



CHELTENHAM

BOROUGH COUNCIL

Friends Of Imperial Square Heritage And
Conservation
C/o KBW Chartered Surveyors
FAO - Mr Kevin Allen
7 Imperial Square
Cheltenham
Gloucestershire
GL50 1QB

APPLICATION NO: 13/00302/LBC

DATE REGISTERED: 26th February 2013

DECISION DATE: 24th May 2013

GRANTS LISTED BUILDING CONSENT

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

In pursuance of its powers under the above mentioned Act and Order Cheltenham Borough Council, as the Local Planning Authority, hereby **GRANTS CONSENT** for the following development:-

Reinstatement of railings to the perimeter of Imperial Gardens, including refurbishment of the remaining original railings adjacent to the front of the Town Hall and the repair and retention of existing original plinth stones wherever possible (Revised scheme for 12/00099/LBC - to reduce height of railings)

AT : Imperial Garden Promenade Cheltenham

in accordance with the conditions specified hereunder:-

- 1 The works hereby granted consent shall be begun before the expiration of five years from the date of this consent.
Reason: To accord with the provisions 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 permitted shall be carried out in accordance with drawing numbers ISR/SP, ISR/01 Rev B, ISR/02 Rev B, ISR/03 Rev B, ISR/04 Rev B, ISR/05 Rev B, ISR/06 Rev B, ISR/07 Rev B, ISR/08 Rev B, ISR/09 Rev B, ISR/10 Rev B and ISR/11 Rev B received on 25 February 2013.
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 Prior to the commencement of development, the design and details including materials and finishes of the following shall be submitted to and approved in writing by the Local Planning Authority:
 1. Proposed details for the adjustments to the plinth stones in relation to the existing tree roots shall be confirmed in the exact locations on a plan ;
 2. Proposed detailed design for the new globe lights to be located at the Gustav Holst entrance.

MIKE REDMAN : DIRECTOR • BUILT ENVIRONMENT

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The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 together with full size cross section profiles. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, national policies set out in PPS5 and the Historic Environment Planning Practice Guide. These are important details which need to be constructed in the traditional local manner to ensure that the development is compatible with its surroundings.

4 Prior to the commencement of development, samples of the following -

1. Proposed stones for the new plinth stones
2. Proposed stone for the new stone entrance piers
3. 500mm section of new railings to include the 3 different typical railings (ie plain spear, spear with finial, larger spear with finial and backstay and horizontal rail)

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented strictly in accordance with the details so approved and maintained as such thereafter.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.

5 No wires, pipe work, satellite dishes or other aerials, alarms or other paraphernalia shall be affixed to the external elevations of the railings unless otherwise agreed in writing by the Local Planning Authority, with the following exception -

1. The Town Hall currently have a poster notice board fixed to the remains of the historic section of railings adjacent to the Town Hall and this board is to be re-fixed to the railings after refurbishment, for a maximum period of 12 months to allow the Town Hall to provide a new notice board.

Reason: To protect and maintain the character and appearance of the area in which this development is located in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, national policies set out in PPS5 and the Historic Environment Planning Practice Guide. Careful consideration has been given to the detailed design of this development and its relationship with neighbouring properties.

6 The scheme shall include a survey of all existing trees on the application land and any adjacent land where existing tree roots affect the application site, showing the size and species and identifying those trees. In no circumstances shall existing tree roots which exceed 25mm in diameter be severed.

Reason: To ensure that the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Local Plan Policies CP1 and CP7 relating to sustainable development and design.

7 Notwithstanding the submitted information, within 3 months of the completion of these proposals an interpretation board shall be erected at an agreed location within Imperial Gardens to explain the history of the original railings, why they were removed during WWII and how the new railings have become to be installed. The design, size and location of the interpretation board shall be submitted to and agreed with the Local Planning Authority.

Reason: To ensure that the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Local Plan Policies CP1 and CP7 relating to sustainable development and design.

- 8 Prior to the commencement of development, a scheme for the treatment of the north east corner of the Gardens shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The existing stone pier adjacent to the Town Hall was designed to sit alongside railings at 1.8 metres in height. It is therefore imperative that the design of the new railings and the junction with this pier is resolved before work starts on site.

INFORMATIVES :-

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

- 2 The proposed works will enhance the setting of adjacent listed buildings and improve the appearance of the conservation area; thereby complying with sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 3 The applicant is advised that to comply with the provisions of condition 8, the Local Planning Authority expects to see 1.8 metre high railings abutting the stone pier before turning the corner and reducing in height to 1.5 metres.

This decision notice should be read in accordance with the Planning Officer's Report which details the material considerations relevant to the proposal and the reasons for the decision made. You can read a copy of this report online at www.cheltenham.gov.uk/publicaccess or in the Municipal Offices Promenade Cheltenham GL50 9SA (please contact Built Environment Reception to arrange this. Tel: 01242 264328)

A person who intends to carry out the development to which this planning permission relates is requested to give a minimum of 7 days notice to the planning authority as to the date on which it is proposed to initiate the development, and, in any event, before commencing the development. You are advised to contact the Compliance Officer at Built Environment 01242 264122.

Important Information following your Planning Permission or Planning Permission Enquiry

Please note: most building works will require inspection by Building Control. For further information on Building Regulations and whether you will be required to make an application, please refer to our web site www.cheltenham.gov.uk/buildingcontrol or telephone 01242 264321.

Mike Redman: Director – Built Environment

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.



CHELTENHAM BOROUGH COUNCIL

START NOTICE

IMPORTANT INFORMATION - KEEP THIS WITH YOUR DECISION NOTICE

Please read carefully the decision notice and ensure that you understand and comply with the requirements of any conditions. **You only have planning permission subject to compliance with the conditions on your decision notice and carry out the development in accordance with the approved drawing(s) and documents.**

It is your responsibility to comply. Failure to comply with the terms of an approval could mean that the work that you carry out is unauthorised and at risk of enforcement action, which could have serious consequences. We carry out a programme of site monitoring to check compliance and we are including this start notice so as to proactively manage the development and to avoid you have difficulty in the future.

If you do not understand any of these requirements or require further information please contact the planning case officer quoting 13/00302/LBC using the contact details below, or via our website www.cheltenham.gov.uk/planning and following the links for Planning Compliance.

We can assist you by providing advice and dealing with details you send us to meet conditions. Please ensure that you give yourself time to meet the requirements of any conditions. Please also be aware there is a charge to discharge conditions per request which means you can discharge conditions individually or group details together as a single request to discharge multiple conditions.

We recommend that you email the development and your contact details along with the intended start date to planningcompliance@cheltenham.gov.uk or complete the following and return it to the compliance officer at the address below.

Development Details

Planning application ref: 13/00302/LBC
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Site Location: Imperial Garden Promenade Cheltenham

Date when work is intended to start: _____

Your contact details (or attach letterhead/business card):

Name: _____
Address: _____

Telephone: _____ **Mobile:** _____
Email: _____

