



Appeal Decision

Site visit made on 21 January 2025

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2025

Appeal Ref: APP/B1605/W/24/3347763

14 Suffolk Parade, Cheltenham, Gloucestershire GL50 2AB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr M Fletcher on behalf of Ravensbury Ltd against the decision of Cheltenham Borough Council.
 - The application Ref is 24/00079/FUL.
 - The development proposed is demolition of existing stores and officing at rear of 14 Suffolk Parade, and construction of detached 2 bedroom coach house dwelling (with pedestrian access off Daffodil St).
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing stores and officing at rear of 14 Suffolk Parade, and construction of detached 2 bedroom coach house dwelling (with pedestrian access off Daffodil St at 14 Suffolk Parade, Cheltenham GL50 2AB in accordance with the terms of the application, Ref 24/00079/FUL, subject to the following conditions:
 1. The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.
 2. The planning permission hereby granted shall be carried out in accordance with the approved plans;
 - 01 Location plan
 - 43E Proposed plans
 - 44C Proposed elevations
 - 45C Proposed site plan
 - 46B Existing & proposed Daffodil Street scene

3. Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:
 - Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - Advisory routes for construction traffic;
 - Any temporary access to the site;
 - Locations for loading/unloading and storage of plant, waste and construction materials;
 - Method of preventing mud and dust being carried onto the highway;
 - Arrangements for turning vehicles;
 - Arrangements to receive abnormal loads or unusually large vehicles;
 - Highway Condition survey;
 - Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.
4. Prior to the occupation of the dwelling, the existing vehicular access to the site shall be permanently closed in accordance with details to be submitted to and agreed in writing beforehand by the Local Planning Authority.
5. The development hereby approved shall not be occupied until sheltered, secure and accessible bicycle parking has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The storage area shall be maintained for this purpose thereafter.
6. Prior to the occupation of the dwelling, all external facing materials shall be submitted to and approved in writing by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

Preliminary Matter

2. The appeal is accompanied by a copy of a Unilateral Undertaking (UU) which seeks to ensure contributions are made towards the Cotswold Beechwoods Special Area of Conservation Mitigation Contribution. I comment further on the undertakings below.

Main Issues

3. The main issues are:

- whether the proposed development would preserve or enhance the character or appearance of the Central Conservation Area and whether its effect on the setting of nearby Grade II listed building would harm its significance,
- whether the proposed development would provide adequate living conditions for future occupiers, and
- the effect of the development on the integrity of the Cotswold Beechwoods Special Area of Conservation.

Reasons

Heritage assets

4. The Central Conservation Area (CA) covers an area encompassing both residential and commercial shopping areas. Its significance is derived from the terraced form of the buildings with traditional shopfronts and canopies. Residential buildings are also predominately Georgian and early Victorian terraces that are extensive and result in strong uniformity in the street. Given the above, I find that the significance of the CA, insofar as it relates to this appeal, to be primarily associated with pattern and layout of streets which allow the terraced form and uniformity of historic buildings to be appreciated.
5. The Council allege harm to the setting of a listed building, identified as Nos 12, 13 and 14 Suffolk Parade (Grade II). Insofar as this appeal is concerned, the significance of the listed building is derived from its architectural detailing.
6. The appeal building is single storey and has the appearance of a subservient building associated with the buildings along Suffolk Parade. There are a number of similar buildings to the rear of Suffolk Parade with many of which having little or no architectural merit. The proposal would demolish the existing building and erect a two storey dwelling which is designed to be 'coach style'.
7. The proposed dwelling has been designed to sit on the same footprint of the building to be demolished, taking account of the constraints of the site. The appearance would be contemporary but simple and would be similar to other buildings that have been developed within proximity of the appeal site.
8. The corner position of the appeal site is prominent, however, in light of the simple design as well as the reduced height and modest overall size of the dwelling, the proposal would result in the building still appearing as subservient to the buildings along Suffolk Parade. The demolition of the existing building that has little or no architectural merit and its replacement would add some interest to the street scene and for this reason I consider the proposed development would enhance the character and appearance of the CA.

9. In relation to the Grade II listed building there is very little architectural detail to be appreciated to the rear which is where the appeal site is located. The low height of the development would retain views from the rear to appreciate the overall scale and form of the terraced buildings along Suffolk Parade. I therefore consider that the proposed development would have a neutral effect on the setting of the listed building.
10. I therefore conclude that the proposed development would enhance the character and appearance of the CA and have a neutral effect on the setting of the listed building. I find no conflict with Policy D1 of the Cheltenham Plan Adopted July 2020 (CP), Policies SD4 and SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 Adopted 11 December 2017 (CS) and Paragraph 135 of the National Planning Policy Framework (the Framework). Amongst other things, these seek to ensure that development complements and respects the character of the locality, have regard to the historic environment and make a positive contribution to local character and distinctiveness.
11. The Council alleged conflict with Policy HE3 of the CP. However, this relates to advertisements, signs and hoarding in Conservation Areas which is not relevant to the proposed development.

Whether adequate living conditions would be provided

12. The proposal is a two bedroom property which is proposed to be occupied by three persons which would mean that the amount of gross internal area would be above the minimum standards prescribed within the Technical housing standards – nationally described space standard.
13. The amount of internal space provided would be sufficient for up to the three occupiers proposed and there would be adequate space for storage and movement around the property.
14. The proposed development includes an area of external amenity space to the side of the proposed dwelling. While this area is small it is commensurate with the size of the dwelling and would be of some benefit to the scheme. The site is also within a sustainable location that has access to a number of public open spaces within a short walking distance.
15. I therefore conclude that the proposed dwelling would provide adequate living conditions for future occupiers. I find no conflict with Policy SL1 of the CP, Policy SD14 of the CS and Paragraph 135 of the Framework. Amongst other things, these seek to ensure that development does not create or exacerbate conditions that could impact on human health.

Cotswold Beechwoods Special Area of Conservation

16. The appeal scheme proposes dwellings on a site that lies within the Zone of Influence of the Cotswold Beechwoods Special Area of Conservation (SAC).

17. The Conservation of Habitat and Species Regulations 2017 require that, where a project is likely to have a significant effect on a European site, either alone or in combination with other projects, the competent authority must make an appropriate assessment of the project's implications in view of the relevant site's conservation objectives. The effects arising from the proposal need to be considered in combination with other development in the area and adopting a precautionary approach.
18. Policy BG1 of the CP seeks to protect such sites from harm and, where necessary, seeks mitigation against any adverse effect of development.
19. The Council has, with the agreement of Natural England, produced a strategic, district wide approach to mitigating recreational pressures on the SAC through the securing of financial contributions for access management schemes and monitoring proposals. As this is an agreed approach with Natural England the proposed development can be assessed within the context of the Cotswold Beechwoods SAC Recreation Mitigation Strategy. On this basis I consider that this is an appropriate approach to mitigating identified harms.
20. It is common ground that the appeal scheme would give rise to increased recreational activity affecting protected habitats and species in the SAC, potentially encompassing trampling and vegetation wear, soil compaction and erosion, nutrient enrichment (e.g. dog fouling), litter, invasive species and increased incidences and risk of fire, which would be harmful to SAC habitats.
21. The appellants have submitted a signed UU to secure a payment for the Cotswold Beechwoods Special Area of Conservation Mitigation Contribution. The Council agree that the UU satisfactorily addresses the matters of recreational disturbance.
22. I am satisfied that the UU secured would enable the expedient delivery of mitigation sufficient to address the likely recreational effects of the development. I therefore find that, in light of this mitigation, the proposal would not result in an adverse effect on the integrity of the SAC. There is thus compliance with Policy BG1 of the CP and guidance contained within the Cotswold Beechwoods SAC Recreation Mitigation Strategy so far as these require that contributions will be secured towards mitigation measures.

Other Matters

23. The Council cannot demonstrate a five year housing land supply. However, as I have not found conflict with the development plan, this material consideration does not need to be considered further.

Conditions

24. I have considered the Council's suggested conditions in the event I were to allow the appeal. Where necessary, and in the interests of clarity and precision, I have slightly altered them to more closely reflect the advice in the Framework and the Planning Practice Guidance.
25. Condition 1 is the standard condition which relates to the commencement of development and condition 2 specifies the approved plans for the avoidance of doubt.

26. Condition 3 requires details of a construction management plan in order to ensure the safe operation of the highway. Condition 4 requires the existing and redundant vehicle access to be closed in the interests of highway safety and condition 5 requires details of cycle storage in order to promote sustainable travel. Condition 6 requires details of external materials in order to protect the character and appearance of the area.

Conclusion

27. For the reasons given above the appeal should be allowed.

D Wilson

INSPECTOR