

**Item No 10:-**

**19/02864/LBC**

**Abberley House  
Park Street  
Cirencester  
Gloucestershire  
GL7 2BX**

## Item No 10:-

### Installation of A/C condenser to roof at Abberley House Park Street Cirencester Gloucestershire GL7 2BX

Listed Building Consent 19/02864/LBC	
Applicant:	Cotswold District Council
Agent:	
Case Officer:	Fern Lynch
Ward Member(s):	Councillor Mark Harris
Committee Date:	13th November 2019
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

#### Main Issues:

- (a) Design and Impact on the Listed Building

#### Reasons for Referral:

The application has been brought before the Planning Committee as required by the adopted Scheme of Delegation as the applicant is Cotswold District Council.

#### 1. Site Description:

Abberley House is a designated heritage asset, Grade II Listed Building on the statutory listing this is known as the Corinium Museum. The building is located within Cirencester Town Conservation Area.

#### 2. Relevant Planning History:

19/02869/FUL- Installation of A/C condenser to roof PENDING DETERMINATION, Nov 2019, this application accompanies the LBC submission.

There are no other planning history entries of relevance.

#### 3. Planning Policies:

NPPF National Planning Policy Framework

#### 4. Observations of Consultees:

Conservation Officer: No objection subject to conditions.

#### 5. View of Town Council:

No Objection- 'Members had no objection to the relocation of the a/c condenser from the café atrium to the flat roof at the rear of Abberley House. However, they have concerns relating to the potential noise level having an impact on neighbouring properties and whether the a/c condenser would be switched off at night.' The Town Council clerk has since been contacted to clarify that the proposal is for installation of an additional A/C unit externally and that it would be switched off outside of the cafe opening hours.

## **6. Other Representations:**

No other representation has been received.

## **7. Applicant's Supporting Information:**

Existing and proposed plans  
Heritage Statement  
Product Specification

## **8. Officer's Assessment:**

### *Proposal*

The application seeks Consent to install one Air Conditioning (A/C) condenser unit on the roof of Abberley House which will service the atrium of Jacks Café in the adjoining building.

### *Policy Considerations*

Abberley House is Grade II Listed Building which is located within the Cirencester Town 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 locality. This duty is required in relation to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 16 of the National Planning Policy Framework requires that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 193 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 notes that significance can be harmed through alteration or development within the setting. Paragraph 194 states that any harm to or loss of the significance of a heritage asset should require clear and convincing justification. Paragraph 195 states that where a proposed development will lead to substantial harm applications should be refused unless it is demonstrated that that harm is necessary to achieve substantial public benefits, whilst Paragraph 196 states that where a development proposal 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.

### **(a) Impact on the Listed Building**

In considering the duty set out in Section 16 and 66 of the Listed Buildings Act (1990). The proposed position of the new condenser unit and its free standing nature will not harm the significance or historical interest of the Listed Building or its setting. The proposed works are considered to be necessary to enhance the internal enjoyment of the listed building for the public mainly through the condensers ability to cool the atrium area of the café during the summer months. The works will help to preserve the heritage asset for years to come facilitating continued enjoyment of the heritage asset in the modern day.

In considering paragraph 193 of the NPPF in which officers have a duty to assess if the proposed works will contribute to any harm, it is the opinion of officers that the proposed works will have a neutral effect on the heritage asset. In weighing up the public benefit that will derive from this installation, a further consideration for its acceptability is that it will enable the custodians of the Listed Building to continue to utilise and enjoy it, which in turn will continue to facilitate an economic benefit that the café brings to the local economy. The proposals will therefore also accord with Section 7 of the NPPF

Whilst the condensers are obviously not original to the building, additions such as this have been previously approved on the same roof. They are generally accepted as necessary to

enhance the internal enjoyment of the Listed Building. The Conservation Officer suggested that louvre covers could assist in mitigating against any visual impact of the condenser units both externally and internally, however the applicant is unwilling to agree to the need for these. This has led to an officer assessment of balancing the impact (if any) on the historic environment against the public benefit. On balance, the public benefit which the proposed will provide is considered to outweigh any slight visual harm caused by the units.

The proposed scheme by virtue of its size, location and free standing nature is not considered to have a detrimental impact on the historic character of the heritage asset. This view is supported by the Conservation Officer. Overall it is considered that the proposed scheme will not harm the significance of the Listed Building which accords with the objectives of the NPPF and the act.

#### **9. Conclusion:**

The scheme will retain the special architectural and historic interest of Abberley House and preserves its character and setting. The significance of the Grade II designated Listed Building will be sustained, in accordance with Section 16 of the NPPF. The scheme responds to the scale, proportion and character of the asset and the surrounding area and therefore will not have an impact on the character of the area. As such the proposal complies with Sections 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF.

#### **10. Proposed conditions:**

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

**Reason:** To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following drawing number: 305 P. 101 P1 and the product specification provided within the submission.

**Reason:** For purposes of clarity and for the avoidance of doubt, in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework.





**COTSWOLD**  
DISTRICT COUNCIL

**ABBERLEY HOUSE PARK STREET CIRENCESTER**

Organisation: Cotswold District Council

Department:

Date: 31/10/2019

Scale: 1:1250





Flower Garden (below)

EXISTING  
CONDUITS

PROPERTY  
LOCATION  
1 MI. N. W. 23A97  
1 MI. S. W. 23A97  
900 N. W. 23A97  
700 N. W. 23A97  
AV. MOUNTS.  
ALL ARE EXPOSED  
PROVIDED

(continued)  
purification drugs  
Baylor's College

44 Black  
Jack  
Street

DESIGNSCAPE ARCHITECTS

180015 USC 62

NOTE: No work is proposed at this level unless specifically identified / approved on the drawing

305.P.101 P1

16	05.11.18	11.17.53	17.08.2018
17	05.11.18	11.17.53	17.08.2018

**P.101 FIRST FLOOR AS PROPOSED**

**DISCUSSION NOTE:** The design consists of a transmission gear set for an automatic car driven 2500 Park Street and Academy Avenue, Detroit, at an approximately prescribed and scaled constant velocity of 40 mph (64 km/h). The design can be used to reduce the noise of a car. The design can be used to reduce the noise of a car. The design can be used to reduce the noise of a car.

ਭਗਵੰਤ ਸਿੰਘ ਨਾਨਕ ਕੁਲਦੇਵ  
ਵਾਸ: ਪੰ. ਭਗਵੰਤ ਨਾਨਕ ਨਾਨਕੀਆਂ ਦੇ ਪੰ. ਭਗਵੰਤ ਨਾਨਕੀਆਂ ਦੇ ਪੰ. ਭਗਵੰਤ ਨਾਨਕੀਆਂ ਦੇ

All communications regarding this notice should be taken from the first designated communication only. Communications and/or materials sent to any other source are void.

All divisions and conditions are to be checked on a 15% prior to work.

2009 May 24 Fri  
 possible on 22 and 23, period beginning with 10 September May