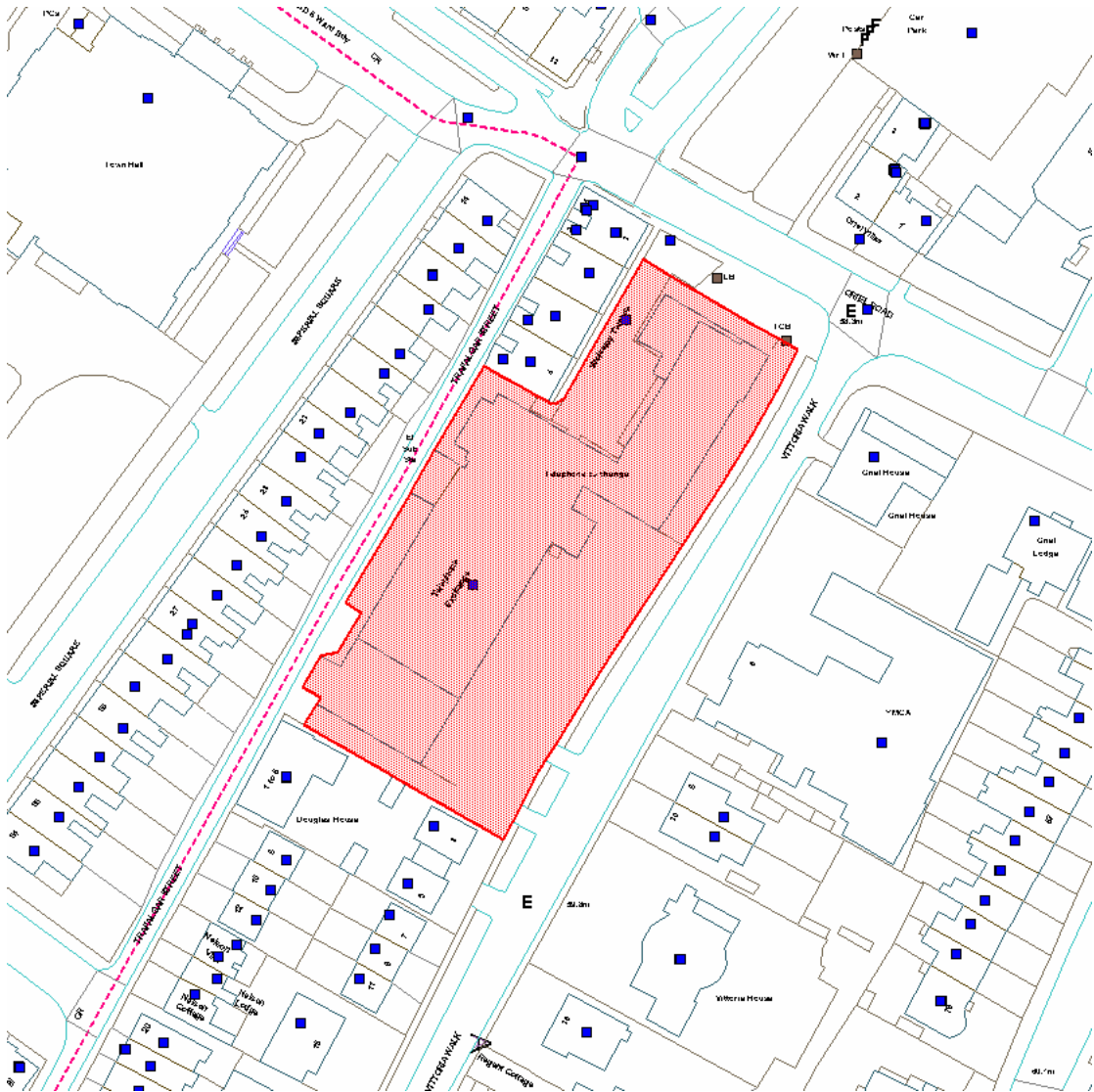


APPLICATION NO: 13/00637/FUL	OFFICER: Miss Chloe Smart
DATE REGISTERED: 24th April 2013	DATE OF EXPIRY: 19th June 2013
WARD: College	PARISH: None
APPLICANT:	British Telecommunications Plc
AGENT:	Mr Simon Tedrake
LOCATION:	British Telecom, Oriel Road, Cheltenham
PROPOSAL:	Installation of 6no. air conditioning units on roof

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to the telephone exchange premises located within close proximity to the centre of the town and lies within the Central Conservation Area. The front elevation fronts the inner-ring road and the building extends north to south within an extensive plot, which can be accessed via Vittoria Walk.
- 1.2 The proposal is for the installation of 6.No air conditioning units on the south western wing of the roof. The works are required to serve accommodation and telecoms equipment on the second floor of the building.
- 1.3 The application is before planning at Councillor Sudbury's request.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Core Commercial Area
Smoke Control Order

Relevant Planning History:

00/01322/FUL 29th January 2001 PER

Installation of telecommunications base station at roof level (Formally British Telecom)

00/01339/FUL 29th December 2000 PER

To form a new enclosure within the existing building and addition of a 5.0 metre mast for CCTV camera (Revised Plans) (Formally British Telecom)

01/00676/FUL 27th June 2001 PER

Alteration of existing elevation to provide new doors and ventilation louvre

01/01154/FUL 17th December 2001 PER

Construction of telecommunications base station at roof level. Installation of 3 no. antennae and 3 no. dishes and equipment cabin (Revised)

02/00941/FUL 29th July 2002 PER

Removal of 2 no. window panes and their replacement with 2 no. aluminium louvres coloured bronze to match existing louvres

02/01455/FUL 18th December 2002 REF

Installation of a 5m stub tower and equipment cabin behind a steel and GRP screen with 6no. antennae, 2no. dishes, associated cabling and other ancillary work

04/00390/FUL 20th April 2004 PER

Installation of 3 pole mounted antennas on two poles, 1 face mounted antenna and 1 pole mounted dish antenna, 6 pack equipment cabinets, cabling and other ancillary works. Re-positioning of existing telecommunications pole and antenna

05/01329/FUL 14th October 2005 PER

Replace three windows with air inlet louvres to Vittoria Walk elevation

12/00880/FUL 6th August 2012

Proposed installation of a ventilation louvre on the ground floor, to replace existing glazing

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

Supplementary Planning Guidance/Documents

Central conservation area: Montpellier Character Area and Management Plan (Feb 2007)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Environmental Health

13th June 2013

The application contains insufficient information for me to make a recommendation.

I am concerned that noise from the proposed air conditioning units may cause loss of amenity for nearby residential property; however the application does not contain any information on the noise levels likely to affect these premises. The only data provided is a rating level for the individual units (which is unreadable).

The applicant should be requested to provide a report from an acoustic engineer which includes a prediction of the level of noise being produced by this equipment at the nearest residential façade, and a comparison with the existing background noise levels. This report should be produced to the requirements of BS 4142:1997

6th June 2013

No comment from the health and safety team.

20th June 2013

With reference to previous comments on 13.06.2013 from Mr Gareth Jones:

On 18/06/2013, I have reviewed the acoustic information which has been uploaded to the planning portal online and am satisfied with the information supplied in the acoustic report. I have no further conditions to add.

22nd July 2013

The applicant has provided a suitable assessment of noise from the proposed development, which includes the results of monitoring background noise levels overnight, which is when residential property is most susceptible to noise disturbance.

The report also calculates the levels of noise produced by the air conditioning equipment experienced at nearby property and shows that the noise from this source is lower than the background noise level.

I therefore have no objections to this proposal.

Heritage and Conservation

28th May 2013

Heritage Constraints:

The building is not listed but lies within the Central Conservation Area (Montpellier Character Area). As such this Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the locality. The building is also adjacent to a number of Grade II and Grade II* buildings. As

such this Local Planning Authority is statutorily required to have special regard to the desirability of preserving the setting building in regard to any special architectural or historic interest it possesses.

Proposal:

The proposal is to install six air conditioning units towards the centre of the main flat roof of the building. The proposed air conditioning units will be set in two banks of three side by side. The units are 1800mm tall.

Analysis of site:

The host building is a late C20th three storey modular clad concrete building in an uncompromising contemporary style of its period typical of Post Office/British Telecom. The building is an architectural statement bearing little relationship to the prevailing historic character of the area. The affected section of the building has a flat roof surrounded by a 500mm high parapet. Some plant already exists on the roof including a protected gantry and what appears to be a large scale exhaust system. The building sits within a dense urban pattern of three storey buildings with a slightly looser grain of detached former historic residences to the east separated from the application site by a row of mature street trees. There are few opportunities for distant views of the host building from street level including Imperial Gardens.

Comments:

It is not likely that the new equipment would be fully visible from street level or from any vantage points in or around the setting of the adjacent listed buildings or the wider Conservation Area. In instances where partial views of the equipment may be possible (such as the rear windows of the upper floors of the Grade II* Listed terrace on east side of Imperial Square) the equipment would be viewed amongst existing plant and fixtures and would not appear incongruous or out of character with the host building. As such it is not considered that the proposal would harm the setting of the adjacent listed buildings or the character or appearance of the Conservation Area.

The exterior colour finish of such air conditioning units are generally provided in a recessive colour. It would however be prudent to control the colour of the equipment in order that it remains as visually unobtrusive as possible. Appendix B of the Design and Access Statement (D & A) reproduces some manufacturer's information including a 'Munsell' number for the colour of the equipment. The section of the document reproduced in the D & A Statement is unfortunately too pixelated to read the numbers clearly. Furthermore unlike RAL or BS systems Munsell is predominantly a North American system and it may not be possible to establish the colour through this code. Some further confirmation of the likely colour, even if it is just to say that it will be 'grey' would provide reassurance.

It is considered that the proposal would not harm the character or appearance of the Conservation Area or the setting of the adjacent listed buildings and is in accordance with Local Plan Policy CP7, Sections 66(1) and 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 and National Planning Policy Framework.

Conditions:

Adapted from CON01C (Design details)

Prior to the commencement of development, the colour finishes of the equipment shall be submitted to and approved in writing by the Local Planning Authority:

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to sustainable environment and design, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide. These are important details in order to ensure that the development is compatible with its surroundings.

Consultee:
Julian Bagg (Conservation & Heritage Consultant)

25/05/2013

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	55
Total comments received	2
Number of objections	2
Number of supporting	0
General comment	0

- 5.1 Fifty five letters have been sent out to neighbouring properties and two responses have been received raising objections to the application.

6. OFFICER COMMENTS

Determining Issues

- 6.1 The main considerations in relation to this application are the impact on the conservation area and neighbouring amenity.

Conservation Area

- 6.2 Local Plan Policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development.
- 6.3 The building is not listed but lies within the Central Conservation Area (Montpellier Character Area) and is adjacent to a number of Grade I and II* listed buildings. As such the conservation officer has been consulted and raised no objection to the proposal.
- 6.4 It is not likely that the new equipment would be fully visible from street level or from any vantage points in or around the setting of the adjacent listed buildings or the wider Conservation Area. The building has existing plant fixtures and fittings and therefore the additional equipment would not appear out of character with the host building.
- 6.5 As such it is considered that the proposal would not harm the character or appearance of the Conservation Area or the setting of the adjacent listed buildings and is in accordance with Local Plan Policy CP7, Sections 66(1) and 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 and National Planning Policy Framework.

6.6 Impact on neighbouring property

- 6.7 Local Plan Policy CP4 requires development to protect the existing amenity of neighbouring land users and the locality.
- 6.8 The application site is within close proximity of residential properties and therefore the Borough's Environmental Health Officer has been consulted.
- 6.9 Initially, an objection was received due to the lack of noise level information accompanying the application. Following on from this, the applicant submitted an acoustic report with noise measurements taken from the nearest noise sensitive receptors, which were identified as along Trafalgar Street.

- 6.10** Environmental Health have been re-consulted following the submission of this noise report and raised no objection to the proposal. The applicant has now provided a suitable noise assessment which includes proposed noise levels at night. Furthermore, the findings of the report show that the noise level from the proposed air conditioning units is lower than the background noise level.
- 6.11** Two objections have been received from neighbouring properties both raising concerns regarding the impact of the proposal on neighbouring amenity.
- 6.12** The first objection seeks clarification of the hours of operation of the units, the proposed location of the units and the night time noise levels as a result of the proposal. The second letter of objection also relates to the noise levels generated by the proposal and the location of the noise survey readings.
- 6.13** In relation to the location of the units, Environmental Health are satisfied that the application would not harm residential amenity and therefore there would be no requirement for the applicant to amend the location of the units as has been suggested by the objector.
- 6.14** Furthermore, the noise survey submitted was carried out between the hours of 12 am and 3 am over consecutive 5 minute sample periods to establish the quietest night time noise level. The results of the survey have taken into account the likely night time noise levels and these are in line with Environmental Health's expectations, in terms of an acceptable level of noise.

7. CONCLUSION AND RECOMMENDATION

- 7.1** Based on the above, officers consider the proposal would not harm the character or appearance of the Conservation Area or the setting of the adjacent listed buildings and is in accordance with Local Plan Policy CP7. Furthermore, there will be no unacceptable impact on neighbouring amenity as a result of the proposal.
- 7.2** The recommendation is to grant planning permission subject to the conditions set out below.

8. CONDITIONS / INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
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 Prior to the commencement of development, the colour finishes of the equipment shall be submitted to and approved in writing by the Local Planning Authority:
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to sustainable environment and design, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide. These are important details in order to ensure that the development is compatible with its surroundings.

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 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.