo within grounds.

RECOMMENDATION: Recommendation at Committee



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application proposes the erection of a gazebo and pavilion structure within the grounds of Manor by the Lake to be used for wedding ceremonies. Members will be aware that another application on this month's agenda seeks to formalise the use of the building as a wedding venue.
- 1.2 The two structures sit in quite separate locations on the site and members will visit the site on planning view.
- 1.3 The application is before committee at the request of Cllrs Fletcher and Britter to allow the committee to consider the impact of noise on neighbouring amenity.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Listed Buildings Grade 2

Relevant Planning History:

13/00691/COU PDE

Proposed change of use from film studios and associated conference centre (use class B1) to wedding and function venue with overnight accommodation (use class Sui Generis) including extension and alterations to elevations and creation of studio accommodation within existing gate house

13/00691/LBC PCO

Internal and external alterations to facilitate change of use from film studios and associated conference centre (use class B1) to wedding and function venue with overnight accommodation (use class Sui Generis)

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

GE 3 Development within extensive grounds

GE 5 Protection and replacement of trees

GE 6 Trees and development

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Environmental Health

24th April 201

I have reviewed the application and offer the following comments:

The application states that the structures will be used for "wedding ceremonies and as outside gathering points". In my discussion with the applicant's agent he agreed this would include use as a smoking shelter for guests. The application also states that there will be no "amplified sound" from either installation, and I would recommend that this is made enforceable by including a condition on the following lines:

Condition 1:

No amplified sound of any type, including amplified voices and amplified live or recorded music shall be played either in the Pavilion or Gazebo, or externally during use of either the Pavilion or Gazebo.

Reason:

To protect the residents of neighbouring property from loss of amenity due to noise from amplified sound either in or accompanied with the use of these structures.

I am concerned that unrestricted use of the structures by guests, in particular the gazebo will lead to loss of amenity for the residents of neighbouring properties, particularly in their own garden areas. I therefore recommend a condition on the following lines:

Condition 2:

The pavilion and gazebo shall only be used for the conducting of wedding services, and only between 9AM and 6:00PM, daily.

Reason:

To protect residents of neighbouring property from loss of amenity due to noise from unrestricted use of these structures.

If you have queries, let me know.

Revised comments

10th May 2013

In the light of my visit to the site last week I would like to revise my comments on use of the pavilion and gazebo structures:

I am happy that the use of low-key background music and a small PA system to ensure that all guests can hear the ceremony is appropriate for this use of the site, but that there should be some restrictions to ensure that use is not excessive. I would therefore recommend that a condition on the following lines is applied to any permission granted for this application:

Condition:

Use of the gazebo and pavilion shall be limited to conducting weddings, civil ceremonies, blessings and similar events. Use of these structures shall be limited to the hours of 8AM - 9PM, and for a maximum duration of 1 hour each day.

Reason:

To protect the amenity of residents of nearby property.

If you have any further queries, please let me know.

Tree Officer

27th March 2013

The Tree Section does not object to this application in principal however there only seems to be one drawing- the gazebo or Pavilion-there are 2 pictures but there is only one structure shown!

However in that the area is surrounded by TPO'd trees, please could a Tree Protection Plan be submitted and agreed prior to the determination of the application. This TPP should show the exact location of any proposed protection as well as the type of protection intended. It should also include any details of any ground protection.

Cheltenham Civic Society

4th April 201

No comment

Heritage And Conservation

13th March 2013

Comments:

1. The principle of the erection of these two structures is acceptable, subject to their detailed design and proposed materials.
2. Their proposed locations within the gardens are acceptable, subject to the tree officer's report.
3. The Design and Access Statement appears to contain an error. The title under the photograph of the proposed location of the gazebo is labelled "site of proposed bandstand". I suggest that this is corrected to avoid any future misunderstandings.
4. Again the Design and Access Statement states that the base of the bandstand will be natural stone but the drawings as proposed indicate a concrete base. Which is correct and what is being proposed?
5. However I have concerns about the design of the proposed bandstand and whilst I recognise it is a "kit/pre-fabricated" building and that in itself is not an issue, my comments about the detailed design are as follows-
 - a. The proposal to have a reproduction style bandstand is acceptable provided that the shape form and overall design is acceptable.
 - b. However in my opinion the proportions of this bandstand are poor. The roof shape lacks height and consequently the structure has a strong horizontal emphasis, appears squat and inelegant. Each side section is as wide as it is high, again making the whole structure appear inelegant.
 - c. Frequently historic bandstands are raised on a podium and therefore have a more vertical proportion. Whilst the proposal to not have a podium is acceptable, it does accentuate the squatness of the proposed design.
 - d. In addition the side panels relate poorly to the base of the columns and the lack of roof over hang is visually mean.
 - e. The materials are also a potential problem. Notwithstanding the above comments about the shape and form of the roof, a GRP roof is not acceptable. I also remain to be convinced that the cast aluminium structure is acceptable. I would need a small sample of the proposed casting to help convince me that the end result would not appear as a "Disney like" facsimile of a Victorian band stand.
6. I also have concerns about the proposed gazebo and my detailed comments are as follows –
 - a. GRP roof is not acceptable.
 - b. What type of stone is proposed for the base?
 - c. What type of metal is the frame made out of and how is the frame to be made (ie cast metal or wrought)?
 - d. The detailed proposals for the framework need to be provided now in order to understand the design.
7. Whilst the principle of the proposals is acceptable the detailed design of both structures is not acceptable.

RECOMMENDATION: PLEASE ASK THE APPLICANT TO PROVIDE REVISED DESIGN AND ADDITIONAL INFORMATION OR REFUSE

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	24
Total comments received	26
Number of objections	26
Number of supporting	
General comment	

- 5.1** In response to the publication, 26 letters of objection have been received. The majority of these objections relate to the potential noise generated by the two structures in terms of music, outside guests, fireworks and just a general increase in outdoor activity. Residents have also raised concerns relating to traffic implications.
- 5.2** These matters are material planning considerations and will be considered in the main body of the report.

6. OFFICER COMMENTS

- 6.1** Officer comments will follow by way of an update.