



Notice of a meeting of Planning Committee

**Thursday, 20 June 2019
6.00 pm**

Membership	
Councillors:	Garth Barnes (Chair), Paul Baker (Vice-Chair), Stephen Cooke, Diggory Seacome, Victoria Atherstone, Bernard Fisher, Dilys Barrell, Mike Collins, Alex Hegenbarth, Karl Hobley, Paul McCloskey, Tony Oliver, Simon Wheeler, John Payne and Rowena Hay

The Council has a substitution process and any substitutions will be announced at the meeting

Agenda

- a) **19/00204/FUL Car Park, Chester Walk** (Pages 5 - 8)
[Planning application documents](#)

Contact Officer: Judith Baker, Planning Committee Co-ordinator,
Email: builtenvironment@cheltenham.gov.uk

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APPLICATION NO: 19/00204/FUL	OFFICER: Michelle Payne
DATE REGISTERED: 18th February 2019	DATE OF EXPIRY: 20th May 2019 (extended until 28th June 2019 in agreement with the applicant)
DATE VALIDATED: 18th February 2019	DATE OF SITE VISIT: 11th March 2019
WARD: Lansdown	PARISH: n/a
APPLICANT:	WorkShop Cheltenham
AGENT:	EdgeDesignWorkshop Ltd
LOCATION:	Car Park Chester Walk Cheltenham
PROPOSAL:	Proposed Mixed Use Innovation Hub for the town centre

Update to Officer Report

1. SUGGESTED CONDITIONS/ INFORMATIVES

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to the commencement of development, including any works of demolition or site clearance, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be adhered to throughout the development process and shall, where necessary:

- i) specify the type and number of vehicles expected during the construction of the development;
- ii) allocate space for the parking of vehicles for site operatives and visitors;
- iii) allocate space for the loading and unloading of plant and materials;
- iv) allocate space for the storage of plant and materials used in constructing the development;
- v) specify the intended hours of construction;
- vi) specify measures for controlling the use of site lighting whether required for safe working or for security purposes;
- vii) specify measures to control the emission of noise, dust and dirt during construction;
- viii) provide for wheel washing facilities; and
- ix) specify the access points to be used and maintained during the construction phase.

Reason: To minimise disruption on the public highway and to adjacent land users, and accommodate the efficient delivery of goods and supplies during the course of the construction works, having regard to adopted policy INF1 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable highway impact during construction.

- 4 Prior to the commencement of development, a full Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Operational Management Plan shall include sound insulation measures for the proposed development, and a noise assessment of the effect of the non-B1 floorspace on the residential properties directly west of the site on St George's Place; this must be carried out by a suitably qualified and experienced acoustic consultant.

Reason: To safeguard the amenities of adjacent residential and/or other noise sensitive properties, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017). Approval is required upfront so that appropriate mitigation measures can be incorporated into the development.

- 5 Prior to the commencement of development (other than site clearance, site preparation and the formation of foundations and trenches), a detailed scheme for the provision of refuse and recycling storage facilities, to include a bin collection point, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to first occupation of the development and shall be retained as such thereafter.

Reason: In the interests of sustainable waste management and recycling, having regard to Policy W36 of the Gloucestershire Waste Local Plan. Approval is required upfront because the design of the refuse and recycling storage is an integral part of the development and its acceptability.

- 6 Refuse and recycling shall only be stored in the approved bin collection area on the day(s) of collection. At all other times, all refuse and recycling shall be stored in appropriate containers in the refuse and recycling storage facility approved under condition 5.

Reason: In the interests of visual amenity, having regard to having regard to saved policies CP3 and CP7 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4 and SD8 of the Joint Core Strategy (2017).

- 7 Prior to the commencement of development, the external colour finishes of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed details.

Reason: To ensure that the development is sensitive to its surroundings, having regard to saved policies CP3 and CP7 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4 and SD8 of the Joint Core Strategy (2017).

- 8 In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and development shall be halted on that part of the site affected by the unexpected contamination. An investigation and risk assessment must then be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11 and a remediation scheme, where necessary, also submitted. Following completion of measures identified in the approved remediation scheme, a verification report shall be submitted to and approved in writing by the Local Planning Authority before development can recommence on the part of the site identified as having unexpected contamination.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property

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and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with adopted policy SD14 of the Joint Core Strategy (2017).

- 9 Prior to their installation, technical details of all flues, ducting, extract system, filters etc. and their continuing operation shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of adjacent properties, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017).

- 10 Notwithstanding the submitted details, the car parking spaces identified on the approved plans, including the disabled spaces, shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Reason: To ensure that the development incorporates facilitates for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.

- 11 Prior to first beneficial use of the development, vehicular parking and turning facilities shall be provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and shall remain free of obstruction for such use at all times.

Reason: To ensure the adequate provision of car parking within the site in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 12 Prior to first beneficial use of the development, secure and covered cycle storage facilities shall be provided in accordance with the approved plans. The cycle storage shall thereafter be retained available for such use in accordance with the approved plans at all times.

Reason: To give priority to cycle movements by ensuring the adequate provision and availability of cycle parking, to promote cycle use and to ensure that appropriate opportunities for sustainable transport modes have been taken up, having regard adopted policy INF1 of the Joint Core Strategy (2017) and paragraph 108 and 110 of the National Planning Policy Framework.

- 13 Prior to first beneficial use of the development, a detailed Lighting Scheme, including predicted light levels at neighbouring residential properties, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of adjacent properties, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017).

- 14 Prior to first beneficial use of the non-B1 floorspace, the proposed opening hours for the non-B1 floorspace shall be submitted to and approved in writing by the Local Planning Authority. The non-B1 floorspace shall thereafter only be open to customers between the agreed hours.

Reason: To safeguard the amenities of the area, having regard to saved Policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 of the Joint Core Strategy (2017).

- 15 Prior to the installation of any advertisements on the development hereby approved, a detailed Advertisement Strategy shall be submitted to and approved in writing by the Local Planning Authority. All advertisements shall thereafter be implemented in accordance with the agreed strategy.

Reason: To ensure that the development is sensitive to its surroundings, having regard to saved policies CP3 and CP7 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4 and SD8 of the Joint Core Strategy (2017).

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 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 NOTE: The development will require construction and delivery access by large vehicles which will be expected to require Streetworks approval which should be sought by contacting the County Council on 0800 514 514 or emailing streetworks@gloucestershire.gov.uk
- 3 NOTE: The upgrade works to the access on Chester Walk require alteration to the existing highway network and must be undertaken by the Highway Authority or its appointed agents. An Agreement under Section 278 of the Highways Act 1980 will be required. The Local Highway Area office will need to be contacted prior to commencement of work on the access.
- 4 NOTE: The applicant is advised that it is an offence under Section 161 of the Highway Act 1980 to deposit anything on a highway in consequence of which a user of the highway is injured or endangered. Suitable vehicle wheel washing equipment should therefore be used to prevent contamination and damage to the adjacent roads.