

Item No 04:-

15/04226/FUL (CT.2412/P)

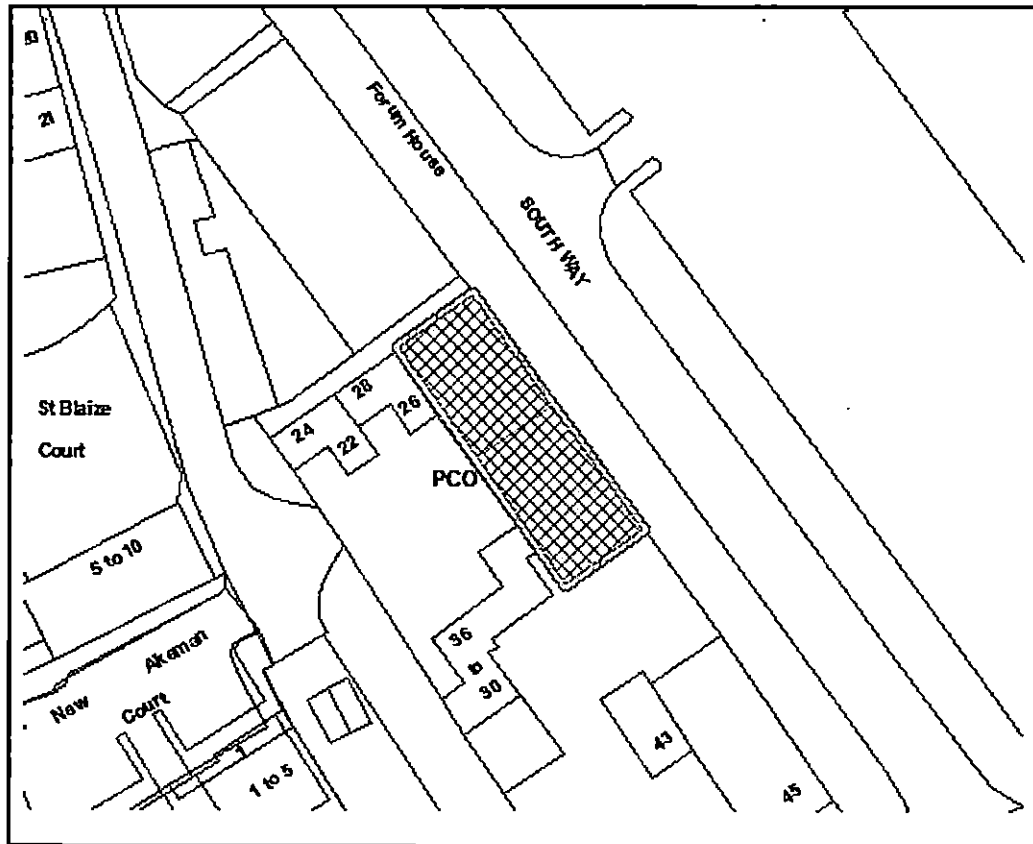
**Lumley St Aubyn Insurance Services Ltd
South Way House
South Way
Cirencester
Gloucestershire
GL7 1FN**

Item No 04:-

**Extensions and alterations to provide additional (Class B1) office
accommodation and associated ancillary development
at Lumley St Aubyn Insurance Services Ltd South Way House South Way**

Full Application 15/04226/FUL (CT.2412/P)	
Applicant:	Lumley Insurance Limited
Agent:	Plan-A Planning And Development Ltd
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Joe Harris
Committee Date:	9th March 2016

Site Plan



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RECOMMENDATION: PERMIT

Main Issues:

- (a) The principle of the development proposed;
- (b) Impact upon the Conservation Area
- (c) Residential amenity;
- (d) Parking provision; and
- (e) Impact upon trees

Reasons for Referral:

This application has been referred to the Planning Committee for determination at the request of Councillor Harris for the following reason:-

'Due to the recent planning history of the site and the impact that the application will have on residents living in the Walled Garden I'd like the application to be considered by the full committee.

I'd also add that I believe this application would be suitable for a site visit in advance of the planning committee.'

1. Site Description:

The application site is located on the western side of South Way in Cirencester Town Centre, and is opposite the Forum Car Park. The site is presently occupied by a two-storey office building which was granted planning permission in 1983, with a parking area to its south to which access is taken off South Way.

To the west of the site is residential development, The Walled Garden, which is accessed off West Way.

The boundaries to the site are formed of reconstituted stone walling, and the site lies with the Development Boundary defined by the Local Plan for Cirencester, as well as being within the Cirencester Town Centre Conservation Area and the Commercial Centre designated by Local Plan Policy 25.

2. Relevant Planning History:

01/00518/FUL: Installation of an air conditioning unit. Granted 18.7.2001

01/02521/ADV: 1 non-illuminated fascia frame and panel and 1 illuminated projecting sign. Granted 7.2.2002

13/00113/ADV: New signage to front of building. Granted 21.3.2013

14/04415/FUL: Extensions and alterations to provide additional (Class B1) office accommodation together with four (Class C3) residential flats and associated ancillary development. Refused 9.4.2015. Appeal dismissed 11.1.2016

A copy of the appeal decision is attached as an appendix to this report

3. Planning Policies:

NPPF National Planning Policy Framework
 LPR10 Trees, Woodlands and Hedgerows
 LPR18 Develop within Development Boundaries
 LPR24 Employment Uses
 LPR25 Vitality & Viability of Settlements
 LPR38 Accessibility to & within New Develop

LPR39 Parking Provision
 LPR42 Cotswold Design Code
 LPR15 Conservation Areas
 LPR45 Landscaping in New Development
 LPR46 Privacy & Gardens in Residential Deve

4. Observations of Consultees:

Highway Authority: No objection

Conservation Officer: Incorporated into the report

Tree Officer: Incorporated into the report

County Archaeologist: No objection subject to conditions

5. View of Town/Parish Council:

Views of Town Council: Support - Members had no objection to the extension and alterations to provide additional Class B1 office accommodation, as the materials matched and are in keeping with the existing building.

Comments upon amended plans: -

Members reiterated their previous comment, as above.

6. Other Representations:

5 letters of representation have been received, making the following comments: -

- overlooking from windows towards neighbouring flats and courtyard
- loss of privacy
- loss of daylight
- impact upon trees

No representations have been received in respect of the amended plans received on 28th January 2016.

7. Applicant's Supporting Information:

Design and Access Statement
 Arboricultural Impact Assessment
 Parking Survey

8. Officer's Assessment:

(a) The Principle of the Development Proposed

The application site is located within the Development Boundary designated in the Cotswold District Local Plan for Cirencester, where there is a presumption in favour of development provided that the specified criteria are satisfied, including a requirement that any residential development is of a scale that is commensurate with the level of facilities available, and that the siting, appearance and scale of the development respects the form, character, appearance and setting of the settlement, and would cause no significant adverse environmental or visual harm to the site or surroundings.

The site is also within the Commercial Centre defined in the Local Plan, whereby the requirements of Policy 25 require consideration. This requires development to help to maintain or

enhance the vitality and viability of the settlement, including consideration of the size, scale and function of the development, maintaining an appropriate mix of uses in the commercial streets, including residential use where appropriate, accessibility to public transport, walking and cycling, and making a contribution towards the quality, attractiveness and character of the settlement and the street frontage within which the site is located.

The expansion of the existing office use at the site is, therefore considered to be acceptable in principle and in accordance with the policies in the Development Plan.

(b) Impact upon the Conservation Area

South Way House lies within the Cirencester Town Centre Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Section 12 of the National Planning Policy Framework asks that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 132 states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also states that significance can be harmed through alteration or development within the setting.

Section 7 of the NPPF requires good design. Paragraph 58 states that decisions should ensure that developments: function well in the long term and add to the overall quality of an area; establish a strong sense of place, creating attractive and comfortable places; and respond to local character and history, reflecting the identity of the surroundings and materials, whilst not stifling innovation. Paragraph 60 states that local distinctiveness should be promoted or reinforced and Paragraph 61 that connections between people and places, with the integration of new development into the built and historic environment.

Policy 15 of the Cotswold District Local Plan states that development must preserve or enhance the character or appearance of the area as a whole, or any part of that area. It states that development will be permitted unless: it involves the demolition of a building, wall or other structure that makes a positive contribution; new or altered buildings are out-of-keeping with the special character or appearance of the area in general or in a particular location (in siting, scale, form, proportions, design or materials); or there would be the loss of open spaces that make a valuable contribution.

Policy 42 of the Local Plan requires that development should be environmentally sustainable and designed in a manner that respects the character, appearance and local distinctiveness of the Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship.

The CA3: Cirencester Town Centre Character Appraisal and Management Plan 2008 analyses the built environment and spatial qualities of this part of the conservation area, identifying the unlisted buildings affected as positive, neutral or negative. The issues identified in the vicinity of The Forum include the opportunities for enhancement provided by the 'poorly proportioned' late-20th century buildings, "identified by horizontal emphasis, asymmetric fenestration and inadequate modelling including large, slab-like development". The Management Plan policy for new development includes(MP1): respecting historic plots and building lines; employing appropriate natural materials reflecting those in the vicinity; respecting the scale, roofscape, modulation, proportion of solid to void, and massing of existing and historic buildings; and creating active frontage to all publicly visible elevations.

The currently proposed refurbishment and extension is very considerably scaled back from the previous scheme that was dismissed on appeal. The main body of the existing building would have an increase in the ridge of the roof, but the eaves height remains the same, and the apparent bulk of the building would be little altered from its current state.

The proposed extension is modest in scale and subordinate to the main building. It would not increase the apparently mass or bulk of the building significantly, and would therefore not harm the character or appearance of the conservation area.

The proposed rendering of the existing, somewhat dated artificial stone elevations is welcome. The pairing of the windows with oak panels between them will give a rhythm to the elevation, and bring in an accent of a natural material; the catslide dormers above continue this articulation, and are a form of dormer that does occur within Cirencester.

The vertical slit for the door emphasises the entrance, and honestly reflects the location of the vertical circulation within, as well as providing a contrast to the horizontal emphasis of the windows.

Overall the proposal would be a considerable enhancement of the present building, and would therefore accord with Sections 7 and 12 of the NPPF, with Policies 15 and 42 of the Cotswold Local Plan, and CA3 of the Cirencester Town Centre Character Appraisal and Management Plan 2008.

(c) Residential Amenity

Representations have expressed concern regarding the impact of the proposed development upon the amenities currently enjoyed by occupants of 'The Walled Garden', which lies to the west and south-west of the application site. In particular, this relates to the apartments closest to the common boundary, and to concerns over overlooking and loss of light.

Paragraph 17 of the NPPF refers to development proposals seeking to secure a good standard of amenity for all existing and future occupants of land and buildings, whilst Policy 46 of the Local Plan requires the provision of adequate areas of open space around dwellings so as to ensure reasonable privacy and daylight.

The scheme as submitted has been amended following the receipt of the appeal decision upon application 14/04415/FUL, such that the windows on the rear elevation of the building are now shown to be fitted with obscure glass, whilst the dormer windows to the rear facing roofslope have been replaced by rooflights. The existing building would be increased in height by just over 1 metre, but considering the proximity of the building to The Walled Garden, and with the eaves height remaining constant, it is not considered that this would materially impact upon the amenities of this adjacent development.

The extension at the southern end of the building has nowhere near the scale or massing of that previously refused, and would have a blank roofslope facing towards The Walled Garden.

The applicants have provided shadow diagrams to demonstrate that the degree of impact would be limited, and that the only notable impact would be during the afternoon and evening with additional shadow cast across South Way, with minimal impact arising for The Walled Garden.

The amended plans that were received amending the design of the windows and dormers on the rear elevation have been consulted upon with the objectors, and no additional representations have been made.

Therefore, having regard to the appeal decision for the refusal of application 14/04415/FUL, it is considered that the increase in bulk and massing of the extended building, together with the amendments to the design, are such that there would not be a materially harmful impact upon the amenities currently enjoyed by occupants of The Walled Garden, in accordance with paragraph 17 of the NPPF.

(d) Parking Provision

There is an existing entrance off South Way to a car parking area located to the southern end of the existing building upon the site, which may accommodate up to 6 vehicles. As a result of the development, space for 3 cars is shown within the remaining parking area.

The Highway Authority has commented that the extended office will be expected to result in a small but not significant increase in additional trips to and from the site given the floor space of the proposed office.

The applicants have provided a parking survey, which was undertaken at the time of the previous application (14/04415/FUL). At that time, this was considered by the Highway Authority, and was considered to demonstrate that there would be available capacity to accommodate the proposed development, which included residential use as well as additional office floor space. With regard to the current application, which would generate less demand for parking provision due to its reduced floor space, it is considered that the development would not have a severe cumulative impact given the existing demands for parking throughout the town centre.

The site is centrally located within Cirencester within walking distance of regular service bus stops providing sustainable travel options to and from the site. In addition there are public car parks close by providing parking if required for private vehicle trips. On this basis and considering there are existing on-street parking restrictions on surrounding streets the reduction in the existing parking provision is considered acceptable.

Therefore, the Highway Authority is raising no objection to the proposal, which is considered to accord with the NPPF and Policies 38 and 39 of the Local Plan.

(e) Impact upon trees

Whilst there are no trees within the application site affected by the development, there are two trees adjacent to the site within the pavement running along South Way. The site is within a Conservation Area, and as such the trees are protected having regard to Policies 10 and 15 of the Local Plan.

The Tree Officer has commented that the construction process and re-surfacing of the car park has the potential to impact upon these trees, , but that with appropriate measures in place to protect the trees to impact of the works should be able to be mitigated by condition. The proposal therefore accords with Policies 10 and 45 of the Local Plan.

9. Conclusion:

The revised proposal is considered to have addressed the concerns raised by both the previous refusal of planning permission, together with the subsequent appeal decision.

The proposal, therefore, is considered to accord with the policies in the Development, together with the NPPF, which are not outweighed by other material planning considerations.

10. Proposed conditions:

The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development hereby approved shall be implemented in accordance with the following drawing numbers: PP01-A; PP02-B; PP03-B; PP04-B; PP05-B; PP06-A; PP09-B; PP10-A and PP11-B.

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

Prior to the construction of any wall on the development hereby approved, a sample panel of render of at least one metre square in size showing its proposed texture and colour shall be erected on the site and subsequently approved in writing by the Local Planning Authority and the walls shall be constructed only in the same way as the approved panel. The panel shall be retained on site until the completion of the development.

Reason: To ensure that in accordance with Cotswold District Local Plan Policies 15 and 42, the development will be constructed of materials of a type, colour, texture and quality and in a manner appropriate to the site and its surroundings. Retention of the sample panel on site during the work will help to ensure consistency.

All door and window frames shall be recessed a minimum of 75mm into the external walls of the building.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

Prior to the construction of any wall on the development hereby approved, a sample of the proposed finish to the external woodwork shall be submitted to and approved in writing by the Local Planning Authority. The external woodwork shall be finished and thereafter retained as approved.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42. The colour of the finish of the external woodwork will have a material effect on the appearance of the proposed development.

The new rooflights shall be of a design which, when installed, shall not project forward of the roof slope in which the rooflights are located.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

No bargeboards or eaves fascia shall be used in the proposed development.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

New rainwater goods shall be of cast iron construction or a substitute which has been approved in writing by the Local Planning Authority.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

Prior to the construction of any wall on the development hereby approved, the design and details of the doors and windows, signage and external illumination shall be submitted to and approved in writing by the Local Planning Authority.

The design and details shall be accompanied by drawings to a minimum scale of 1:5 with full size moulding cross section profiles, elevations and sections. The development shall only be carried out in accordance with the approved details and retained as such at all times.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies 15 and 42.

No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework.

Prior to the commencement of the development, the type and depth of foundations, drainage and services shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constricted in accordance with the approved details.

Reason: To make provision for the conservation of significant heritage assets, in accordance with the National Planning Policy Framework, paragraph 129. The submission of these details prior to the commencement of development is necessary having regard to the potential to impact upon items of archaeological interest.

Prior to the commencement of development, a detailed Arboricultural Method Statement and revised Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority (LPA).

The approved strategy shall be implemented in full according to the timescales laid out in the strategy, unless otherwise agreed in writing by the LPA.

Any trees shown on the approved Tree Protection Plan to be retained which die, are removed, are damaged or become diseased within 5 years of the completion of the approved scheme (date of final completion certificate issued in regard to Building Regulations), shall be replaced by the end of the next planting season. The size and species of replacement trees shall be agreed in writing by the Local Planning Authority.

Reason: To safeguard the retained/protected trees in accordance with Cotswold District Local Plan Policies 10 and 45. The submission of these details prior to the commencement of works is required due to the potential damage to the trees without adequate protection measures being put in place.

Prior to the first occupation of the development hereby approved the new windows in the rear elevation at first floor level shall be fitted with obscure glazing, and shall be permanently retained as such thereafter.

Reason: To protect the privacy of the occupants of neighbouring dwellings in accordance with Cotswold District Local Plan Policy 46 and paragraph 17 of the NPPF.

The development shall not be occupied or brought into use until vehicle parking has been provided in accordance with the approved plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure that adequate off-road parking is provided, in accordance with Local Plan Policy 39.



23/10/2015

LUMLEY
INSURANCE BROKER

SOUTHWAY HOUSE

102



23/10/2015

LUMLEY
GREAT
LUMLEY

133 12

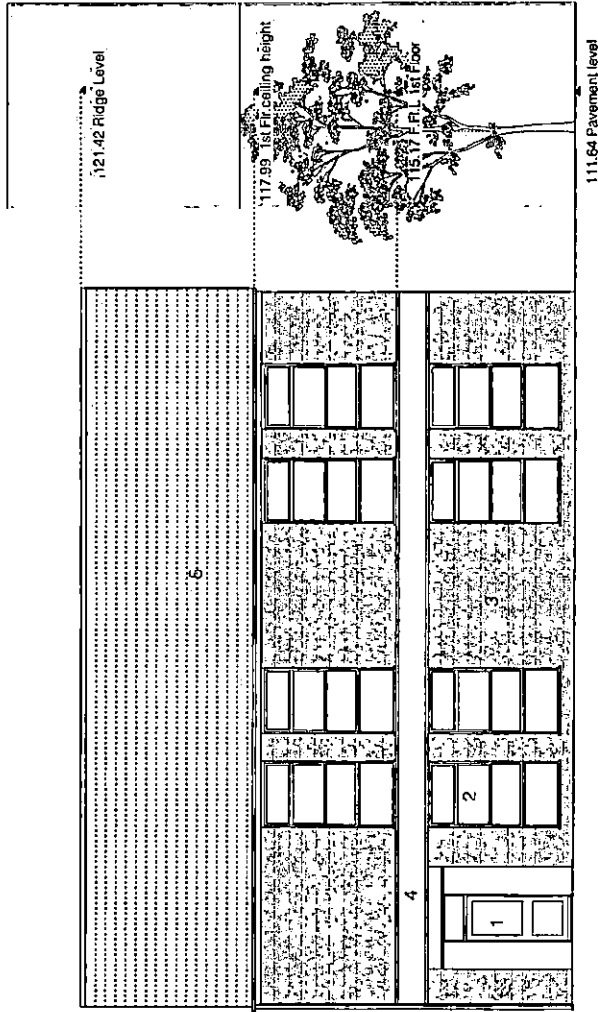
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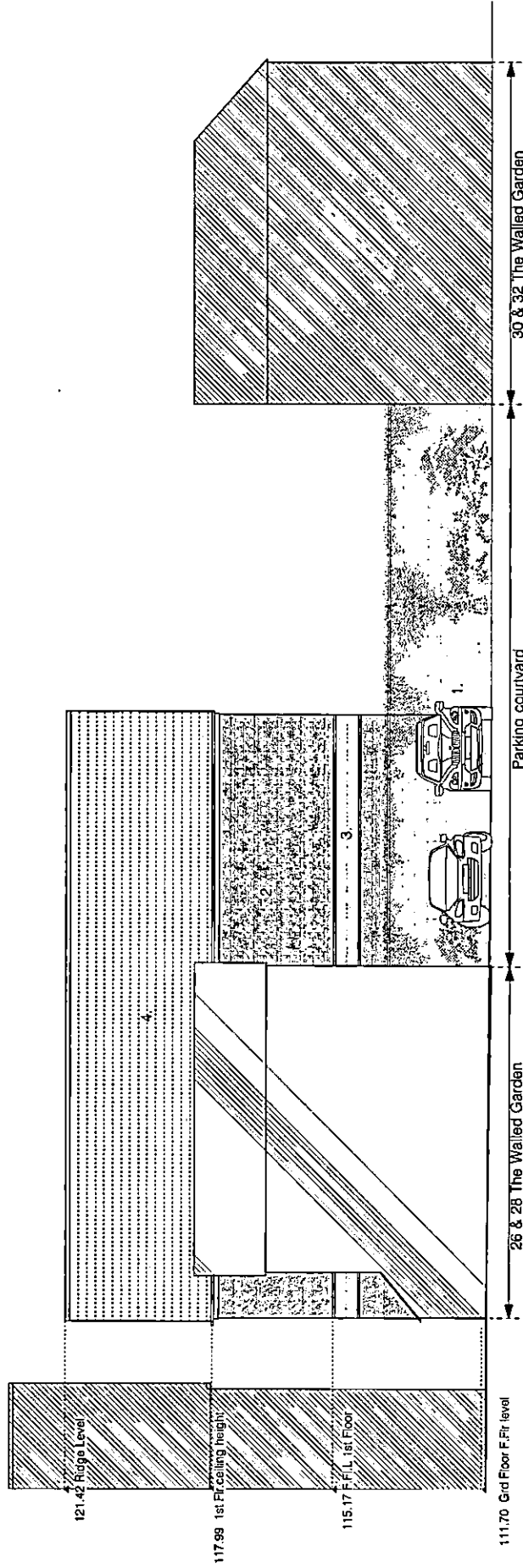


SV06 Existing Front Elevation (North)
1:100

1. Glazed Entrance door with tiles to the side
2. Stained (Dark Brown) timber windows
3. Rough faced coursed bradstone block wall.
4. Fair Faced bradstone band.
5. Bradstone roof tiles.



REV.	DATE	DESCRIPTION



Existing Rear Elevation (South)
SV07 1:100

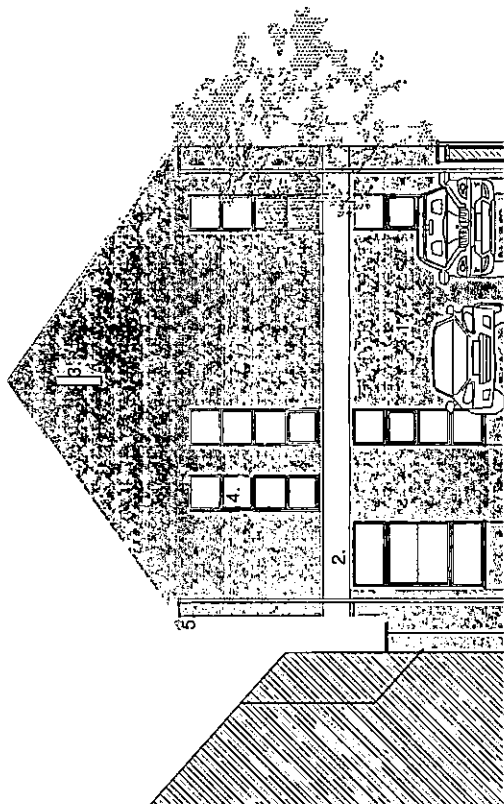
1. Existing Bradstone Boundary wall
2. Rough faced coursed bradstone block wall
3. Fair Faced bradstone band.
4. Bradstone roof tiles..

HENRY HOMERSHAM ARCHITECTS
 The Old Mill, Market Street, Northampton, NN1 1JN
 Tel: 01603 263737 Fax: 01603 263738 www.henryhomersham.co.uk

JOB: Southway House
 DATE: 30 Sept 2014
 DWG TITLE: Existing Rear Elevation
 SCALE: 1:100
 JOB NO.: 1408
 DWG NO: SV07
 REV: AS

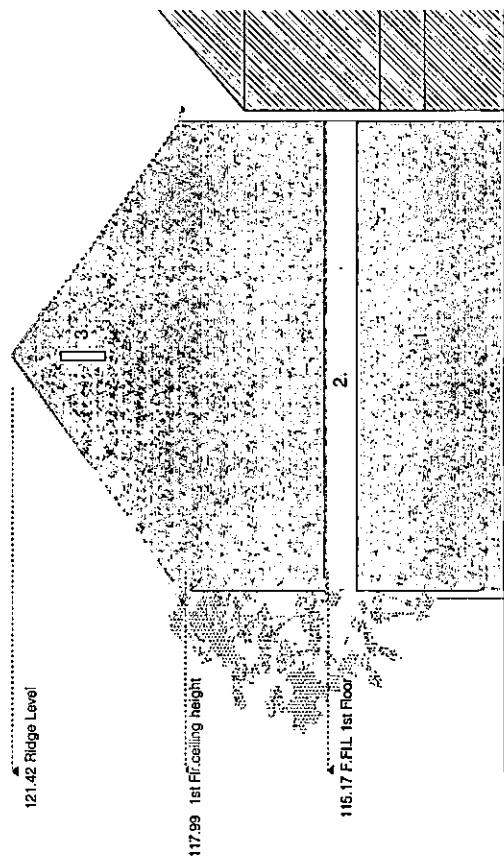
REV.	DATE	DESCRIPTION

Survey Drawing
 30 Sept 2014
 1:100
 SV07
 AS
 REV.



2 Proposed Side (S-East) Elevation
5/109 1:100

1. Rough faced Bradstone block wall
2. Fair faced Bradstone band (2 courses)
3. Arrow slit window to attic space
4. Stained (Dark brown) timber windows
5. Brown aluminium RW down pipe



1 Proposed Side (N-West) Elevation
5/109 1:100

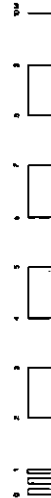
1. Rough faced Bradstone block wall
2. Fair faced Bradstone band (2 courses)
3. Arrow slit window to attic space

121.42 Ridge Level

117.99 1st Floor ceiling height

115.17 F.F.L 1st Floor

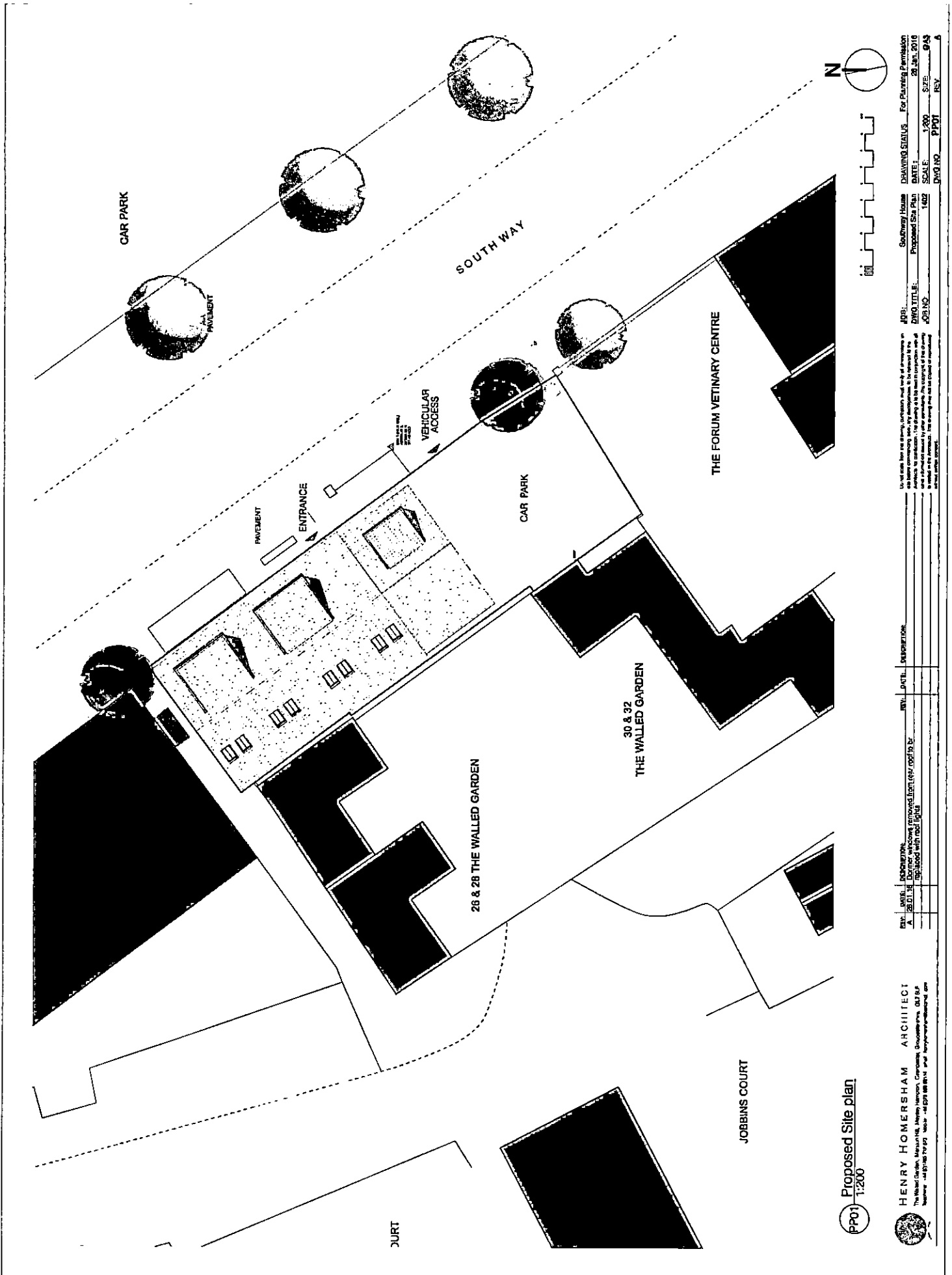
111.70 Grid Floor F.F.L level



HENRY HOMERSHAM ARCHITECT
100, High Street, Bournemouth, Dorset, BH1 1AA
Tel: 01202 303030 Fax: 01202 303031

REV.	DATE	DESCRIPTION	BY	CHK	APP

JOB:	Southway House	DRAWING STATUS:	Survey Drawing
DWG TITLE:	Existing Site Elevations	DATE:	30 Sept 2014
JOB NO:	1402	SCALE:	1:100
		DWG NO:	5/109

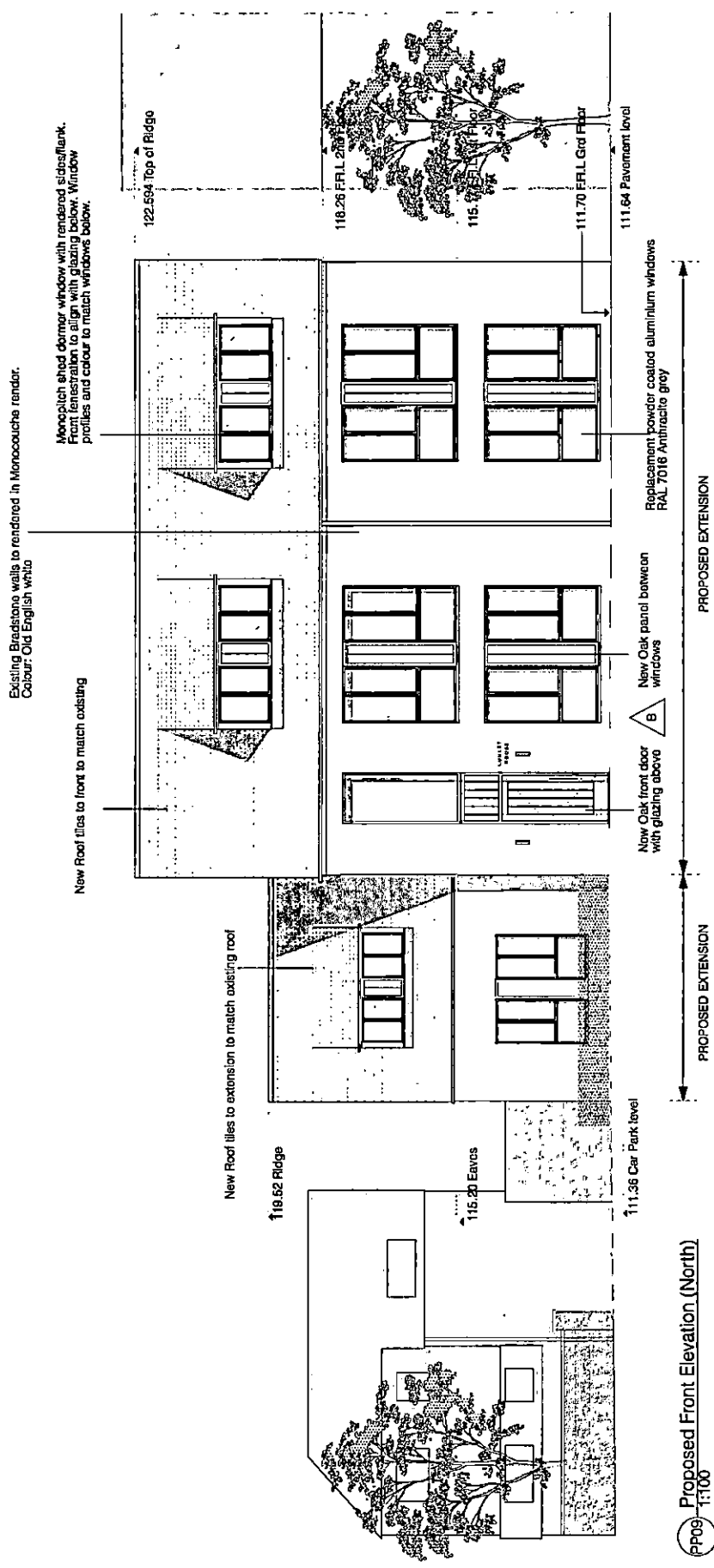


To verify that the drawings, specifications, and all other information are correct and complete, the client is required to check the drawings and specifications against the site conditions and to provide a written confirmation of such to the architect. The architect is not responsible for any errors or omissions in the drawings or specifications, or for any consequences arising therefrom, whether or not such are caused in whole or in part by the client's negligence. The drawings are not to be used for any other purpose without the written consent of the architect.

REV.	DATE	DESCRIPTION	APPROVED SIGNATURE	DATE	INTL. LEVEL	PRESCRIPTION
A	28 JUL 2016	PROPOSED SITE PLAN FOR THE WALLED GARDEN				

DRAWING STATUS: For Planning Permission
 DATE: 28 JUL 2016
 PROPOSED SITE PLAN
 SCALE: 1:200
 JOB NO.: 1402
 DWG NO.: PP01
 SIZE: A4
 REV: A

HENRY HOMERSHAM ARCHITECT
 The Walled Garden, Marston Hill, Newbury, Berkshire, GOSLERS, OX2 9JA
 Telephone: +44 (0)1494 779797, Mobile: +44 (0)7788 881141, Email: henry@hsham.co.uk

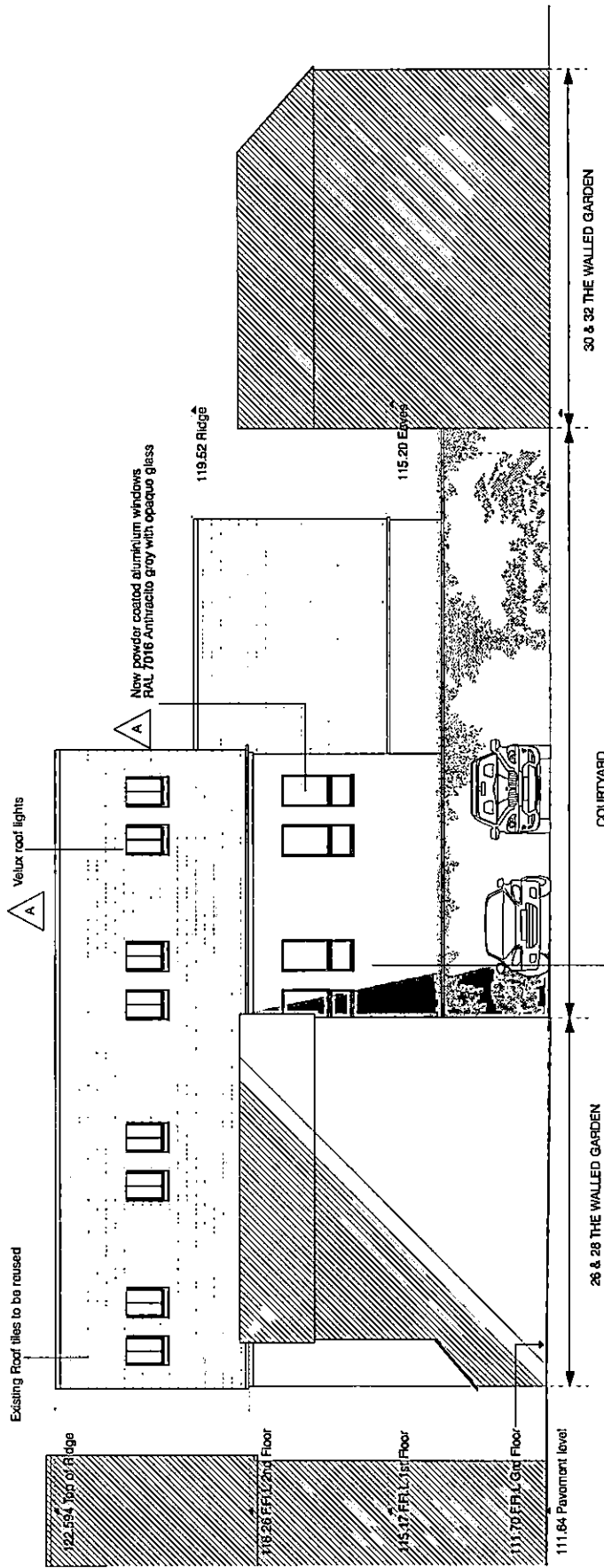


Proposed Front Elevation (North)
 P109 1:100



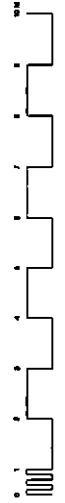
<p>HENRY HOMERSHAM ARCHITECTS The New Centre, 100-102, New Street, Coventry, CV1 1PL Telephone: +44 (0)24 763 2111 Email: henry@hsham.co.uk</p>	<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>18.11.15</td> <td>New Oak Panels to line eaves to match existing</td> </tr> <tr> <td>B</td> <td>21.11.15</td> <td>Entrance Door moved closer to windows</td> </tr> <tr> <td>C</td> <td>21.11.15</td> <td>Roof tile extension to match existing</td> </tr> <tr> <td>D</td> <td>21.11.15</td> <td>Replacement aluminium windows</td> </tr> <tr> <td>E</td> <td>21.11.15</td> <td>Replacement front door</td> </tr> <tr> <td>F</td> <td>21.11.15</td> <td>Replacement front elevation</td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION	A	18.11.15	New Oak Panels to line eaves to match existing	B	21.11.15	Entrance Door moved closer to windows	C	21.11.15	Roof tile extension to match existing	D	21.11.15	Replacement aluminium windows	E	21.11.15	Replacement front door	F	21.11.15	Replacement front elevation	<p>PROJ. DATA</p> <p>PROJECT: BOYKIN HOUSE</p> <p>DRAWING TITLE: Proposed Front Elevation</p> <p>DATE: 20.01.2016</p> <p>SCALE: 1:100 SIZE: A3</p> <p>DWG. NO. P109 REV. 0</p>
NO.	DATE	DESCRIPTION																					
A	18.11.15	New Oak Panels to line eaves to match existing																					
B	21.11.15	Entrance Door moved closer to windows																					
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D	21.11.15	Replacement aluminium windows																					
E	21.11.15	Replacement front door																					
F	21.11.15	Replacement front elevation																					

109



Proposed Rear Elevation (South)
 PPI10 1:100

Existing Bradstone walls to be rendered in Monocoucha render.
 Colour: Old English white

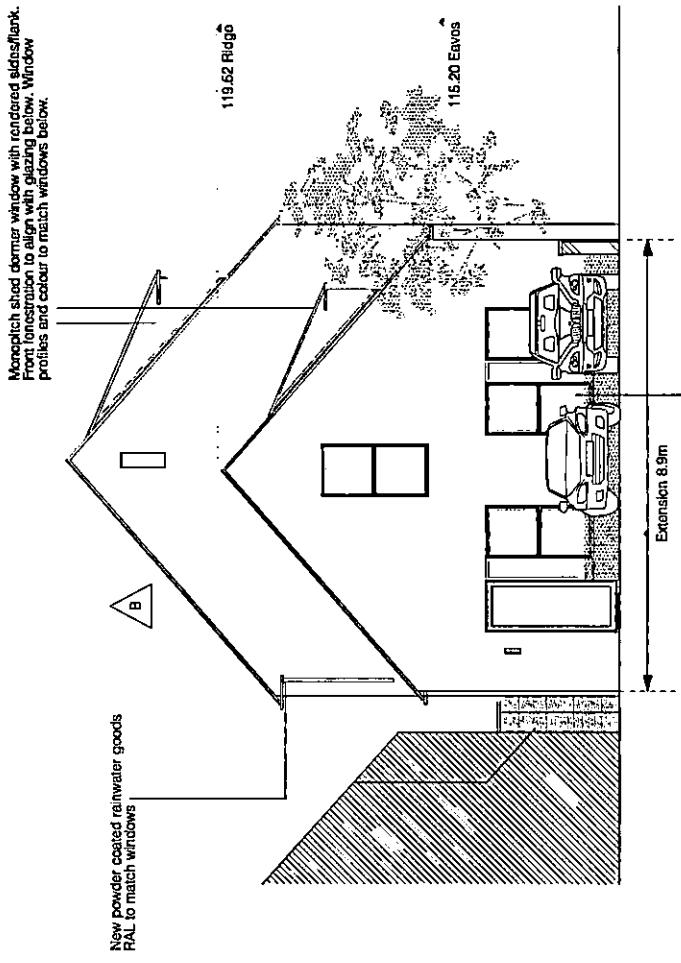


HENRY HOMERSHAM ARCHITECT
 The National Institute for Research in Architecture, Cambridge, Gloucestershire, G11 6JL
 Telephone: 01452 871101 Fax: 01452 871102 Email: henry@henrysham.com

DATE: 20/01/2018
 DRAWING NO: PPI10
 PROJECT NO: 1501
 DRAWING NO: PPI10
 PROJECT NO: 1501

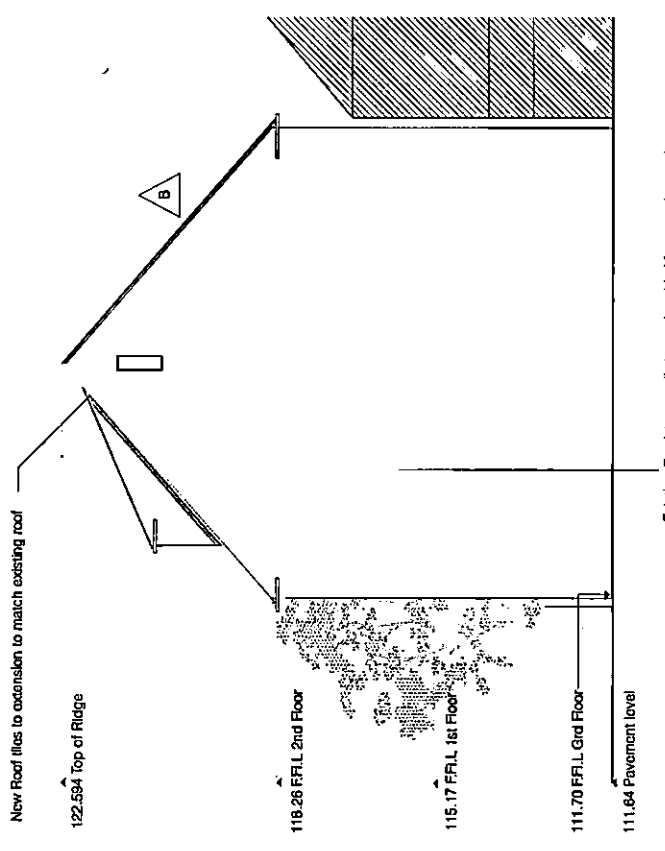
FOR PLANNING
 DATE: 20 JAN 2018
 SCALE: 1:100
 SIZE: A3
 REV: A

DO NOT SCALE FROM THIS DRAWING. ALL DIMENSIONS SHALL BE TAKEN FROM THE DIMENSION LINES UNLESS OTHERWISE SPECIFIED.
 THE DRAWING IS TO BE USED IN CONNECTION WITH THE PROPOSAL FOR THE DEVELOPMENT OF THE SITE.
 THE DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF HENRY HOMERSHAM ARCHITECT.



Powder coated aluminium windows
 Profile and colour to match those on the front
 FIAL TO BE ANTI-RUSTIC GREY

2 Proposed Side (S-East) Elevation
 PPT1 1:100



Existing Brodstone walls to rendered in Moroccancho render.
 Colour: Old English white

1 Proposed Side (N-West) Elevation
 PPT1 1:100



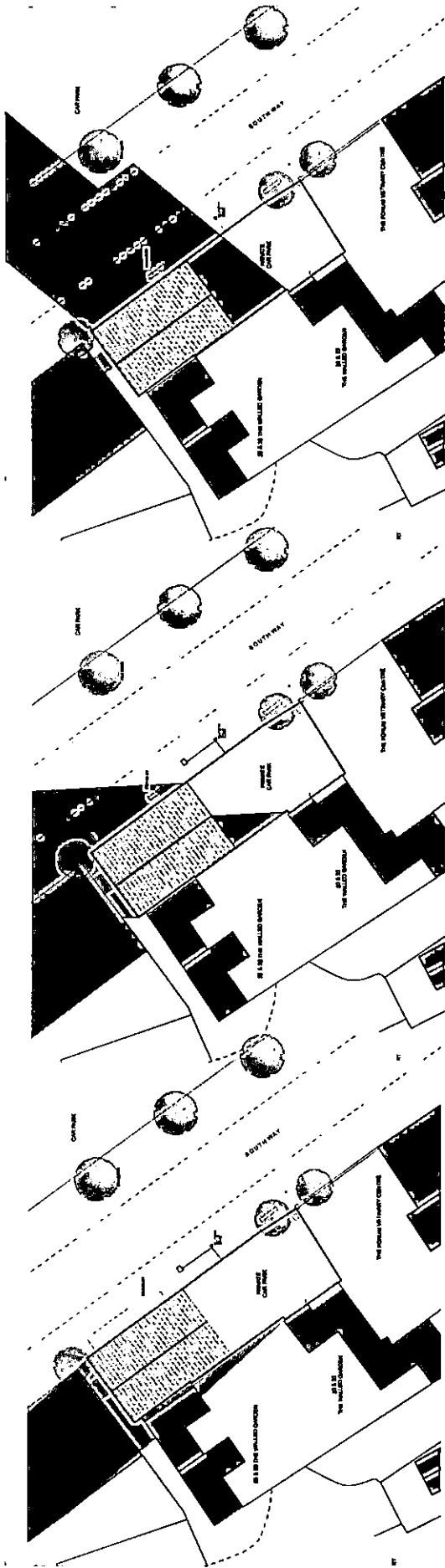
HENRY HOMERSHAM ARCHITECT
 The New Church, 100-102, Market Street, Christchurch, Dorset, BH1 1JF
 Telephone: +44 (0)1204 881 811 Fax: +44 (0)1204 881 812
 www.henryhomersham.co.uk

REV.	DATE	DESCRIPTION	BY	CHECK	APPROVAL
A	18.11.15	Revision of A to cover to the extension roof			
B		Revision of B to cover to the extension roof			
B		Revision of B to cover to the extension roof			
B		Revision of B to cover to the extension roof			

JOB NO.	SCALE	DRAWING	REV.
1501	1:100	PPT1	B

FOR PLANNING
 DATE: 28 January 2016
 SCALE: A3
 DRAWING: PPT1
 REV: B

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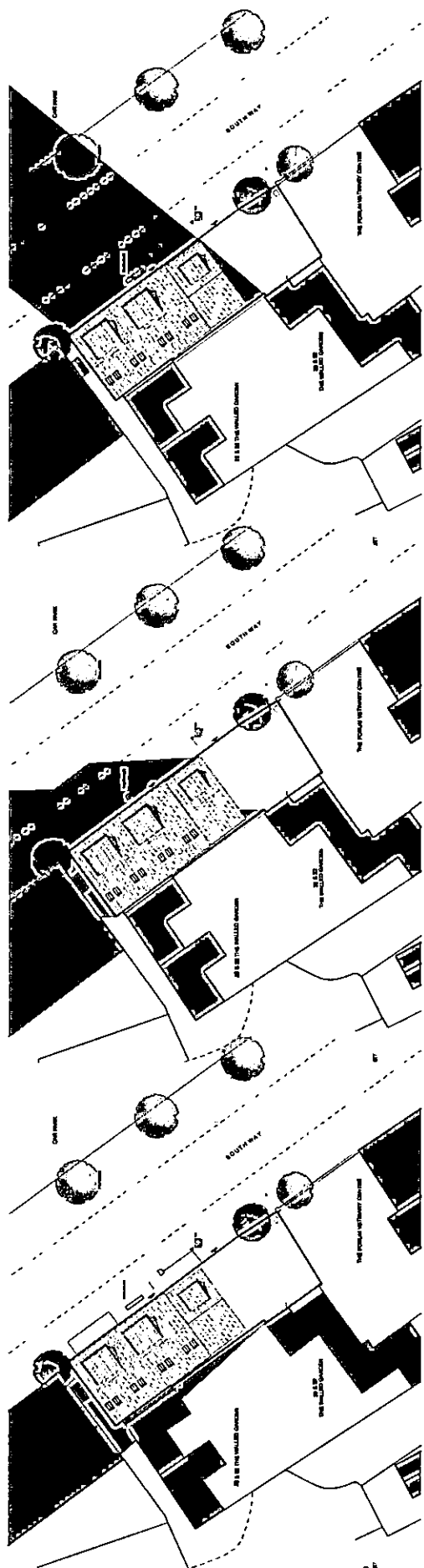


9.00am 22nd December - Winter Solstice

12.00pm 22nd December - Winter Solstice

3.00pm 22nd December - Sunset - Winter Solstice

PP12 Existing Building Shadows - Winter Solstice
1:500

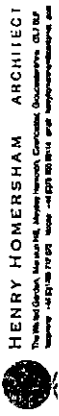


9.00am 22nd December - Winter Solstice

12.00pm 22nd December - Winter Solstice

3.00pm 22nd December - Sunset - Winter Solstice

PP12 Proposed Building Shadows - Winter Solstice
1:500

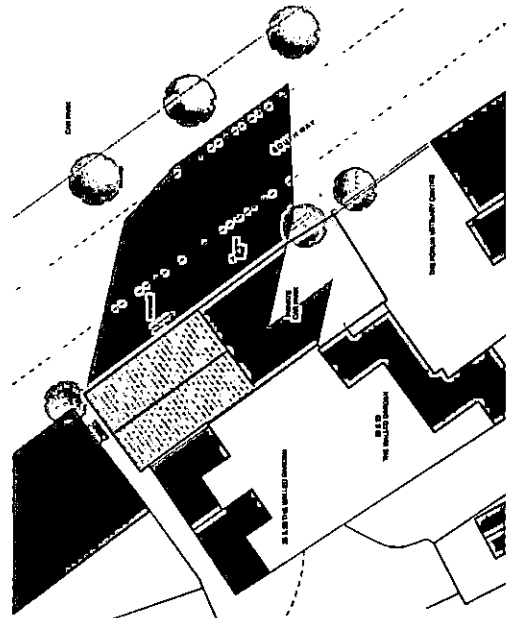


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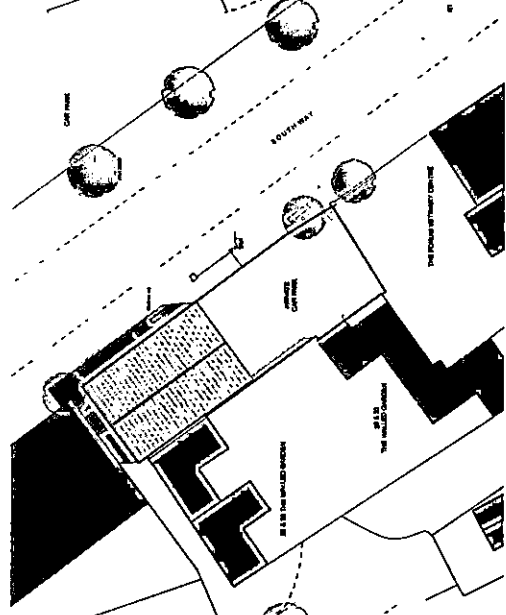
REV.	DATE	DESCRIPTION

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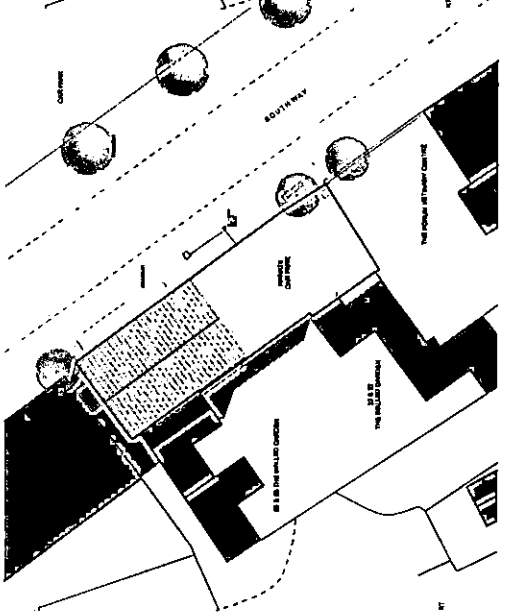
JOB: Country House DRAWING STATUS: For Planning Permission
 DWG TITLE: Winter Shadow Diagram DATE: 03 Feb. 2012
 JOB NO: 1501 SCALE: 1:500 SIZE: A3
 DWG NO: PP12/01 REV



6.00pm 20th June - Summer Solstice

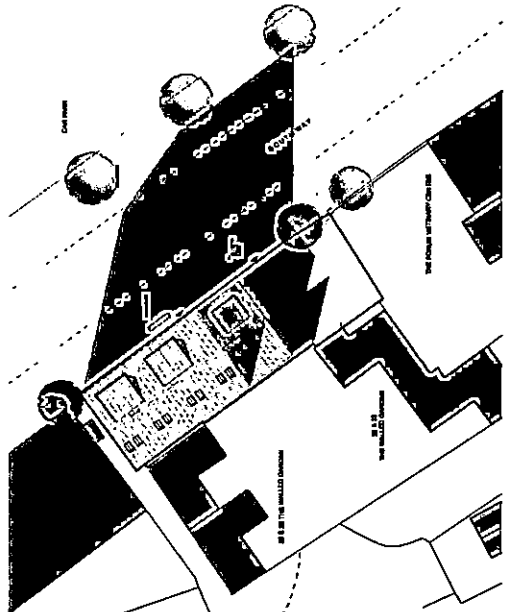


12.00pm 20th June - Summer Solstice

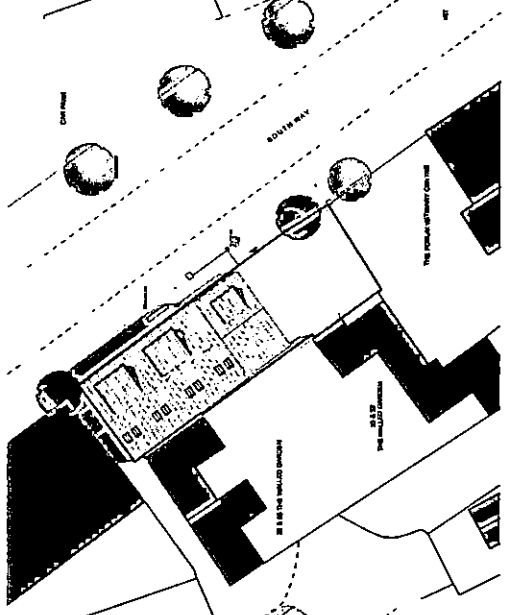


9.00am 20th June - Summer Solstice

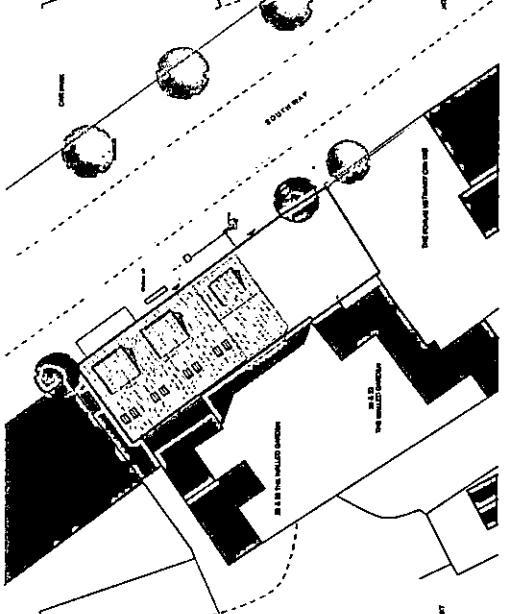
PP12 Existing Building Shadows - Summer Solstice
1:500



6.00pm 20th June - Summer Solstice



12.00pm 20th June - Summer Solstice



9.00am 20th June - Summer Solstice

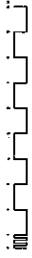
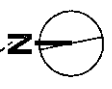
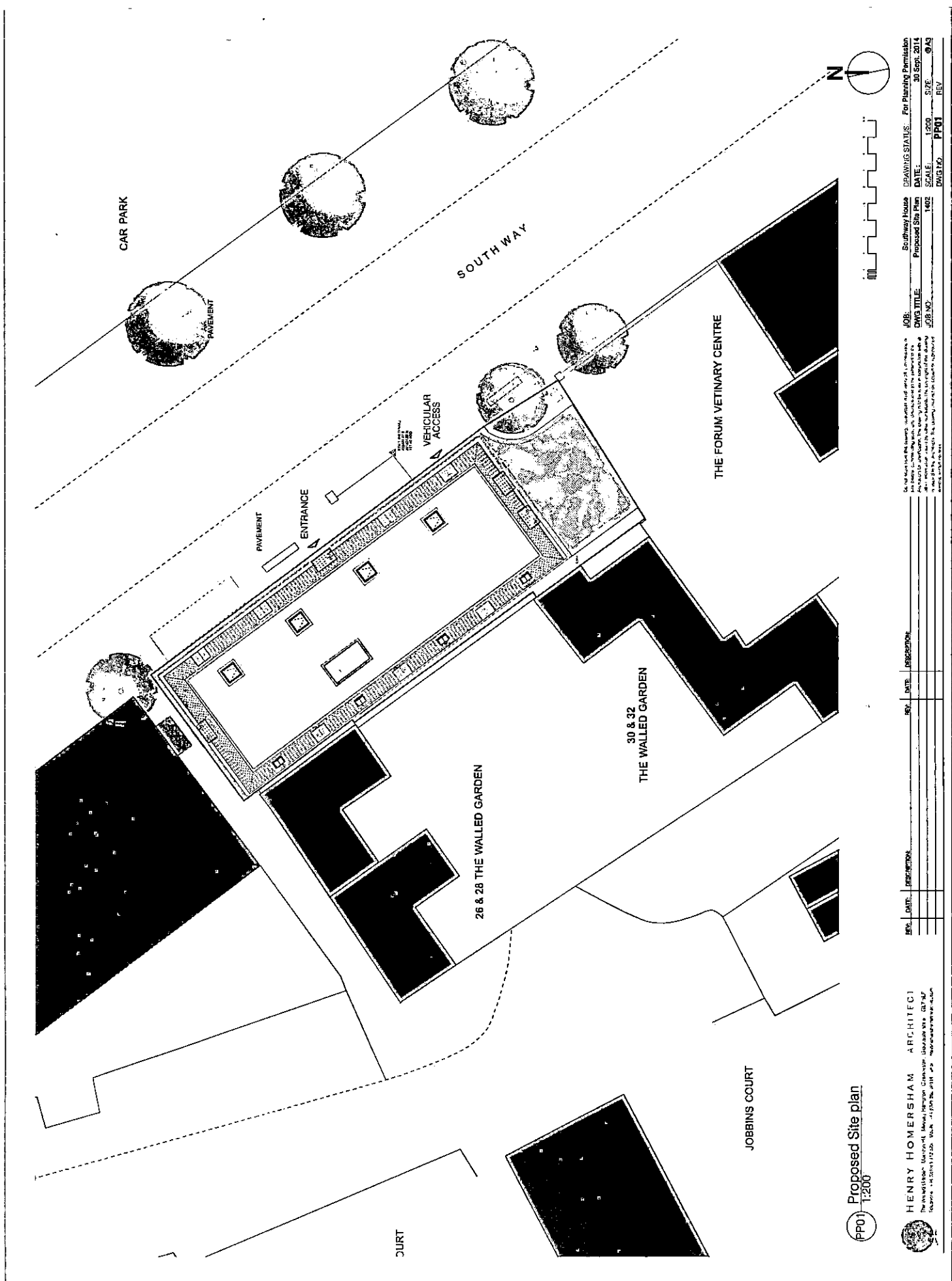
PP12 Proposed Building Shadows - Summer Solstice
1:500

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REV.	DATE	DESCRIPTION	BY	CHECKED	APPROVED
A					

JOB: Southway House For Planning Permission
 DRAWING STATUS: Summer Shadow diagram
 DATE: 03 Feb. 2010
 SCALE: 1:500 SIZE: A3
 PROJ. NO. PP12/02
 DWG. NO. PP12/02

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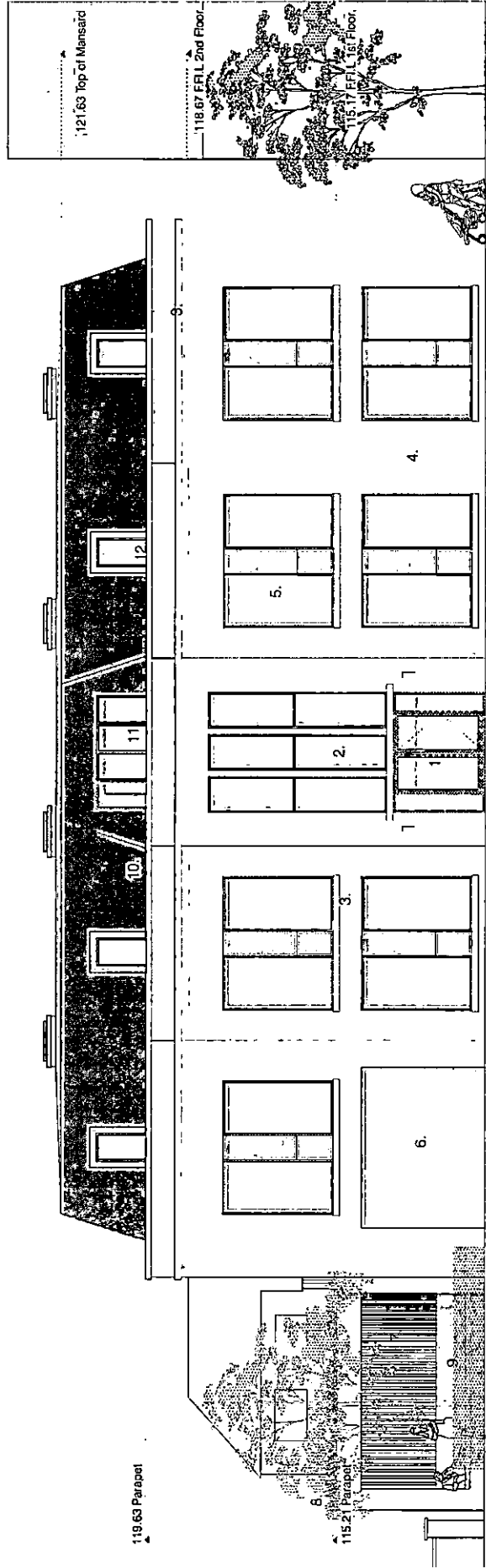
JOB: Southway House
 PROPOSED SITE PLAN
 DATE: 30 Sept. 2014
 DRAWING NO: 1402
 SCALE: 1:200
 SIZE: A3
 REV: PP01

REV.	DATE	DESCRIPTION

HENRY HOMERSHAM ARCHITECTS
 The Old Mill, Mill Lane, Mill Lane, Mill Lane, Mill Lane
 Mill Lane, Mill Lane, Mill Lane, Mill Lane

Proposed Site plan
 PP01 1:200

14104415 (FVL)



Proposed Front Elevation (North)

1:100

1. Glazed Aluminium door
2. Vertical Glazing to central stairwell
3. Sto deco rendered profile to form cills & projections
4. Insulated Sto-render Old English white
5. Alltherm Heritage powder coated aluminium windows (RAL for CDC approval) with powder coated shuttersbetween glazed frame for natural ventilation.
6. Roller shutter garage door
7. Vertical slatted screen to allow natural ventilation to parking
8. Green sedum roof overlooked by neighbour
9. External curved bench
10. Slate Mansard @72 deg.
11. Alltherm Heritage powder coated aluminium french doors (RAL for CDC Approval)
12. Alltherm Heritage powder coated aluminium dormer windows (RAL for CDC approval) dressed in lead



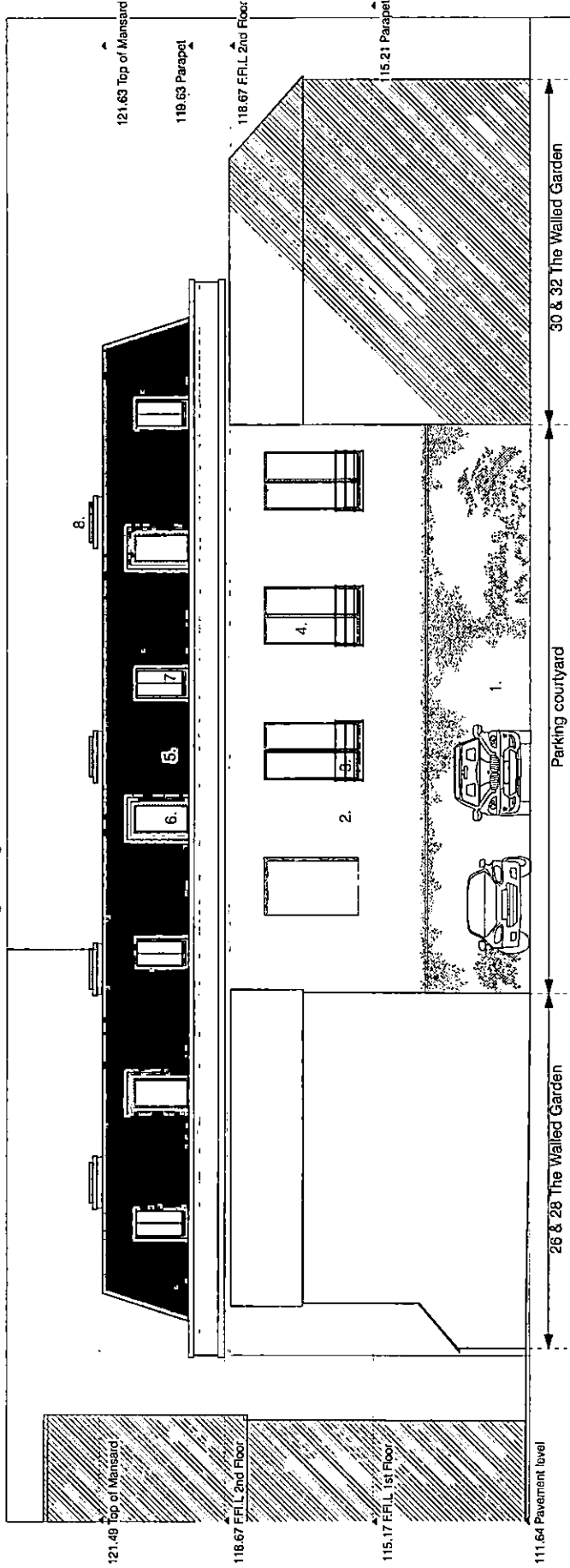
REV. DATE	DESCRIPTION	BY	DATE	DESCRIPTION
C	15/02/15			
	Parapet Based further to CDC Consultation			
	Further Rollover to form new Living Room Extension			

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DRAWING STATUS For Planning Permission
DATE 28 Feb 2015
DWG TITLE Proposed Front Elevation
SCALE 1:100
JOB NO 1402
DWG NO PF09
REV C

14104415/FUL

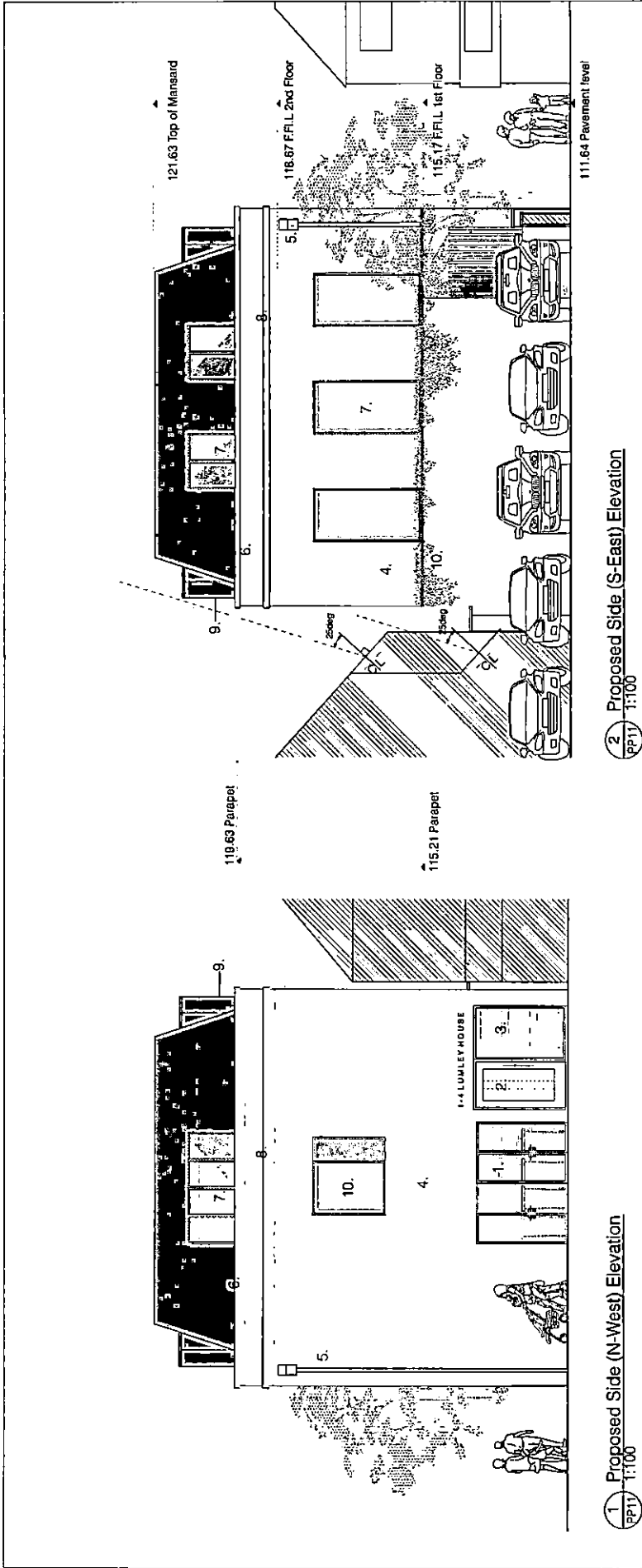
Dotted red line denotes outline of existing building



6P10 Proposed Rear Elevation (South)
1:100

1. Existing Bradstone coursed wall
2. Insulated Sto-render Old English white
3. Wall mounted Planting box Black steel
4. Alitherm Heritage powder coated aluminium windows
5. Slate Mansard
6. Alitherm Heritage powder coated aluminium dormer window to be dressed in lead
7. Conservation roof light
8. Plateau rooflight. The rooflight company.





1 Proposed Side (N-West) Elevation
PP11 1:100

1. Bin store behind slatted timber doors
2. European Oak Entrance door to apartments
3. Clear glass side light to Entrance
4. Insulated Sto render - Old English white
5. Alumasc - aluminium downpipe - black
6. Slate mansard roof
7. Alltherm Heritage powder coated aluminium windows (black)
8. Black steel ballustrade
9. Lead dressed dormer window
10. Opaque glass window & shutter to provide cross ventilation to office space

2 Proposed Side (S-East) Elevation
PP11 1:100

1. Bin store behind slatted timber doors
2. European Oak Entrance door to apartments
3. Clear glass side light to Entrance
4. Insulated Sto render - Old English white
5. Alumasc - aluminium downpipe - black
6. Slate mansard roof
7. Alltherm Heritage powder coated aluminium windows (black)
8. Black steel ballustrade
9. Lead dressed dormer window
10. Sedum roof

REV.	DATE	DESCRIPTION	REV.	DATE	DESCRIPTION
C	28/02/15	Revised drawing to DCC consultation			
		Revised drawing to DCC consultation			
		Revised drawing to DCC consultation			

DRAWING STATUS	For Planning Permission
DATE:	28 Feb 2015
SCALE:	1:100
SHEET NO:	142
JOB NO:	142
DWG NO:	PP11
REV:	C

14104415 (FUL)

Appeal Decision

Hearing held on 25 November 2015

Site visit made on 25 November 2015

by S D Harley BSc (Hons) MPhil MRTPI ARICS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 January 2016

Appeal Ref: APP/F1610/W/15/3132004

Lumley Insurance Limited, Southway House, Southway, Cirencester, Gloucestershire GL7 1FN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Lumley Insurance Limited against the decision of Cotswold District Council.
 - The application Ref 14/04415/FUL, dated 6 October 2014, was refused by notice dated 9 April 2015.
 - The development proposed is extensions and alterations to provide additional (Class B1) office accommodation together with 4 no. (Class C3) residential flats and associated ancillary development.
-

Preliminary Matters

1. It was confirmed at the Hearing that a plan showing a "true mansard" and plan PC01 "03 Bookends" are for illustrative purposes only and do not form part of the proposals. It was also confirmed that plan SV08 shows the existing not the proposed elevations. I have dealt with the appeal on this basis.
2. The Council says that a five year supply of housing can be demonstrated. Although this has not yet been concluded through a Local Plan Examination, this position was accepted by the Inspector in the appeal decision Ref APP/F1610/A/14/2228752. I have seen no evidence that leads me to a different conclusion.

Decision

3. The appeal is dismissed.

Main Issues

4. The main issues are the effect of the proposed development on:
 - the character and appearance of the local area and the Cirencester Town Centre Conservation Area (the CA); and
 - the living conditions of occupiers of The Walled Garden.

Reasons

5. The appeal site is in Cirencester opposite the Forum town centre car park and contains a two storey office building with a private car park to the side. It was permitted in the nineteen eighties. It is within the Commercial Centre as

designated in the Cotswold District Local Plan 2001-2011 (the LP). In principle there is no objection to an office extension or to the provision of dwellings in this sustainable location provided other local and national planning policies are satisfied.

Character and appearance

6. Cirencester is an attractive market town strongly influenced by historic development. The combination of the narrow curving medieval street layout and tightly packed, mostly historic built form gives some of the older parts of the town a very distinctive and intimate character. The CA is large and is subdivided into character areas.
7. The appeal site lies within the Forum Character Area which is a multi faceted predominantly retail area but with other commercial and residential uses also present. The site is opposite the Corinium Roman Town Scheduled Ancient Monument which is generally believed to be below the Forum car park. Views north along Southway towards the Parish Church tower are important. CA3 Cirencester Town Centre Character Appraisal and Management Plan 2008 (the CAMP) identifies poorly proportioned 20th Century buildings in the vicinity of the Forum as detracting from the special architectural and historic character and as offering an opportunity for enhancement of the CA.
8. The Planning (Listed Buildings and Conservation Areas) Act, 1990, requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas. Policy 15 of the LP reflects this and there is a strong presumption in the Framework against development which would harm the character or appearance of a conservation area.
9. Policies 18 and 42 of the LP seek to ensure that the siting, scale and appearance of development reflects the character, appearance and local distinctiveness of the area including style, harmony, proportion and materials. The Framework also requires developments to be of good design that respects the surroundings.
10. Although the above Policies of the LP are of some age they broadly align with the principles of the Framework. Accordingly they can be given appropriate weight in deciding planning applications and appeals which should be determined in accordance with the development plan unless material considerations indicate otherwise.
11. The parties agree that the existing building does not make a particularly positive contribution to the CA. It has two sets of windows and an off centre door to the front and a pitched roof. Materials are re-constituted stone, which has bleached over time, and concrete tiles. The appellant wants to improve its appearance but any scheme must be practical and affordable. The proposals are a two storey extension to the side; a single storey extension with a green roof, a Mansard roof to create space for flats and re-facing the entire building. Although the roof would be more bulky it would not be higher than the ridge of the adjacent Job Centre Plus building. The enlarged footprint would occupy practically the whole site. The Council raises no objection in principle to the proposed mass of the building. At my site visit I saw buildings of comparable scale around the Forum and consider the proposed scale would not be out of character in principle.

12. The proposed design has been discussed with the Council. The latest proposals include some vertical articulation provided by a very slight projection of the central and end bays. This attempts to offset the horizontal emphasis and slab like appearance identified as one issue with 20th Century buildings in the CAMP. The proposed fenestration would retain existing windows and replicate their arrangement in the two storey extension. The proposed mansard would have a high ridge, flat top, hipped corners and slot-like dormers. The proposed facing materials would be mainly insulated Sto-render with a slate mansard.
13. Improving the appearance and energy efficiency of the existing building would be positive benefits. However, the proposals would result in a longer slab-like building with insufficient vertical articulation. The balanced, but not symmetrical, windows would not align centrally within the articulation of the façade. The proposed middle window would be much taller than the windows to either side and would bear down on the relatively low entrance so that together they would appear cramped and out of proportion with the remainder of the façade. The detailing around the windows and parapet would be render faced which would not provide the impact of stone detailing or link with the predominantly stone townscape of Cirencester.
14. The appellant says that the retention of the existing building constrains the way in which the building can be extended and that it would be difficult to achieve the energy efficiency sought for the existing building if stone was used around the windows. However, it seems to me that more stone could be included in practice given the proposed use of stone around the main entrance (Paragraph 4.7 of the Planning, Design and Access Statement). It also seems to me that Cotswold stone would be more appropriate than Portland stone.
15. Mansard roofs are not typical in the area but there is no uniformity of roof shape nearby. However, the proposed roof due to its shape, height and pitch would appear heavy for the relatively low building it would cover.
16. The improvement to the existing front elevation would enhance the character and appearance of the CA. However, due to the combination of factors set out above, on balance I conclude that the scheme as a whole would not respect the local character or identity of the surroundings or amount to good design that preserves or enhances the appearance of the CA or the area generally. Although it would amount to less than substantial harm to the CA as a whole, it would conflict with Policies 15, 18 and 42 of the LP; the CAMP and those principles of the Framework that seek to respect the character of the surroundings and to preserve or enhance the character or appearance of CAs.

Living conditions

17. The appeal site has a high stone wall on its rear boundary. Behind this are residential properties, Nos 22 – 36 The Walled Garden, which are ground and first floor apartments facing a shared parking courtyard. The resultant two storey building would extend along the entire gap between The Walled Garden buildings very close to the boundary wall. The proposed mansard roof and parapet would also increase the mass of built form close to the boundary.
18. The overall height of the proposed building would be only marginally higher than the existing ridgeline. However, due to the increased length, the increased bulk at second floor level and the position of the extensions, the outlook across the boundary wall from properties in The Walled Garden and the

shared car park would be severely curtailed. The result would be a gloomy oppressive outlook for occupiers of those properties even if the proposed rear elevation was a light colour. The appellant says that closing off the view of the BT Exchange would be a benefit. However, the BT Exchange is a significant distance away and the effect of the proposal would be the loss of the openness of the sky above the boundary wall.

19. The appellant has provided shadow diagrams which show that for the majority of the time any shadow would fall across South Way. However, there would be morning shadow cast over Nos 26 and 28 in particular which would further erode the living conditions of occupiers of those dwellings.
20. For the reasons set out above I conclude the proposed development would have an unacceptable adverse effect on the living conditions of occupiers of The Walled Garden. Accordingly it would be contrary to those principles of the Framework that seek a good standard of amenity for existing and future occupiers of land and buildings.
21. Local residents have raised concerns about overlooking and there would be three large office windows at first floor and windows in the mansard roof facing the courtyard of the Walled Garden. The Council says that the rear windows overlook a communal parking area rather than private garden and therefore raises no objections on the grounds of loss of privacy. Although not a determining factor in my decision, it seems to me that given the proximity of the proposed windows to the boundary and the lack of other outside space, there would be a perception of being overlooked from the proposed office windows in particular.

Other considerations

22. The proposed development would enable the expansion of a local, highly respected and successful business employing a number of people. It is not clear how much additional employment would occur as a result of the proposal. However, the retention of the business, which has expanded over recent years and which is now very cramped in the existing premises, would be of substantial economic benefit to Cirencester.
23. The proposed development would provide New Homes Bonus. This would be true of any residential development and in the absence of specific schemes to be funded I give this neutral weight.
24. The appellants have demonstrated that no other premises locally could meet their needs. I was told at the Hearing that a planning application for a different proposal has been submitted to the Council but that has not been decided and I give that in itself little weight.
25. The proposed flats would add activity and vitality to the area and would add in a small way to the supply of housing which would be social benefits. In addition the appellant says the residential element of the proposal would contribute significantly towards the costs of the building works making them more affordable. I give these matters some weight.
26. The proposal includes spaces for 2 cars to park on the site. The Highway Authority has calculated a parking demand for 29 vehicles arising from the proposals including 4 spaces for the flats. The appellant would increase the number of parking permits for staff and the submitted parking survey shows

there would be sufficient on street capacity for the flats. Accordingly neither the Highway Authority nor the Council consider there would be a severe cumulative effect in this town centre location. I acknowledge that local residents consider parking in the area is under pressure. However, on the basis of the available evidence I see no over whelming reason to depart from the views of the Highway Authority.

27. The two trees adjacent to the site are protected by virtue of being in the CA. The proposed single storey extension would be curved to reduce the impact on the protected tree and the main stem of the other tree would be protected during works to the existing building. With suitable safe guarding conditions this is acceptable to the Council and I see no reason to disagree.
28. The development is across the street from the Scheduled Ancient Monument and would appear not to affect it directly. The Archaeological Evaluation identified a number of finds. Conditions requiring a programme of archaeological work and careful excavation and construction would ensure that historic interests would be protected.

Conclusion

29. The proposed development would have economic and social benefits as set out above including an improvement to the existing building. However, these are set against the environmental effects arising from unsympathetic design, the unacceptable effect on the living conditions of occupiers of The Walled Garden and the marginal effect on parking in the town centre. The proposal before me is unlikely to be the only way in which the needs of the business could be accommodated. In all probability housing needs for the District can be met elsewhere so there is no overriding public need for the proposed four flats. On balance I conclude that the public benefits of the proposal would not out weigh the harm to the character and appearance of the area and to the living conditions of the occupiers of The Walled Garden.
30. For the reasons set out above, and taking into account all relevant matters raised, I conclude the appeal should be dismissed

SDHarley

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr John Lumley	Lumley Insurance Limited
Mr Andrew Pywell MRTPI	Plan-A Planning and Development Limited
Mr Henry Homersham	Architect

FOR THE LOCAL PLANNING AUTHORITY:

Mr Mike Napper DipTP; MRTPI	Cirencester District Council
Mr Justin Ayton	Cirencester District Council