

TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT

Committee:	Planning
Date:	21 December 2021
Site Location:	The Maltings Station Street Tewkesbury
Application No:	21/00652/FUL
Ward:	Tewkesbury North And Twynning
Parish:	Tewkesbury
Proposal:	Replacement of existing timber window units with UPVC double glazed units throughout the building.
Report by:	James Stanley
Appendices:	Site location plan Existing roof/block plan Existing north and south elevations Proposed north and south elevations Existing east and west elevations Proposed east and west elevations Existing and proposed window sections Existing general window elevations Proposed general window elevations
Recommendation:	Permit

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1** This application relates to The Maltings, a sheltered accommodation building located on Station Road in the centre of Tewkesbury. The site is located next to Spring Gardens Car Park and is constructed on the former site of industrial and railway buildings.
- 1.2** The site is located just outside of the Tewkesbury Conservation Area which runs along the northern side of Station Road. Although not in the Conservation Area, the building has a strong visual impact upon the setting of the area.
- 1.3** This application seeks to change all the windows within The Maltings building from timber casements to UPVC double glazed casements of the same colour and similar design and change the main door from timber to aluminium automatic doors in black to match the windows.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
13/01111/FUL	Replacement of existing timber framed conservatory with a UPVC conservatory, with double glazed window unit.	PER	24.12.2013
14/00573/FUL	Replacement of existing timber window units with UPVC double glazed units throughout the building.	PER	22.08.2014
16/00002/MINOR	Replacement of existing timber window units with UPVC double glazed units throughout the building.	GRANT	15.03.2016

3.0 RELEVANT POLICY

The following planning guidance and policies are relevant to the consideration of this application:

3.1 National guidance

National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

3.2 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

- Policy SD4 (Design Requirements)
- Policy SD8 (Historic Environment)
- Policy SD14 (Health and Environment Quality)

3.3 Tewkesbury Borough Local Plan to 2011 – March 2006 (TBPL)

- Policy HOU8 (Domestic Extensions)
- Policy HEN2 (Conservation Area: Setting and Impact)

3.4 Tewkesbury Borough Plan 2011-2031 Pre-submission Version (October 2019)

- Policy RES10 (Alteration and Extension of Existing Dwellings)
- Policy HER1 (Conservation Areas)

3.5 Neighbourhood Plan

None

3.6 Other relevant policies/legislation

- Human Rights Act 1998
- Article 8 (Right to Respect for Private and Family Life)
- The First Protocol - Article 1 (Protection of Property)

4.0 CONSULTATIONS

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

4.1 Tewkesbury Town Council – Objection. Although this site is not within the Conservation Area it has a strong visual impact on parts of it and the proposals will lose the historic reference of the original design.

4.2 Conservation Officer – No Objection

5.0 PUBLICITY AND REPRESENTATIONS

Full copies of all the representation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

5.1 The application has been publicised through the posting of a site notice for a period of 21 days.

5.2 There has been 1 letter of representation received, this is in support of the application based on design and conservation grounds.

6.0 POLICY CONTEXT

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.

6.2 The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), saved policies of the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP), and a number of 'made' Neighbourhood Development Plans.

- 6.3** The Tewkesbury Borough Plan (TBP) has reached an advanced stage. The Pre-Submission TBP was submitted for examination in May 2020. Examination in Public (EiP) took place over five weeks during February and March 2021. The examining Inspector's post hearings Main Modifications letter was received on 16th June 2021. In this letter the Inspector provided his current view as to what modifications are required to make the Plan 'sound'.
- 6.4** A schedule of Main Modifications to the Pre-submission TBP were approved at the meeting of the Council on 20th October 2021 and is now published for consultation as the Main Modifications Tewkesbury Borough Plan (MMTBP).
- 6.5** Those policies in the MMTBP which were not listed as requiring main modifications may now attract more weight in the consideration of applications, with those policies which are subject to main modifications attracting less weight depending on the extent of the changes required. The TBP remains an emerging plan and the weight that may be attributed to individual policies (including as with modifications as published for consultation) will still be subject to the extent to which there are unresolved objections (the less significant the unresolved objections, the greater the weight that may be given) and the degree of consistency with the NPPF (the closer the policies to those in the NPPF the greater the weight that may be given).
- 6.6** The relevant policies are set out in the appropriate sections of this report.
- 6.7** Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2021 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

7.0 ANALYSIS

Design and Visual Amenity

- 7.1** JCS Policy SD4 of the Joint Core Strategy sets out requirements for high quality design while Local Plan Policy HOU8 and MMTBP Policy RES10 provides that development must respect the character, scale and proportion of the existing building and the surrounding development.
- 7.2** The proposed alterations to the windows would be of a similar size and the same colour. This would result in the little change of appearance to the building when viewing this from the street scene.
- 7.3** The proposed change of the front door would be in keeping with the changes to the windows as this would match the rest of the development which respects the character of the building.
- 7.4** The proposal would be of an appropriate size and design in keeping with the character and appearance of the building. Therefore, the proposal would have an acceptable impact on the character of the surrounding area and complies with the requirements of Policy HOU8 of the Local Plan, Policy RES10 of the MMTBP and Policy SD4 of the JCS.

Effect on the Living Conditions of Neighbouring Dwellings

- 7.5 Policy SD14 of the JCS requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants. Local Plan Policy HOU8 and Policy RES10 of the MMTBP provides that extensions to existing dwellings should not have an unacceptable impact on adjacent property and residential amenity.
- 7.6 The impact of the proposal upon neighbouring properties has carefully been assessed and it is considered that there would not be an undue impact upon their amenity in accordance with Policy HOU8 of the Local Plan, Policy RES10 of the MMTBP and Policy SD14 of the JCS.

Effect on the Surrounding Heritage Assets

- 7.7 The Maltings is located opposite the Tewkesbury Conservation Area (which is a designated heritage asset). As such when determining planning applications this authority has a duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The proposal will also be assessed against section 16 of the NPPF, Policy SD8 of the JCS, saved policy HEN2 of the Local Plan and MMTBP Policy HER1.
- 7.8 The main changes will be the material (timber to UPVC). This is disappointing and will dilute the quality of the building as a whole. It is also disappointing that the design of the windows in the projecting bays will change from the round headed windows to a standard square window. Nevertheless, despite being close to the boundary of the conservation area, as an unlisted modern building in a context such as this, it is not realistic to resist the use of UPVC or the change of window design within the parameters of the policies above.
- 7.9 The impact of the proposal upon the setting of the heritage assets present has carefully been assessed and it is considered that there would not be an undue impact upon their setting in accordance with Policy SD8 of the JCS, Local Plan Policy HEN2 and MMTBP Policy HER1.

8.0 CONCLUSION AND RECOMMENDATION

- 8.1 It is considered that the proposal would not be unduly harmful to the appearance of the existing building nor the surrounding area, including the setting of heritage assets, and it would not result in an unacceptable loss of residential amenity to neighbouring dwellings. It would therefore accord with relevant policies as outlined above. Therefore it is recommended the application be **permitted**.

CONDITIONS:

1. The works hereby permitted shall be begun before the expiration of five years from the date of this consent.

Reason: Required to be imposed by 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 development hereby permitted shall be carried out in accordance with the following documents:
 - Drawing Numbers 1000 (Site Location Plan), 130720 AP(2)07 (Existing Roof/Block Plan), 130720 AP(2)11 B (Proposed East & West Elevations), 130720 AP(2)12A (Existing and Proposed General Window Elevations), 130720 AP(2)14 (Proposed General Window Elevations) and 130720 AP(2)15 (Proposed Generic Window Sections) received by the Local Planning Authority on 19/05/2021
 - Drawing Number 130720 AP(2) 10 D (Proposed North & South Elevations) received by the Local Planning Authority on 06/12/2021

Except where these may be modified by any other conditions attached to this permission.

Reason: To ensure that the development is carried out in accordance with the approved plans.

3. The colour of the UPVC to be used in the construction of the windows and doors of the proposed development shall be black to match the colour of the original windows in the existing building.

Reason: To ensure that the proposed development is in keeping with the existing building.

INFORMATIVE:

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing the to the Council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.