

PRE-APPLICATION REPORT

Description of Proposed Development

Re-development to provide 69no. residential units

Planning Officer: Ben Warren

Pre-application reference: 24/00576/PREAPP

Date pre-app received: 02.04.24

Site visit: 05.06.24

Report date: 12.06.24

Planning policy that would apply to this application

Adopted relevant Cheltenham Plan and Joint Core Strategy Policies:

Cheltenham Plan policies:

- D1: Design
- D3: Private Green Space
- BG1 Cotswold Beechwoods Special Area Of Conservation Recreation Pressure
- SL1: Safe and sustainable living
- GI2: Protection and replacement of trees
- GI3: Trees and development
- CI1: Securing community infrastructure benefits
- CI2: Sports and open space provision in new residential development

Adopted JCS policies:

- SD3: Sustainable design and construction
- SD3: Design requirements
- SD9: Biodiversity and Geodiversity
- SD10: Residential Development
- SD11: Housing mix and standards
- SD12: Affordable housing
- SD14: Health and Environmental Quality
- INF1: Transport Network
- INF2: Flood Risk Management
- INF3 Green Infrastructure
- INF4: Social and Community infrastructure
- INF6: Infrastructure delivery
- INF7: Developer Contributions

Supplementary Planning Documents:

- Development on garden land and infill sites in Cheltenham (2009)
- Climate Change (2022)

National Planning Policy:

- National Planning Policy Framework
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The site, constraints and proposed works

The application site relates to the Hardwick Campus, which forms part of the University of Gloucestershire and has a site area of approximately 1.9 hectares. The site is located on a corner plot, on the north side of St Pauls Road and Swindon Road and to the east of Marsh Lane. The Honeybourne line runs along the eastern boundary of the application site.

The site benefits from two existing vehicular access points, one from the southern end of the site from St Pauls Road, and one along the western boundary from March Lane. The site currently consists of a number of existing buildings which provides teaching space, offices and student accommodation in associated with the University of Gloucestershire. The site also includes a large area of open space, to the west of the site, which is mainly grassed, with a number of well-established trees located along the southern perimeter boundary.

The supporting information identifies that the facilities at the Hardwick Campus will shortly become surplus to requirement, with the teaching and education facilities being relocated to the Park Campus and the Pittville Campus offering sufficient student accommodation. As such the University are seeking to explore options for the redevelopment of the site.

The pre-application is to consider the redevelopment of the site for a wholly residential scheme. The scheme proposed within this pre-application submission is for 69 residential units, consisting of traditional semi-detached and terraced houses and apartments within two apartment blocks.

The submitted sketch layout scheme provides an indicative site layout and it is understood that the purpose of the pre-application is to obtain the LPA's comments on the following:

Principle
Scale/Density
Layout

Officer comments

Principle of development

JCS policy SD10 relates to residential development and advises how housing development and conversions to dwellings will be permitted on previously developed land in the Principal Urban Area (PUA).

Paragraph 11 of the NPPF sets out a '*presumption in favour of sustainable development*' and makes clear that development proposals that accord with an up-to-date development plan should be approved without delay.

Where housing policies are out-of-date (including situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites), the NPPF is quite clear that development proposals should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies as a whole, or specific NPPF policies provide clear reason for refusal. At the time of considering this pre-application Cheltenham cannot currently demonstrate a 5 year housing land supply, and therefore this presumption in favour of sustainable development is triggered.

As the council cannot currently demonstrate a 5 year housing land supply, paragraph 11 d) is applicable to this application. Paragraph 11 d) states that permission should be granted unless:

- i) The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development; or
- ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework.

The application site is located within the PUA and within a built-up area of Cheltenham, surrounded by existing residential development and is therefore in a sustainable location, compliant with JCS policy SD10.

Given the above, there is no fundamental reason to suggest that the principle of a dwelling on this site would be unacceptable, subject to all other material considerations, which are discussed below.

Private Green Space

Cheltenham Plan policy D3 relates to private green space, states *'The development of private green areas, private open spaces and private gardens which make a significant contribution to the townscape and environmental quality of Cheltenham will not be permitted.'*

A reasonably large section of the site (south west) consists of an undeveloped area of green space, this is mainly laid to lawn, with a path that crosses the land from east to west, the area is enclosed by existing railings that run along the south and west perimeters, and there are a number of pedestrian gates that provide access points into this area. This land is owned by the university and is not designated local green space. Existing signage on the south eastern corner of the green space clearly identifies the land as being private. The University are aware and acknowledge that the green space is informally used by members of the public but they have not restricted public access to the site and the gates have remained unlocked for a number of years.

The green space clearly provides benefit to local residents, particularly given the reasonably high density of development in the local area, which has limited open space for play and leisure. However, the land is privately owned, signs identify this on site and the area is fully enclosed, as such, it is immediately obvious that this land is accessible to the general public, and likely users will be local residents that have been in the area for some time.

With regards to policy D3, it is necessary for officers to consider whether this space is considered to make significant contribution to the townscape and environmental quality of Cheltenham. It is the view of officers that this space does make a contribution to the townscape in this location

and will contribute to the environmental quality of the area, however, this is not considered to be 'significant'. As such, it is the view of officers that limited weight should be given to the policy in the overall planning balance of an application for redevelopment of the site. Officers do feel strongly that provision for open space, similar to that suggested in the submitted sketch layout plan, ie, some open green space and play area, is needed to alleviate the loss of this existing larger area of green space and would be an overall benefit to the scheme.

It is also noted that policy D3 discusses some key areas that need to be considered for development within extensive grounds, these principles should be considered for this site to minimise impact of development.

Site layout and density

Section 12 of the NPPF refers to achieving well designed spaces and states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Adopted Cheltenham Plan Policy D1 requires new development to adequately reflect principles of urban and architectural design; and to complement and respect neighbouring development and the character of the locality. Furthermore, JCS policy SD4 relates to design, and identifies considerations to include context and character, legibility and identity, amenity and space.

Further detail can also be found in Cheltenham's Supplementary Planning Document – Development on Garden Land and Infill Sites. This document sets out various elements that are considered to create the character of an area and includes grain, type of building, location of buildings, plot widths and building lines.

The pre-application submission proposes 69 new residential units, which includes a mix of traditional dwellings and flats located within two blocks.

The site layout proposes the use of the existing vehicular access points, one from St Pauls Road and one from Marsh Lane. Apartment blocks are shown to be located in the south eastern corner of the site, positioned either side of the access point with dedicated parking areas. In the southwest corner of the site, an area of open space is shown to be retained and provision of a play area is proposed. The rest of the site accommodates the residential houses.

Officers are of the view that the overall site density, general layout and pattern of development is appropriate in this context. The position of the larger apartment blocks in the southern section of the site is likely to be the most appropriate location for apartment buildings and would reflect other similar forms of development in the local area. Furthermore, the position and layout of the houses in the rest of the site will reflect the general layout of neighbouring development and is also considered acceptable.

One particular area that officers feel needs to be carefully considered is where the dwellings front on to Marsh Lane. Dwellings that front on to Marsh lane could be acceptable in principle, however, the current layout shows car parking to the front of these dwellings, accessed directly from Marsh Lane. Parking directly in front of houses is not characteristic of properties in Marsh Lane or Swindon Road. Given the narrow width of the road (Marsh lane) officers are concerned about the impact of introducing parking directly from Marsh Lane on the design and character of the area. An alternative layout for this part of the site may need to be considered which moves away from frontages of new dwellings on to Marsh Lane and re-orientates these dwellings in this part of the site.

No concerns are raised regarding the number of units proposed in the sketch layout. The layout generally allows for appropriately sized plots with sufficient private amenity space, off road parking for vehicles, as well as open landscaped areas. The general density and site layout is considered to be appropriate and reflects the pattern and layout of existing development in the locality.

The provision of 2 parking spaces per dwelling is welcomed, although careful consideration needs to be given to landscaping areas that should break up the areas of parking/hardstanding and provide space for tree planting to the frontages. Consideration should be given to moving some of the off road parking spaces to the side of dwellings, rather than these all being to the front, this could have a positive impact on the overall layout and improve the separation of residential blocks.

With regards to scale, the suggested height of the apartment blocks is 3 storeys. Officers consider this to be acceptable and appropriate in this location as it would reflect other similar forms of development further along Swindon Road. The proposed houses include a mix of 2 and 2.5 storey houses, which in this context, given the scale of surrounding development, is also considered to be appropriate and acceptable.

Officers feel that there is scope to make a feature of the entrance to the development from St Pauls Road by the inclusion of a good planting scheme, trees and positive boundary treatment.

The proposed retention of the open green space and play area in the south west corner of the site is welcomed, not only will this serve the occupiers of the new development, but would also serve existing residents, providing mitigation for any loss of the open space they currently benefit from.

Impact on amenity

It is not possible to fully consider impact on amenity based on the submitted information, but in terms of the relationship of new development with neighbouring land users, officers are generally content that the separation distances mean there is unlikely to be an unacceptable impact on neighbouring amenity in terms of light, outlook, privacy or overbearing impact.

Impact on designated heritage assets:

The only heritage asset located in close proximity of the application site is 161 Swindon Road which is a locally indexed building. The property is a detached two storey dwelling located directly opposite the existing access to the campus.

In this context, where new development would have a similar relationship to this locally indexed building as the existing campus buildings, officers are not of the view that the redevelopment of the site for residential development would likely result in unacceptable harm to this heritage asset.

Additional Info:

Affordable Housing

JCS policy SD12 seeks the provision of affordable housing in new residential developments. In Cheltenham, outside of Strategic Allocation sites, a minimum of 40% affordable housing is sought on sites of 11 dwellings or more.

The policy also states:

'Where possible, affordable housing should be provided on-site and should be seamlessly integrated and distributed throughout the development scheme. On sites where it is not possible to deliver all affordable housing as on-site provision, the residual requirement should be provided through acceptable alternative mechanisms (such as off-site provision or financial contributions). Further guidance on acceptable mechanisms may be provided in district plans.'

The councils housing enabling officer has reviewed the pre-application submission and has provided detailed comments which have been attached as a separate document.

Sustainability

JCS policy SD3 requires new development to be designed and constructed to maximise the principles of sustainability. Development proposals are required to demonstrate how they contribute to the aims of sustainability and shall be adaptable to climate change in respect of the design, siting, orientation and function of buildings and outside space.

Cheltenham has also recently adopted a new Climate Change Supplementary Planning Document (SPD), which requires all new development to include appropriate measures to combat climate change. Further information and the SPD can be found on our [website](#). All applications are now required to be supported by appropriate sustainability measures and a statement that addresses this new SPD.

All future planning applications would need to address this policy and SPD.

Trees

The Council's tree officer has reviewed the pre-application details and has provided the following comments:

The extent of removals of trees and hedges is difficult to assess based on the documents provided and some assumptions have been made. The retention of the beech to the north west of the site and the hornbeams to the south west of the site is welcomed. The proposal to remove the hedge running north-south is regrettable, as is the proposed removal of the river birch. Mitigation for removal should always be seen as a last resort when all other options that would retain green infrastructure have been considered.

If this scheme reaches full application stage, the following points should be considered:

Documents that should be submitted are:

- *A tree survey.*
- *Arb impact assessment.*
- *Tree protection plan.*
- *Suitable method statement should any works be proposed within the RPAs of retained trees.*

These documents should accord with BS5837:2012.

A detailed landscape plan should be submitted to show tree species, size and location, and to include tree pit details. The indicative planting scheme appears fairly generous although it could offer more generous along Marsh Lane (units 44 south). Similarly, planting to the front of units 29

to 26 should be considered as this is the 'gateway' into the estate and trees would soften the aspect of these buildings. Trees to the south of plots 58-62 would also soften the street scene. It would be preferable wherever possible that border treatments are or include mixed native hedging.

Reason: to ensure the appropriate retention of trees on site and planting of new trees on site as per Para 136 of the NPPF.

During our site visit, we discussed the existing trees along the southern boundary of the site which are located inside the existing railings. A question was raised regarding the potential for these trees to be removed. This has been discussed with the tree officer, who acknowledges that these trees are somewhat out of context and are reasonably low value in terms of tree species. However, due to their size and maturity they offer a high level of value in this context. Officers are also of the view that these trees have high value in terms of the design and character of the area.

Officers are concerned that due to the trees size and maturity that it would be difficult to appropriately mitigate the loss of these trees. The removal of these trees would also likely have a significant impact on BNG. It is also important to note that policy GI2 of the Cheltenham Plan resists the unnecessary felling of trees.

Environmental health

The Council's environmental health officer has reviewed the submission and has identified likely conditions as a result of formal planning permission these would include:

- Construction hours
- Submission of Construction Management Plan
- Submission of details in relation to the open space and play area (see below)

The EHO requests that an application is supported by further information in relation to the open space and play area and how it will be utilised. The information should detail what the areas will be used for, if there is to be any external hire, how this will be managed, the times of use for the pitch, how the times of use will be managed/controlled and any other information relating to the use of this pitch. This document should also specify if the applicant is intending on installing any external lighting for the areas? If so, the EH team may at a later date require a condition requiring a lighting impact assessment to be submitted for prior approval.

The EHO has indicated that if ASHP or GSHP's are to be used, further acoustic information may be required.

Impact on Beechwoods Special Area of Conservation (SAC)

The site is within a zone of influence as set out in the Cotswold Beechwoods SAC Recreation Mitigation Strategy (May 2022) for recreational pressure for the Cotswold Beechwoods SAC, which is afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended).

Policy BG1 of the Cheltenham Plan relates to the Cotswold Beechwoods Special Area of Conservation (SAC) – recreation pressure. It states that development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the

European Site Network and the effects cannot be mitigated. All development within the Borough that leads to a net increase in dwellings will be required to mitigate any adverse effects. Without appropriate mitigation, the proposed development is likely to have a significant effect on the Cotswold Beechwoods SAC (either alone or in combination with other development) through increased recreational pressure. As a result, if the application is pursued, the applicant can either enter a S106 contribution of £673 per new dwelling to contribute to the measures in that strategy or the applicant can provide their own bespoke strategies to mitigate the impacts the proposed development will cause.

Further detail and information is set out on the councils website:

https://www.cheltenham.gov.uk/info/52/conservation/1810/cotswold_beechwoods_sac

Bio-Diversity Net Gain

The mandatory 10% gain for BNG for major applications came in to effect on 12th April 2024. As such, any future application for the redevelopment of this site as proposed within this pre-application would need to include the appropriate provision.

Further information can be found on the councils website:

https://www.cheltenham.gov.uk/info/42/planning/1817/biodiversity_net_gain_-_planning_applications

Highways

Gloucestershire Highways no longer provide comments as part of pre-applications to the LPA, this is because they now offer their own pre-application service. If you wish to seek any comments/advice on highways grounds then you would need to make an application directly to them.

Conclusion

Overall, officers raise no significant concerns with the proposed development and are generally supportive of the density, site layout and suggested scale of development.

We would strongly encourage you to submit a pre-application to Gloucestershire Highways prior to the submission of any formal planning application to seek their comments on access and parking matters.

Officers would welcome further involvement in the design and development process of this site, but please note that follow up meetings/discussions, or follow up comments on a revised proposal may require an additional fee.

PLEASE NOTE:

The above is applicable on the date of the report but may be subject to change in the event of changes to policies, legislation or other considerations prior to the submission of a planning application. Furthermore, the above are views expressed by Officers of the Council and are not binding on any decision made by Planning Committee who may ultimately determine any application submitted.