

<b>APPLICATION NO:</b> 13/00605/FUL		<b>OFFICER:</b> Miss Chloe Smart	
<b>DATE REGISTERED:</b> 25th April 2013		<b>DATE OF EXPIRY:</b> 20th June 2013	
<b>WARD:</b> Lansdown		<b>PARISH:</b> None	
<b>APPLICANT:</b>	Mr Chris Hehir		
<b>AGENT:</b>	Simon Firkins		
<b>LOCATION:</b>	13 Lansdown Place, Cheltenham		
<b>PROPOSAL:</b>	Erection of new dwelling to rear of existing building, facing Lansdown Place Lane		

**RECOMMENDATION:** Recommendation at Committee



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application proposes to build a two storey contemporary dwelling to the rear of 13 Lansdown Place.
- 1.2 The dwelling would be accessed via Lansdown Place Lane, which currently serves a number of properties and provides rear access to the principal properties on Lansdown Place.
- 1.3 The proposed dwelling would provide two bedrooms and living space to the ground floor. The applicant is seeking planning permission for the erection of a dwelling to the rear following refusal of an application under planning ref: 10/00030/FUL.
- 1.4 No.13 Lansdown Place is a grade II\* listed building and part of a terrace of 14 houses. The properties were built 1825-35 and are now in use as offices, houses and flats.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

Central Conservation Area  
Listed Buildings Grade 2star

### Relevant Planning History:

**77/00159/PF 10th August 1977 PER**

Conversion To Form Self Contained Flats And Demolition Of Outbuildings And Garages To Rear And Provision Of Car Parking

**07/00632/LBC 19th October 2007 GRANT**

Proposed internal alterations and upgrade of existing flats plus two additional units and new window

**07/00799/FUL 19th October 2007 PER**

Conversion of existing 5 flats to form 7 flats and internal alterations

**09/01429/FUL 14th December 2009 WDN**

New dwelling at the rear of 13 Lansdown Place

**10/00030/FUL 27th April 2010 REF**

New dwelling at the rear of 13 Lansdown Place

**11/00342/LBC 9th May 2011 GRANT**

Repairs to first floor balcony on front elevation

## 3. POLICIES AND GUIDANCE

### Adopted Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

HS 1 Housing development

RC 6 Play space in residential development

TP 1 Development and highway safety

TP 2 Highway Standards

TP 3 Servicing of shopping facilities

TP 4 Long-stay car parking

TP 5 Extension of private car parking facilities

TP 6 Parking provision in development

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)

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

National Guidance

National Planning Policy Framework

## 4. CONSULTATIONS

### **Architects Panel**

*20th June 2013*

2. Is the information sufficient to understand the application?

It is pretty basic and shows little context beyond the site.

3. Context.

It is a site we have seen a previous application for which was refused and dismissed at appeal. The current application represents quite a different approach to the site.

The building has been sited so as to avoid any construction works directly on the boundary of the site this doesn't fit with the character of the developments along the lane, generally both the historic and the modern buildings either run down one boundary wall or the full width of the plot to the front.

4. Massing and Scale

The building appears to have been designed as a modern mews type dwelling and whilst two storeys is acceptable we would question whether it is large enough to be a two bed dwelling.

5. External Appearance.

The elevations are very simple and appear to be simple not refined.

6. Detailing and Materials

The drawings are very basic so it is hard to assess the detailing.

7. Environmental Design.

No apparent consideration towards sustainable design.

8. Summary

The principal of development appears acceptable but the siting and design of the building is poor. Given the location of the site in a conservation area we believe a better scheme should be developed for the site. If it were to be the full width of the site it may be possible to achieve a two bedroom unit.

9. Recommendation

Refuse.

### **Cheltenham Civic Society**

*8th May 2013*

This is generally satisfactory. We commend the general principle of such conversions, and this subordinate dwelling is reasonably well executed

## **GCC Highways Planning Liaison**

*7th May 2013*

The proposed dwelling is located off Lansdown Place, situated within an accessible location in close proximity to Cheltenham Town Centre and all the amenities and facilities it provides.

Planning history on site includes a similar application refused in 2010 (ref. 10/00030/FUL) which was not objected to on Highway grounds; however this application did include vehicular parking provision.

In light on the current NPPF stipulations this application will be considered as to whether the development will create a severe impact on the surrounding local highway network. As such, the dwelling is unlikely to create a significant amount of vehicular trips which would result in such an impact; consequently no Highway objection is raised.

I recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:-

1. Prior to occupation of the proposed dwelling secured and covered cycle storage facilities, in accordance with the submitted Design and Access Statement, shall be provided within the curtilage of the site and such provision shall be permanently retained and maintained thereafter.

Reason: To ensure that adequate cycle storage facilities are provided in line with the Governments declared aims towards sustainable modes of travel.

## **HMO Division**

*8th May 2013*

The bedrooms, as proposed, appear to be inner rooms. The applicant should be advised that inadequate, insufficient or hazardous accommodation may be subject to enforcement action under the Housing Act 2004, which can include prohibition of use.

However, subject to:

1. full compliance with building control requirements for means of escape in case of fire, and
2. the bedrooms to all residential units having floor areas no less than 7sqm for a single bedroom and 10.5sqm for a double bedroom,
3. kitchen/living room areas having floor areas no less than 14sqm

I have no fundamental objection to this proposal.

## **Heritage and Conservation**

*6th June 2013*

The previously submitted scheme for this site proposed the erection of a 2 storey detached coach house. Although the scheme was dismissed at appeal, the approach was considered to be acceptable in principle and it was the proposal to have the building sunken into the site and sitting at a lower level which was considered to be inappropriate.

The current proposal which involves a contemporary approach does not in my opinion, address the site well and I feel that it would appear as an incongruous addition to the setting which would fail to reflect the character of the historical back lane context.

The principal grade II\* listed terrace buildings to Lansdown Place and Lansdown Crescent tower over the existing utilitarian developments fronting Lansdown Plane Lane. The scale (including size, massing and height), design and appearance of the proposed dwelling do not respond well to the surrounding built environment and the proposed drawings show an

awkward relationship between the scale and form of the new dwelling and that of the existing principal terrace building.

The drawings show a building which looks uncomfortable in proportions and sits rather 'squat' against the grand scale of Lansdown Place terrace. The terrace is classical in style with vertically proportioned fenestration detail and the terrace buildings are characteristically tall and narrow which has dictated the tight and narrow urban grain.

The squat proportions of the building conflict with the tall terrace and the proposed dwelling fails to reflect the vertically proportioned fenestration detail to the terrace buildings and the width of the structure appears to be too wide and would sit awkwardly in relation to the terrace building.

Historically, buildings work together to create the larger streetscape composition and I am concerned that the proposal will appear as an alien addition to the context which will not serve to preserve, enhance or better reveal the character and appearance of the conservation area.

In the submitted Design & Access Statement, the Agent explains that the proposal is similar to schemes which have been permitted elsewhere in Cheltenham. I must stress that each site is considered on its individual merits and further note that whilst a very similar building was permitted to the rear of Bethesda Street, the back lane to Bethesda Street is different in terms of character with rather quaint terrace houses backing onto the tight and more enclosed service lane.

It may be that the original approach involving a coach house style building would be more appropriate in this context and I suggest that the Inspector's comments are addressed through amendments to the previous scheme.

With the above in mind, I am not minded to support the proposal and suggest the following refusal reason:

The principal terrace building, no. 13 Lansdown Place is a grade II\* statutory listed building and the site lies wholly within the Central Conservation Area. The Local Planning Authority is therefore statutorily required to pay special attention to the desirability of preserving the setting of the listed building, and of preserving or enhancing the character or appearance of the locality.

The proposal involves the erection of a 2 storey dwelling to the rear of the site fronting onto Lansdown Place Lane which, in the opinion of the Local Planning Authority, is considered incongruous to the site and its surrounding by virtue of the scale (including size, massing and height), form and design of the building.

The proposal is considered to appear squat against the large terrace and design and the poor proportions within the building do not respond well to the context. For the above reasons, the proposed development is considered to harm the setting of the listed building(s) and the character and appearance of the conservation area.

The proposal is therefore contrary to CP3, CP7, BE6 of the Cheltenham Borough Local Plan, Sections 66(1) and 72(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 and National Planning Policy Framework.

## **Additional Conservation Officer comments (revised drawings)**

*3rd July 2013*

The principal building, no. 13 Lansdown Place is part of a terrace of 14 houses, now houses, flats, and offices built 1825-35. The terrace building is a grade II\* listed building and is situated within the Central Conservation Area (Lansdown Character Area).

The application is seeking planning permission for the erection of a new dwelling to the rear of the site fronting onto Lansdown Place Lane.

Comments

Whilst I appreciate that the fenestration detail has been revised to be vertically proportioned, on reflection, the concerns with the development are more fundamental.

The previous scheme had a much lower eaves line, a reduced width and was positioned to the east boundary. These elements of the previous scheme reflected historic examples along the lane whereas the current proposal is positioned more centrally and is of a larger scale.

The previous scheme involved a pitch roofed coach house-type dwelling and the current proposal which adopts a different design approach includes a simple box form with parapet roof. The increase in height and change to the roof form would noticeably increase the visual massing of the structure and whilst I feel that a simple form and design may be appropriate, unfortunately in my opinion, the current proposal has a crude design, clumsy scale and would be inappropriately positioned on the site.

The proposed dwelling would appear as an awkward and incongruous addition to the immediate setting of the listed terrace and I feel that the design approach (including proposed scale and positioning) conflicts with the historic context and fails to show innovation, originality or initiative.

The proposal is therefore contrary to advice and policy at National Planning Policy Framework. Section 7 of the Framework sets out that 'good design is key aspect of sustainable development' and Section 12 advises that it is desirable for new development to make a positive contribution to local character and distinctiveness.

As noted, the proposed design and positioning of the development fail to respond well to the character of the locality. Development to the rear of the site would achieve a level of enclosure to the back lane however, the proposal would compromise the hierarchical relationship of the principal terrace house, open space and modest mews type rear development and the back lane character would be adversely impacted through the introduction of an incongruous development.

The proposal should be re-considered with the proposed dwelling reduced in width (to match the width of the rear range to the terrace building) and sited along the east boundary to reflect the historical development along the rear service lane.

The design of the proposal is rather bland and the scheme requires a more creative response. Introducing visual breaks and articulation to the design may improve the aesthetics of the dwelling and create interest within the development.

With the above in mind, the current proposal would have an adverse impact on the setting of the listed terrace and on the character and appearance of the conservation area. Therefore, I suggest that the application is refused.

## **Additional Heritage and Conservation comments**

*31st July 2013*

The positioning of the proposed dwelling has now been amended to show the development in line with the rear range to the principal terrace building and it is shown to be sited along the eastern boundary and to a similar width to that of the rear range.

The proposed building does now reflect the building lines and width of the rear range and minor alterations to the design which include the introduction of the Juliet balcony have been made.

Whilst I consider that the amendments do improve the proposed structure and its presence within the immediate setting of the grade II\* listed terrace, in my opinion, the minor changes to the design still fail to show a creative response to the historic context and I still have concerns that the proposed structure would be an alien addition to the setting.

The proposed erection of a dwelling in this location offers an opportunity to introduce a building which will preserve, enhance and better reveal the character and appearance of the locality and unfortunately, I consider the current proposal to be a poor attempt which lacks originality and innovation.

Furthermore, contrary to policy and guidance set out in National Planning Policy Framework, the proposal does not appear to offer any tangible public benefit which would offset the harmful impact that the development would have on the heritage assets.

For the above reasons I am not minded to support the application and suggest the below refusal reason:

No. 13 Lansdown Place is a grade II\* listed building which lies wholly within the Central Conservation Area. The proposal involves the erection of a single dwelling to the rear of no. 13 Lansdown Place and the Local Planning Authority is statutorily required to pay special attention to the desirability of preserving the setting of the listed building and to preserving or enhancing the character or appearance of the locality.

In the opinion of the Local Planning Authority, the proposal is considered incongruous to the site and its surrounding by virtue of the form and design of the building. The design of the building is not considered to be of good, high quality design and it would not respond well to the local character and distinctiveness.

For the above reasons, the proposed development is considered harmful to the setting of the listed building and to the character and appearance of the conservation area. Therefore it is contrary to Policies CP3, CP7 and BE6 of the Cheltenham Borough Local Plan, Sections 66(1) and 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 and Sections 7 and 12 of National Planning Policy Framework.

## **5. PUBLICITY AND REPRESENTATIONS**

Number of letters sent	<b>25</b>
Total comments received	<b>1</b>
Number of objections	<b>0</b>
Number of supporting	<b>0</b>
General comment	<b>1</b>

- 5.1** Twenty five letters have been sent out to neighbouring properties and one response has been received.

## **6. OFFICER COMMENTS**

Officer comments to follow in the form of an update.