

Planning Committee

Date	20 December 2022
Case Officer	James Stanley
Application No.	22/00926/LBC
Site Location	39 Church Street, Tewkesbury
Proposal	Installation of a traditional projecting hanging sign and bracket to the front elevation; installation of hanging sign above the front door; installation of a grab handle at the front door; conversion of existing railings on the rear boundary to a gate.
Ward	Tewkesbury Town South
Parish	Tewkesbury
Appendices	Site Location Plan Front Elevation Plan Projecting Sign and Bracket Plan Hanging Sign and Grab Handle Plan Rear Gate Plan
Reason for Referral to Committee	The applicant is the partner of an employee of Tewkesbury Borough Council
Recommendation	Consent

Site Location



1. The Proposal

Full application details are available to view online at:

<http://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RGRLRFQDLDL00>

- 1.1** This application seeks to install a hanging sign, a projecting sign, and a grab handle upon the principal elevation and convert the existing rear railings into a gate.

2. Site Description

- 2.1** This application relates to 39 Church Street, a Grade I listed Building and dates from the early 15th C which is a designated heritage asset. It is part of a terrace of jettied timber framed shops and houses built for the Abbey. It is located within the Tewkesbury Conservation Area and the Tewkesbury Article 4 Direction.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
00/00221/LBC	Alterations associated with change of use to offices - Grade I listed Building Ref: 859-1/6/104	CONSEN	11.09.2000

4. Consultation Responses

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

- 4.1 Tewkesbury Town Council** – No objection.

- 4.2 Historic England** – No comment to be made.

- 4.3 Conservation Consultant** – No objection.

5. Third Party Comments/Observations

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 neighbour notification letters and a Site Notice for a period of 28 days.

- 5.2** No representations have been received.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

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

6.2 National guidance

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

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

- Policy SD4 (Design Requirements)
- Policy SD8 (Historic Environment)

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

- Policy HER2 (Listed Buildings)

6.5 Neighbourhood Plan

None

7. Policy Context

7.1 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.

7.2 Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possess.

7.3 Chapter 16 of the National Planning Policy Framework sets out the importance of protecting and enhancing the historic environment, and conserving heritage assets in a manner appropriate to their significance. In particular, paragraph 197 states that in determining planning applications, local authorities should take account of 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'. Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

7.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise. Although this legal requirement does not apply to the consideration of listed building consent applications, the planning objectives set out in JCS Policy SD8 are clearly relevant to the consideration of this application for listed building consent.

7.5 The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans

7.6 The relevant policies are set out in the appropriate sections of this report.

- 7.7** 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.

8. Evaluation

Effect upon the Listed Building

- 8.1** 39 Church Street is a designated heritage asset; Grade I listed and dates from the early 15th C, it is part of a terrace of jettied timber framed shops and houses built for the Abbey and it is a nationally important and therefore highly graded early timber framed building located at southern end of Church Street. It is within the Tewkesbury Conservation Area. The building was a public house until 1917 known as the Aurora Inn.
- 8.2** This application seeks approval for the installation of a simple hanging sign and hand grab to the front elevation of the building and an alteration to the rear boundary wall to reinstate access along the historic route known as Aurora Passage. The proposed hanging sign is to be hung on a reused historic bracket, non- illuminated, with gold lettering on a black background. The hand grab rail is to be traditionally crafted and fixed to a modern replacement timber. The proposed signage and hand grab are not contentious, the statement submitted with the application fully details these additions and identifies a precedent set by the neighbouring building.
- 8.3** To the rear of the building the application proposes the replacement of fixed railings with a gate to reinstate access along the former Aurora Passage, an historic route through from Church Street to the rear of the property. The existing railings are circa 1980s as a panel set within a 1980s wall of brick bonded with cement. The proposed gate is acceptable as there would be no change to the visual impact or the setting of the listed building.
- 8.4** No harm to the significance of the listed building would arise from the proposed signage or the alteration to the rear railings this application. There is a public benefit in the retention of a vibrant high street.
- 8.5** The proposal would not conflict with Section 16 of the National Planning Policy Framework, Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy and Policy HER2 of the adopted Local Plan.

9. Conclusion

- 9.1** It is considered that the proposal would preserve the listed building and therefore accords with Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, JCS Policy SD8 and Tewkesbury Borough Plan Policy HER2.

10. Recommendation

- 10.1** The proposal accords with relevant policies as outlined above, it is therefore recommended that **consent is granted**.

11. Conditions

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

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following documents:

- Location Plan, Block Plan, Drawing Numbers 1 (Existing and proposed front elevations of rear boundary (installation of two hanging signs and a grab handle), 2 (Detail of proposed front elevation), 3 (Detail of projecting hanging sign and bracket), and 4 (Detail of hanging sign and grab handle) received by the Local Planning Authority on 17.08.2022.
- Drawing Number 5 (Existing and proposed elevations of rear boundary (conversion of fixed railings to opening gate) received by the Local Planning Authority on 14.10.2022.

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.

12. Informatics

1 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.