

Item No 08:-

17/00865/FUL (CD.4187/E)

**Borzoi Book Shop
White Cottage
Church Street
Stow-On-The-Wold
Cheltenham
Gloucestershire
GL54 1BB**

Item No 08:-

Creation of new doorway from Church Street to provide separate pedestrian access to first and second floor flat at Borzoi Book Shop White Cottage Church Street Church Street Stow-On-The-Wold Cheltenham Gloucestershire GL54 1BB

Full Application 17/00865/FUL	
Applicant:	Mr D Whittingham
Agent:	Oakwood Planning
Case Officer:	Joanne Reeves
Ward Member(s):	Councillor Dilys Neill
Committee Date:	14th June 2017
RECOMMENDATION:	REFUSE

Main Issues:

- (a) Special architectural or historic interest of Grade II listed building, and its setting.
- (b) Character and appearance of Conservation Area.

Reasons for Referral:

The Ward Member for Stow-On-The-Wold has referred the application to Planning Committee for the following reasons:

"I have read all the documentation associated with this application and visited the bookshop and the flat above. The flat is rapidly deteriorating and I think that the changes which have been proposed are the most sensible plan which will allow the building to remain viable as a business with a flat above. The upper floors are not suitable for use within the business and it is not currently an attractive proposition as a wholly residential building. The current staircase is in my opinion dangerous; this is highlighted by the fact that there was a fatal fire in the flat some years ago. Also the stairway is too narrow and winding to allow objects of any size to be taken to the upper floors, and furniture would have to be hoisted in through the window.

If an application were made to return the building to wholly residential use, this would require greater changes to this listed building than are envisaged under the current plan. Further, it would lead to the loss of one of the loss of an excellent and viable bookshop, one of the declining number of shops in the town which cater for the needs of local residents. I am not happy for you to refuse this application, and I request that it be reviewed by the planning committee."

1. Site Description:

The application site comprises a Grade II listed building, which dates from the mid-19th century incorporating parts of earlier structures. The building currently comprises a book shop at ground floor level, with associated living accommodation that is currently vacant occupying the floors above. The building forms part of a narrow lane lined with similar 17th century coursed rubble properties, exhibiting characteristic shop windows and simple domestic fenestration and door openings. There is a strong sense of tight-knit, modest vernacular connecting Sheep Street to the grander Masonic Hall and Parish Church of St Edward's beyond.

The site is within the Stow-on-the-Wold and Mangersbury Conservation Area.

2. Relevant Planning History:

06/01585/FUL Creation of external opening and installation of external staircase for fire escape. Refused 15/09/2006.

3. Planning Policies:

LPR15 Conservation Areas
 LPR38 Accessibility to & within New Develop
 LPR42 Cotswold Design Code
 NPPF National Planning Policy Framework

4. Observations of Consultees:

Historic England:

"Whilst the creation of the new doorway is not entirely out-of-character when seen in the context of Church Street, it will distort the historic appreciation of the building's form and function as a single property. Likewise, the staircase replacement not only entirely removes a feature of 19th century provenance of a modest winder form (as well as associated removal of stonework), but appears to result in the unfortunate cutting across of the western ground floor window. Historic England does recognise the difficulty of separately accessing the first floor independently of the book store, and acknowledges previous unsuccessful attempts at achieving this from the rear elevation. Likewise, we welcome efforts to put the upper floors of this property into good use. Nevertheless this should be achieved in combination with the preservation of the building's features of architectural interest. We have outlined the harm above which, whilst minimal, should be balanced against the benefits of permanent residential occupancy.

Recommendation: Historic England has concerns regarding the application of heritage grounds."

Conservation Officer:

The Conservation Officer has recommended the application for refusal. His comments form the basis of the Officer Assessment below.

5. View of Town/Parish Council:

Stow-On-The-Wold Town Council:

"Council would like to see a window in the new door as it opens directly onto the street and therefore could be a Health & Safety issue with passing pedestrians or vehicles. To retain the street scene in a sensitive area of the town the doorway should be recessed in keeping with the rest of the properties in this street. Council would also like assurance that there necessary fire escapes for both the shop and flat are in place."

6. Other Representations:

None.

7. Applicant Supporting Information

Covering Letter
 Application Form
 Before and After Photograph (Drawing No. 6216-00)
 Existing Plans and Elevations (Drawing No. 6216-01)
 Proposed Plans and Elevations (Drawing No. 6216-02) - SUPERSEDED
 Proposed Plans and Elevations (Drawing No. 6216-02a)
 Entry Point Options (Drawing No. 6216-03)
 Design and Access Statement
 Heritage Report

8. Officer Assessment:

White Cottage (known as the Borzoi Book Shop) is a Grade II Listed Building. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990. There are also a number of Listed Buildings nearby, including the Grade II* listed Masonic Hall and Grade II listed Woodward Brothers, which are located to either side of the site. The Local Planning Authority is also required to have special regard to the desirability of preserving the setting of these buildings in accordance with Section 66(1) of the aforementioned Act.

White Cottage also lies within the Stow-on-the-Wold and Mangersbury Conservation Area, wherein the Local Planning Authority is statutorily required to pay special attention to the desirability of preserving or enhancing the character of appearance of the area, in accordance with section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Section 12 of the NPPF asks that local planning authorities take account of the desirability of sustaining or enhancing the significance of heritage assets. In particular, paragraph 132 states that when considering the impact of a proposal on the significance of a designated heritage asset, such as a Listed Building or Conservation Area, great weight should be given to the asset's conservation. It also states that significance can be harmed through alteration or development within its 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 should be weighed against the public benefits of those works.

Similarly, Policy 15 of the Cotswold District Local Plan seeks to preserve or enhance the character or appearance of Conservation Areas within the District. In particular, it states that proposals requiring planning permission should only be permitted if the siting, scale, form, proportions, design, colour and materials of any new or altered buildings are in keeping with the character and appearance of the area in general.

Section 7 of the NPPF requires good design. Similarly, Local Plan Policy 42 requires development to be sustainable and designed in a manner that respects the character, appearance and local distinctiveness of Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship.

The application seeks planning permission to create a new external doorway in the front elevation of the building. This door would provide separate, independent access to the existing first and second floor flat above the book shop.

Whilst the creation of a new external doorway would not be entirely out of keeping with the character of this part of the Conservation Area, the doorway would give the façade the appearance of two separate properties, obscuring the historic form and function of the Grade II Listed White Cottage as a single property. As such, its architectural and historic significance would be harmed.

As noted above, the new external doorway is sought in order to create a separate means of access to an existing first and second flat. The flat is currently accessed via the ground floor retail unit with which the upper floor living accommodation would have historically been associated. It should be noted that no change of use is being proposed; as both the ground floor retail unit and the first floor and second floor living accommodation already exist. No additional unit of accommodation is therefore being proposed. Instead, the alterations are sought in order to create an independent means of access to the upper floors. These changes are sought as a result of a change in the applicants' circumstances.

Whilst it is accepted that the proposed development would fall into the category of "less than substantial harm" as set out in paragraph 134 of the NPPF, the harm identified is still regarded as

considerable, and as such should be given weight. In the context of Paragraph 134, the proposed development would help facilitate the creation of a separate residential unit (i.e. a self-contained flat). The creation of a separate residential unit would contribute to the Council's need to provide an ongoing supply of housing and could therefore represent a public benefit. Notwithstanding this, the Council can currently demonstrate a robust 5 year supply of housing land (7.54 years) and as such the weight attached to the creation of the separate residential unit is considered to be less than if the housing supply was in deficit. It is considered that the public benefit arising from the proposal is limited and does not outweigh the significant adverse impact to the designated heritage asset arising from the proposed alterations.

Other uses at first and second floor level, other than residential, could also be explored and potentially instigated using permitted development rights. These include the use of the first and/or second floors as part of the existing book shop, or some other retail use, or to provide financial or professional services. Such uses would not necessarily require a separate access, as they would be likely to operate similar opening hours to the existing book shop, and as such would not require the 24 hour access associated with an independent residential use.

9. Conclusion:

In reaching this conclusion, the difficulties of finding an appropriate use for the upper floors of the building given its constraints, together with recognition that the applicant may be reluctant to invest large sums of money in the upper floors whilst they remain vacant, are acknowledged. However, whilst Officers are sympathetic to the desire for an alternative access to the upper floors, the extent of the harm caused by the proposed development is not considered to be outweighed by the public benefits in this case.

The scheme is therefore recommended for refusal.

10. Reason for Refusal:

1. White Cottage (known as Borzoi Book Shop) is listed as being of special architectural or historic interest. There are also a number of other listed buildings nearby. The Local Planning Authority is statutorily required to have special regard to the desirability of preserving these buildings or their settings or any features of special architectural or historic interest they possess. The site is also located within the Stow-On-The-Wold 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. The proposed new external doorway would distort the historic appreciation of the building, giving the façade the appearance of two separate properties, thereby obscuring the historic form and function of White Cottage as a single property. For these reasons the proposed development would fail to preserve the historic interest of the listed building, or the character or appearance of the Stow-On-The-Wold Conservation area. The significance of the designated heritage assets would be diminished, and without public benefits in this case to outweigh that harm. The proposed development is therefore contrary to Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 12 of the National Planning Policy Framework, and Policies 15 and 42 of the Cotswold District Local Plan.