

Item No 06:-

16/04427/FUL (CT.1645/G)

**Dolphins Hall
New Church Street
Tetbury
Gloucestershire
GL8 8DS**

**Proposed extension and alterations at Dolphins Hall
New Church Street Tetbury**

Full Application 16/04427/FUL (CT.1645/G)	
Applicant:	
Agent:	Clark & Maslin
Case Officer:	Christopher Fleming
Ward Member(s):	Councillor Tina Stevenson
Committee Date:	12th April 2017
RECOMMENDATION:	PERMIT SUBJECT TO REFERRAL TO THE SECRETARY OF STATE

Main Issues:

- (a) Principle of Development
- (b) Design
- (c) Heritage Impacts
- (d) Trees
- (e) Access/Transport
- (f) Flood Risk and Drainage
- (g) Residential Amenity
- (h) Other Matters

Reasons for Referral:

Councillor Stevenson has called the application to committee for the following reason:

In light of the number of Objections from neighbours next to, around and within sight of the Dolphins Hall I believe the committee should decide upon its fate, also taking into consideration the impact on listed buildings within the immediate vicinity and the fact that the application site is within both a Conservation Area and the AONB.

1. Site Description:

Dolphins Hall is located off new Church Street, near the centre of Tetbury and adjacent the memorial recreation ground. The application site lies just outside of the Tetbury Conservation Area and adjacent a Grade II* listed church, amongst other listed buildings. The application site is also located within the Cotswold Area of Outstanding Natural Beauty (AONB) and adjacent the Tetbury Conservation Area.

The Dolphins Hall is managed by the Dolphins Recreation Centre Trust. Dolphins Hall was built in the 1950s and is in need of significant refurbishment and investment in order for it to meet the future needs of Tetbury. Dolphins Hall is currently occupied (but not simultaneously) by a number of different user groups including pre-school groups, fitness groups and the WI. The proposals intend to provide a larger and more flexible facility that will cater for the maximum possible number of local user groups.

2. Relevant Planning History:

CT.1645/B Extension to existing building to provide bar and lounge. Materials Roof: Flat roofing felt. Permitted 26.04.1964.

CT.1645/C Single storey extension and alterations to form additional bar area for public hall. Permitted 27.04.1961.

CT.1645/D Repairs and improvements to roof over the porch behind parapet. Permitted 27.05.1987.

CT.1645/E New lean-to pitched roof over existing flat roof of bar area and kitchen. Permitted 26.04.1991.

CT.1645/F Demolition of existing community centre (D1) and replacement with new community centre (D1) and associated infrastructure. Permitted 14th August 2015.

3. Planning Policies:

NPPF National Planning Policy Framework
 LPR15 Conservation Areas
 LPR18 Development within Development Boundaries
 LPR25 Vitality & Viability of Settlements
 LPR42 Cotswold Design Code
 LPR46 Privacy & Gardens in Residential Development

4. Observations of Consultees:

Conservation Officer: incorporated within officer report.

Environmental Health Officer: incorporated within officer report.

Contamination Officer: No objections

GCC Highways: No comments to make on application

Historic England: objection on grounds of lack of heritage assessment and options appraisal.

CDC Drainage Engineer: No comments received to date.

5. View of Town/Parish Council:

General comment regarding right of way.

6. Other Representations:

2 general comments set out below:

rearrangement of internal layout would provide a better use of space and impact on noise.

19 letters of objections have been received to date raising the following grounds:

- Design
- Overlooking and loss of privacy/security
- Impact on neighbouring residential amenity as a result of increase notice
- Impact on setting of adjacent listed buildings and wider Conservation Area

- Maintenance of rights of way
- Antisocial behaviour from youth club
- Loss of parking and highway access
- Protection
- Light pollution
- Lack of public consultation over proposed plans

7. Applicant's Supporting Information:

Design and Access Statement

8. Officer's Assessment:

Proposals

The proposals comprise plans for a side extension to the existing Dolphins Hall that will house a range of additional community uses and facilities including a youth club and nursery facility. Revised plans were submitted following concern over the design and impact on the setting of nearby listed buildings and the Tetbury Conservation Area.

Access and parking to the site will remain as per the existing access and parking arrangements on the site.

(a) Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

The application site is located within the development boundary of Tetbury where Policy 18 (Development within the Development Boundaries of Cirencester and the Principal Settlements) applies. Policy 18 states that applications will be permitted provided that, inter alia, the siting, appearance and scale of development respects the character, appearance and setting of the settlement and would cause no significant or environmental harm including the material harm of the key characteristics of open space by limiting views or infilling breaks in development that make a positive contribution.

Policy 32 (Community Facilities) is specifically relevant in that it supports the development, expansion or improvement of community facilities that are well related and accessible by foot, bicycle and public transport, with multi-purpose use encouraged. To this end, it is also noted that the National Planning Policy Framework (NPPF, Section 8) specifically promotes the provision of shared space and a range of community facilities in ensuring the health of communities.

Subject therefore to an assessment of the impact of the proposed extension (considered in more detail below), the proposals are considered to be acceptable in principle given that they will be sustainably located, located within an adopted development boundary and will comprise the expansion and improvement of a community facility which is supported by both local and national planning policy.

(b) Design

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. Uses that create additional traffic, noise or other nuisance, which would adversely affect the character of the area, would not be permitted. But development may be permitted if it can be demonstrated that the proposals can help an area to remain alive and prosperous, without compromising its character or appearance. 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.

Following the submission of revised plans, whilst the Dolphins Hall lacks any historic or architectural merit the design of the extension is now clearly reflective of the simple form and character of the existing hall. The extension is set back from the principal elevation and would appear subordinate to the principal building. It is apparent from the Design and Access Statement that careful consideration has been given to the function of the building and the requirements of occupiers that have been balanced with the need to provide a central civic building which is respectful of its surroundings whilst providing the community's needs.

The Church of St Saviour is a Grade II* Listed Building and other nearby buildings in New Church Street (Nos. 19-23 and No.25 on the same side of the street and Nos. 2-10 and 12-20 opposite) are also listed at Grade II. The Local Planning Authority is statutorily required to have special regard to the desirability of preserving their setting, in accordance with Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.

Dolphins Hall also lies adjacent to the Tetbury 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 above Act. The proposed development has the potential to impact on the character and appearance of the area through affecting its immediate setting and this legislative duty is still a material consideration.

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. Paragraph 134 states that where proposals will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works.

The revised design shows that the form of the building has been simplified and the general scale, form and design of the extension is now supported. As suggested by the conservation officer, one ridge line now runs front to back, responding to the form of the existing building. The ridge is set lower and the roof is now covered in slate, which is an improvement on the existing corrugated sheeting. The walls are also still shown rendered across the entire building, which subject to very careful consideration of render tone and texture, represents a visual enhancement on the existing recon stone material.

The eaves line is relatively low, presenting a very simple elevation towards the churchyard and Grade II* listed church. The fenestration within this is very simply designed. A high quality of materials and detailing would be expected, and can be ensured by condition. Despite the wall line

being drawn closer to the churchyard and the rear wall being drawn slightly further back than the existing main building, the scheme would in my view preserve the setting of the church.

As viewed from New Church Street and seen in the context of the listed buildings lining it, as well as the character and appearance of the conservation area, the new scheme has addressed my previous concerns. The front wall line of the extension is no longer drawn forward, but is instead recessed back. In important oblique views from New Church Street, the extension is no longer so intrusive. The design of the front gable now responds to the existing building.

For these reasons above, it is now considered that the proposals for extension would preserve the setting of nearby listed buildings and the setting of the adjacent conservation area, having special regard to these matters in accordance with Sections 66(1) and 72(1) of the Planning (LBCA) Act 1990, as well as Policy 15 of the Local Plan. It is therefore considered that the significance of these designated heritage assets would be sustained, in accordance with Section 12 of the NPPF. The proposals are also considered to meet the design requirements of Section 7 of the NPPF and Policy 42 of the Local Plan.

An objection has been received from Historic England regarding a lack of assessment having been undertaken to determine the setting of the church and any impact these works may cause to the heritage asset as a requirement of paragraph 134 of the NPPF, the applicant is looking to address these concerns looking at an options appraisal and further heritage assessment, a further update will be provided prior to the meeting on the 12th April 2017.

(d) Trees

The trees located on site are located outside of the conservation area and not subject to a TPO. In planning terms therefore they are unprotected. Notwithstanding, it is the applicant's intention to retain the majority of trees on-site a condition is therefore recommended to ensure there protection during the course of development.

(e) Access/Transport

The application does not propose to change the vehicular access and parking arrangements on the site, but part of the proposal does incorporate a new disabled access ramp to front of the main hall which is a welcomed addition to the facility.

(f) Flood Risk and Drainage

The application site is located within Flood Zone 1 and is not therefore considered to be at risk of flooding. The site is under 1 ha. Accordingly, there is no requirement to submit a Flood Risk Assessment. Given the minimal risk, the proposed development is considered to accord with Section 10 of the NPPF.

(g) Residential Amenity

A number of issues have been raised with regard to the potential for the proposed development to impact on neighbouring residential amenity. With regard to impacts caused by noise/anti-social behaviour it is noted that the Environmental Health Officer has been consulted however, given the existing use on the site would not change, it is not considered that there is a reason to recommend additional details to be submitted for any additional noise attenuation or limiting the use of the site.

With regard to concerns in respect of loss of privacy and overlooking, the extension proposed is single storey and the use on the site would not change and given the relationship between the site and surrounding area it is considered that the proposed extension would not result in a significantly adverse impact then that of the existing use. Taking this into account the proposal is considered to accord with Local Plan Policy 46.

(h) Other Matters

An objection has been raised with regard to the impact the proposal would have on a legal public right of way to the side of the hall. The applicant has been made aware of this concern, however, any dispute over right of access would be a civil matter outside the control of planning.

9. Conclusion:

The proposals are considered to be acceptable in principle given that they will be sustainably located, located within an adopted development boundary and will comprise the expansion and improvement of a community facility which is supported by both local and national planning policy.

It is clear that the proposed extension and what the Dolphins Recreation Centre Trust is seeking to achieve will be of a significant benefit to the Tetbury community, and beyond, this carries significant weight in itself as a 'public benefit' to the local area. In addition revised plans have been submitted that address previous concerns set out by the Council's Conservation Officer, therefore given the context of the site, the proposed extension would not result in an adverse impact on the setting of nearby listed buildings and the Tetbury Conservation Area. The proposal is therefore recommended for permit subject to satisfactory additional information being received in accordance with Local Plan Policies 05, 09, 15, 18, 32, 33, 38, 39, 42, 45, 46 and the relevant provisions of the NPPF.

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 number(s): 4235/02, 4235/01 REV A, 4235/03 REV A and 4235/51 REV A.

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

The roof slopes shall be covered in natural blue slate, unless otherwise agreed in writing with the Local Planning Authority

Reason: To ensure that, in accordance with Cotswold District Local Plan Policy 42, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

Prior to the construction of any external wall of the development hereby approved, samples of the proposed roofing slate shall be approved in writing by the Local Planning Authority and only the approved materials shall be used.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policy 42, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

New render shall be of a roughcast type and be of a mix containing sharp sand, stone dust, pea shingle and lime unless an alternative mix is agreed in writing by the Local Planning Authority. The render shall finish flush with all stone dressings and shall not be belled outwards over the heads of doors, windows or any other opening.

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

All door and window frames shall be recessed a minimum of 75mm into the external walls of the building and shall be permanently retained as such thereafter.

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

Prior to the first occupation of the development hereby permitted, the windows, shall be **** in a colour to be first submitted to and approved in writing by the Local Planning Authority and shall thereafter be permanently retained in the approved colour unless otherwise agreed 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 Policy 42.

Prior to installation no ridge, eaves, verges, lintel and door head treatments, window surrounds, doors, windows, glazed screen, rooflights, porch canopy, steps and retaining walls, fencing and gates, hard surfacing shall be inserted in the development hereby approved, until their design and details have been 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 Policy 42

The new rooflight(s) shall be of a design which, when installed, shall not project forward of the roof slope in which the rooflight(s) is/are located and shall be permanently retained as such thereafter.

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

Prior to the commencement of any works on site (including demolition and site clearance), a Tree Protection Plan (TPP) shall be submitted to and approved in writing by the Local Planning Authority.

The TPP shall be a scaled drawing prepared by an arboriculturalist showing the finalised layout proposals, tree retention, tree/landscape protection measures and Construction Exclusion Zones (CEZs) - all in accordance with BS5837:2012 'Trees in relation to design, demolition and construction - recommendations'.

Tree protection measures shown on the TPP must be put in place prior to the commencement of any works on site (including demolition and site clearance) and shall not be removed without the written approval of the Local Planning Authority.

Fires on sites should be avoided if possible. Where they are unavoidable, they should not be lit in a position where heat could affect foliage or branches. The potential size of the fire and the wind direction should be taken into account when determining its location, and it should be attended at all times until safe enough to leave. Existing ground levels must remain the same within CEZs and no building materials or surplus soil shall be stored therein. All service runs shall fall outside CEZs unless otherwise approved by the Local Planning Authority.

Reason: To safeguard the retained/protected tree(s) in accordance with Cotswold District Local Plan Policies 10 and 45. It is important that these details are agreed prior to the commencement of development as works undertaken during the course of construction could have an adverse impact on the well-being of existing trees.



Scale: 1:1250

Organisation: Cotswold District Council

Department:

Date: 30/03/2017



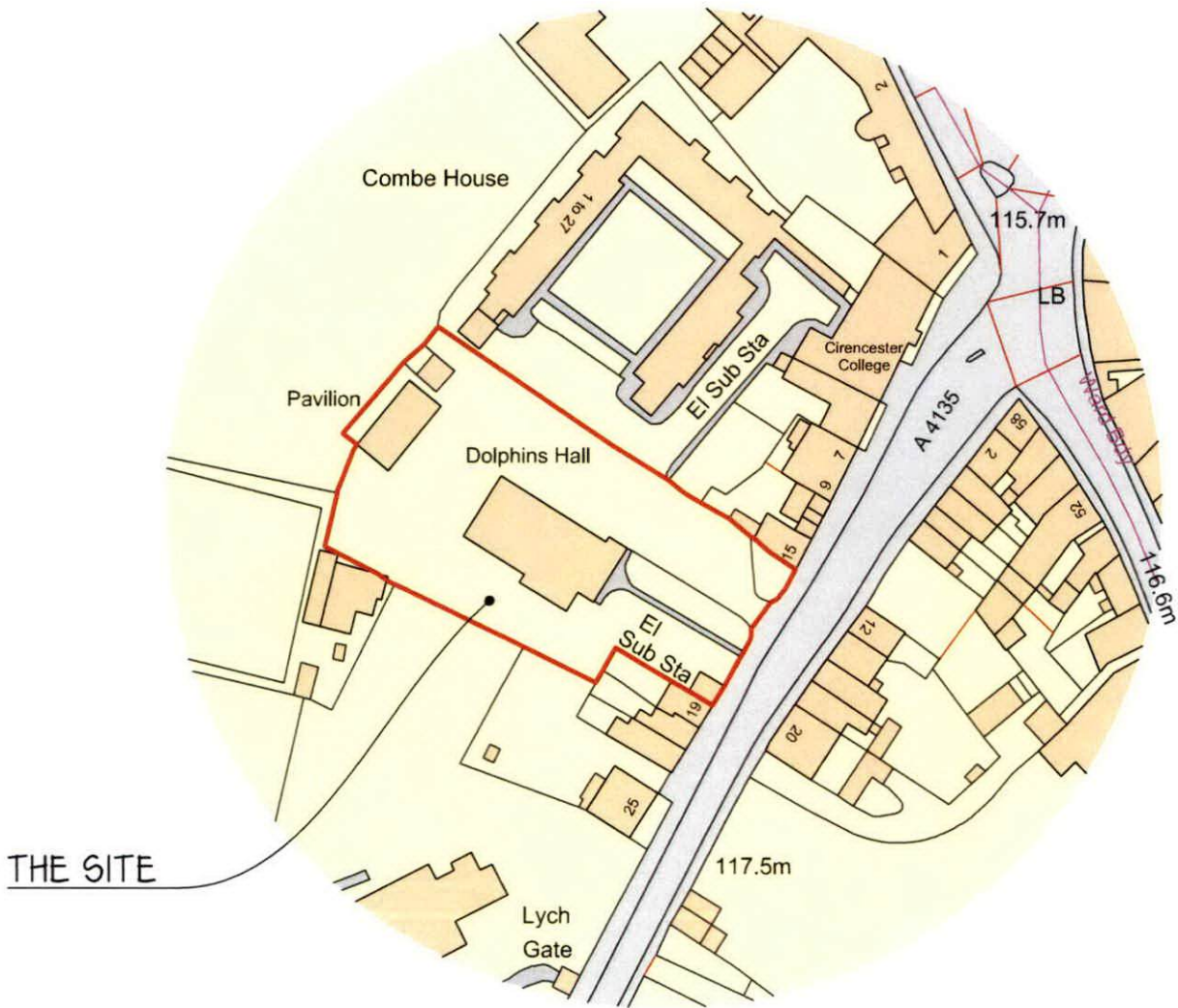
COTSWOLD
DISTRICT COUNCIL



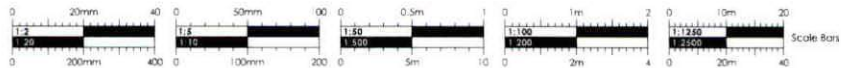
This drawing is copyright of CLARK & MASLIN Ltd and may not be copied or reproduced without permission. Figured dimensions are to be taken in preference to scaled dimensions. Large scale drawings to have preference to small scale drawings.

REV	DETAIL OF REVISION	Dimensions for fixed-in items are to be checked on site prior to manufacture.	BY	DATE
-----	--------------------	---	----	------

96



THE SITE



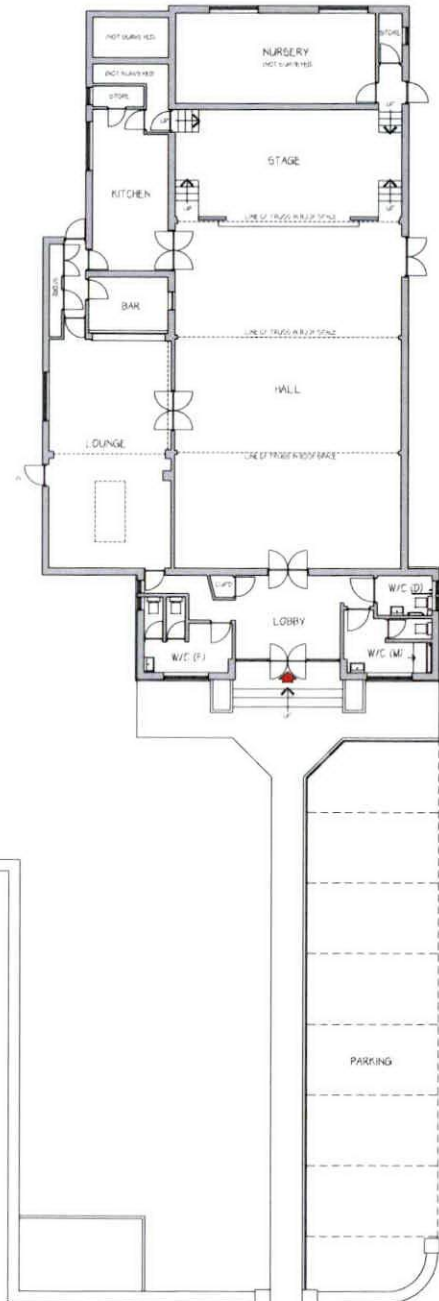
CLARK & MASLIN
 The Old Library, 44 High Street,
 Malmesbury, Wiltshire, SN16 9AT
 Telephone: (01666) 822911 / 829111
 Facsimile: (01666) 825139
 www.clarkandmaslin.co.uk
 Planning Architecture Conservation

Client DOLPHINS HALL COMMITTEE	Document Type -
Project PROPOSED YOUTH & COMMUNITY FACILITIES, DOLPHINS HALL, NEW CHURCH STREET, TETBURY, GLOS. GL8 8DS	Scale 1:1250
Description SITE LOCATION PLAN	PG Size A4
	Date SEP '16
	Drawn BJ
	Drawing No 4235/02
	Revision -

PROPOSED EXTENSION TO DOLPHINS HALL, TETBURY

This drawing is copyright of CLARK & MASLIN Ltd and may not be copied or reproduced without permission.
 Figured dimensions are to be taken in preference to scaled dimensions.
 Large scale drawings to have preference to small scale drawings.
 Dimensions for fixed items are to be taken on the plan to manufacture.

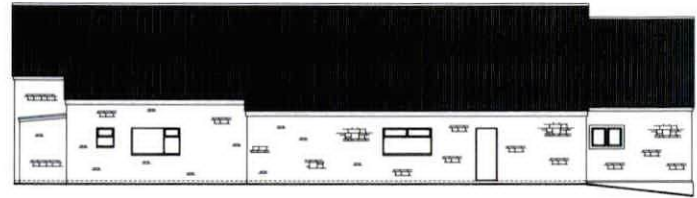
DATE: 02/02/11 BY: JF



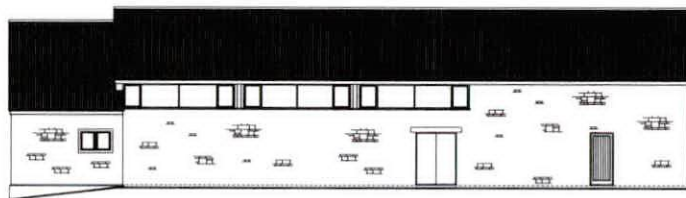
EXISTING GROUND FLOOR PLAN



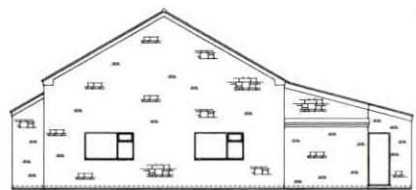
EXISTING EAST ELEVATION



EXISTING SOUTH ELEVATION



EXISTING NORTH ELEVATION



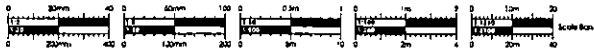
EXISTING WEST ELEVATION

97



SURVEY

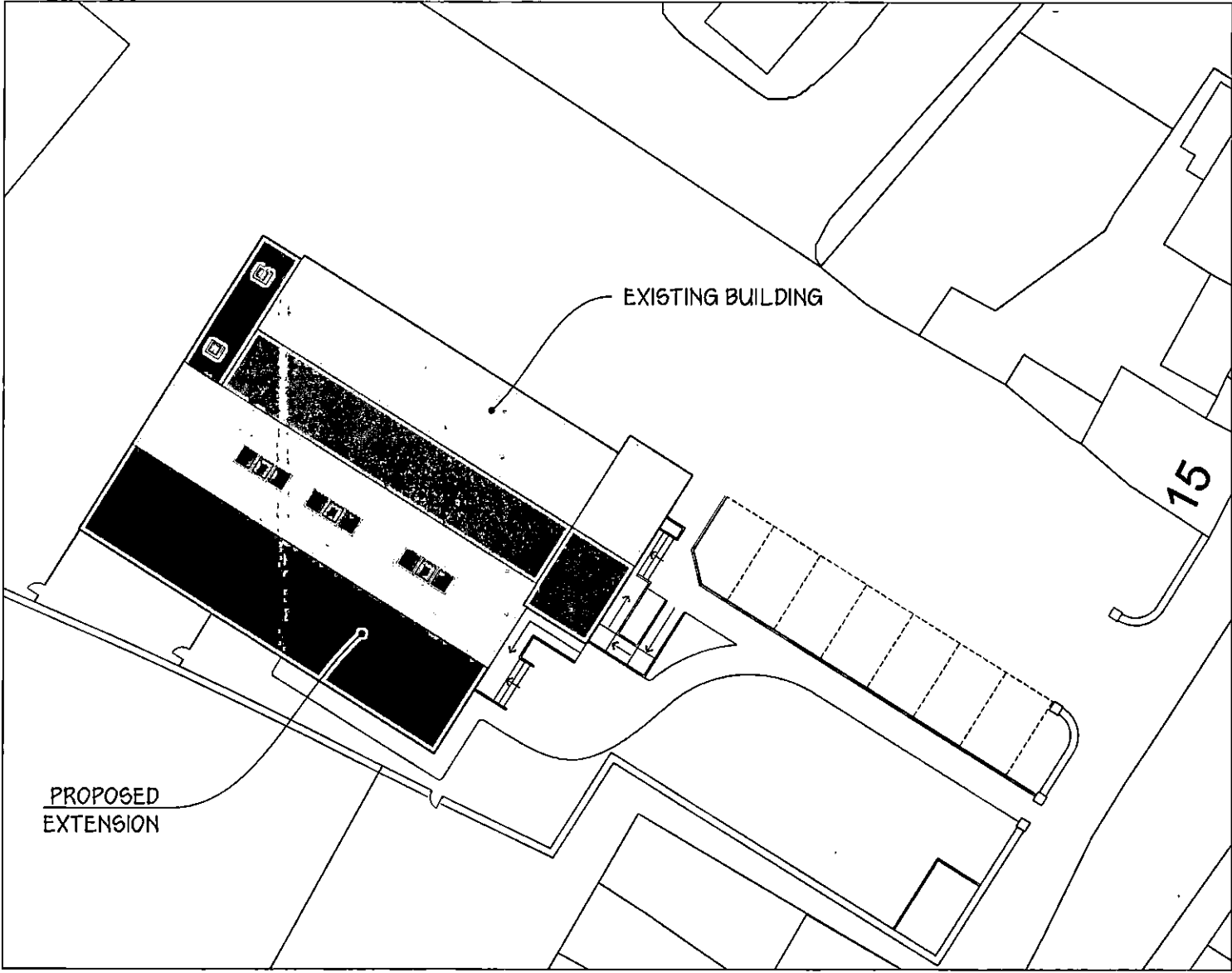
DOLPHINS HALL COMMITTEE	
PROPOSED YOUTH & COMMUNITY FACILITIES, DOLPHINS HALL, NEW CHURCH STREET, TETBURY, GLOS. GL8 8DS	
EXISTING GROUND FLOOR PLAN & ELEVATIONS	
Scale: 1:100	Drawn by: AT JF
Date: FEB '11	Sheet: A
Reference: 4235/01	Revision: A



PROPOSED EXTENSION TO DOLPHINS HALL, TETBURY

This drawing is copyright of CLARK & MASLIN Ltd and may not be copied or reproduced without permission.
 Figured dimensions are to be taken in preference to scaled dimensions.
 Single scale drawings to have preference to small scale drawings.
 Dimensions for fixed-in items are to be checked on site prior to manufacture.

REV | DETAILS OF PROVISION | DATE



86

CLARK MASLIN
 4th Floor, 27, 41 High Street
 Tetbury, Gloucestershire, Glos. GL8 2AT
 Telephone: 01452 874111 to 874113
 Fax: 01452 874114
 www.clarkmaslin.co.uk
 Planning Architecture Conservation

Client: DOLPHINS HALL COMMITTEE
 Project: PROPOSED YOUTH & COMMUNITY FACILITIES, DOLPHINS HALL, NEW CHURCH STREET, TETBURY, GLOS. GL8 8DS

Description: PROPOSED BLOCK PLAN

Scale: 1:250 | Plot Size: A3 | Client: HH/BJ | Date: OCT '16

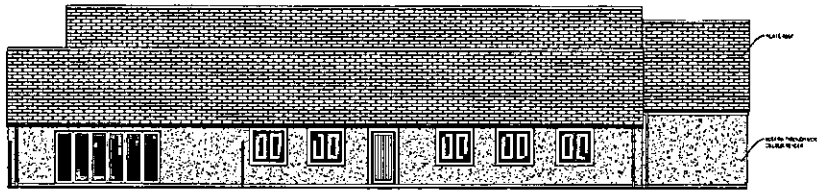
Drawing No: 4235/03 | Revision: A

PROPOSED EXTENSION TO DOLPHINS HALL, TETBURY

This drawing is copyright of CLARK & MASLIN and may not be copied or reproduced without permission.
 Figures are indicated in m or in feet and in parentheses to avoid ambiguity.
 Large scale drawings to have dimensions to small scale drawings.
 Dimensions for fixed-size items are to be checked on site prior to construction.



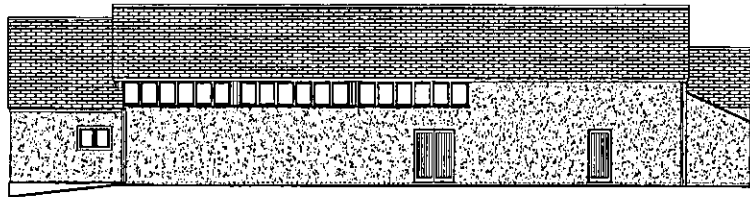
PROPOSED EAST ELEVATION



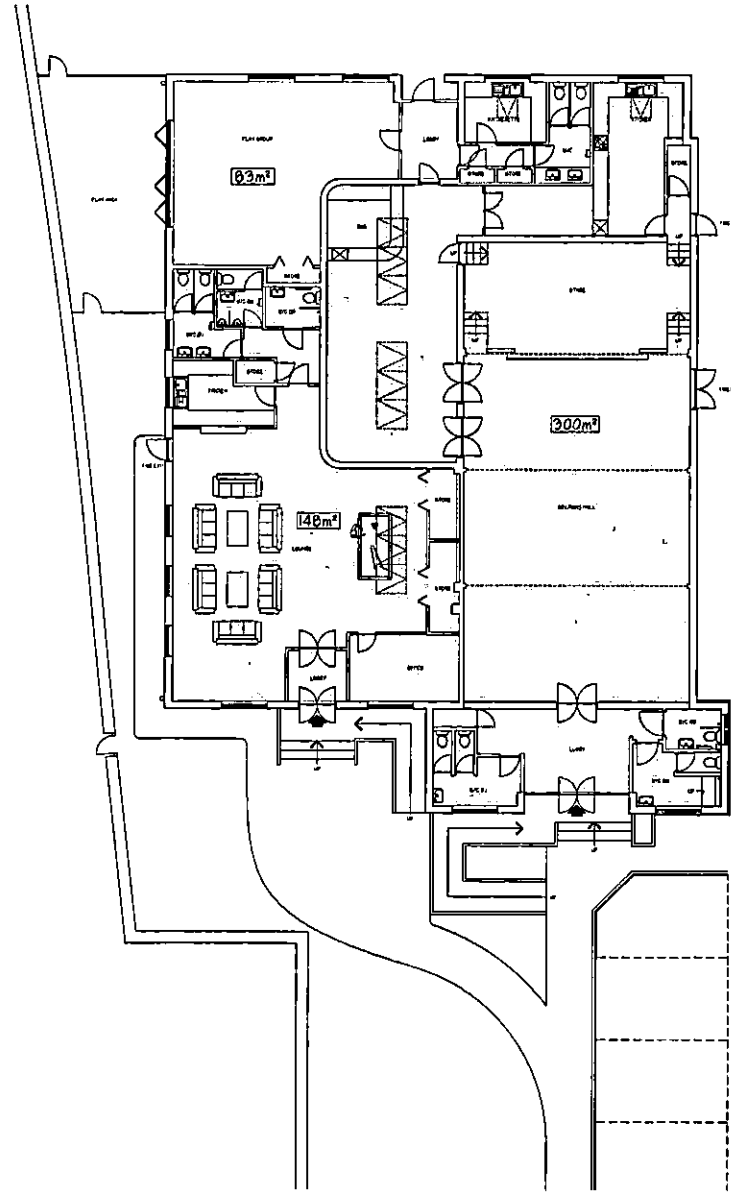
PROPOSED SOUTH ELEVATION



PROPOSED WEST ELEVATION



PROPOSED NORTH ELEVATION



PROPOSED GROUND FLOOR PLAN



69

PRELIMINARY

Client: DOLPHINS HALL COMMITTEE			
PROPOSED YOUTH & COMMUNITY FACILITIES, DOLPHINS HALL, NEW CHURCH STREET, TETBURY, GLOS. GL8 8DS			
Description: PROPOSED GROUND FLOOR PLAN AND ELEVATIONS			
Scale: 1:100	Drawn by: A1	Checked by: HM/BJ	Date: SEP 16
Contract No: 4235/51	Revision: A		