

Cheltenham Borough Council
Council – 13th December 2010

**Review of Cheltenham Civic Pride Urban Design Framework SPD
and North Place & Portland Street Development Brief**

Accountable member	Cllr Rawson – Cabinet Member for the Built Environment
Accountable officer	Tracey Crews – Spatial Planning Manager, Cheltenham & Tewkesbury
Accountable scrutiny committee	Economy & Business Improvement Overview & Scrutiny Committee
Ward(s) affected	SPD - All Development Brief – St Paul’s & Pittville
Executive summary	<p>On 27th July 2010 Cabinet approved a consultation exercise on the revisions of the Cheltenham Civic Pride Urban Design Framework Supplementary Planning Document (SPD) and its associated technical appendix; the North Place and Portland Street Development Brief. These revisions were considered necessary by the Cheltenham Development Task Force in order to reflect current market conditions and enable greater flexibility in the type and mix of uses that could be accommodated on the site.</p> <p>Following consultation between 23rd August and 1st October 2010 all responses were considered and the documents were revised accordingly. The revisions were considered by Cabinet on 16th November 2010 and approved subject to two additional amendments. These amendments have now been made and the final revised documents are attached for adoption by Council.</p>
Recommendation	That Council adopts the revised Cheltenham Civic Pride Urban Design Framework Supplementary Planning Document (Appendix A) under section 23 of the Planning and Compulsory Purchase Act 2004, including the revised North Place and Portland Street Development Brief (Appendix B).

Financial implications	<p>None arising from this report</p> <p>Contact officer: Mark Sheldon, mark.sheldon@cheltenham.gov.uk, 01242 264123</p>
Legal implications	<p>Supplementary Planning Documents provide greater detail on council policies. They become part of the statutory development plan by being adopted by the council. On adoption, the Supplementary Planning Document becomes a Local Development Document within the Local Development Framework.</p> <p>Contact officer: Jonathan Noel, jonathan.noel@tewkesbury.gov.uk 01242 775117</p>

HR implications (including learning and organisational development)	<p>Employees and Trade Unions will need to be kept informed of progress, in particular in relation to employee car parking at North Place.</p> <p>Contact officer: Amanda Attfield, amanda.attfield@cheltenham.gov.uk, 01242 264186</p>
Key risks	<p>See Risk Summary (Appendix C)</p>
Corporate and community plan Implications	<p>There is a change in the affordable housing requirement; from 50% in the 2008 version of the Development Brief; to 40% minimum. However, this figure is now in line with affordable housing policy HS4 in the Cheltenham Borough Local Plan.</p>
Environmental and climate change implications	<p>The revised Development Brief includes the addition of a six bay bus node which was not included in the 2008 version. There are positives and negatives to this from an environmental and climate change perspective. The inclusion of a bus node could encourage more people to use public transport, thereby increasing its sustainability. This has to be balanced against carbon-based emissions from waiting buses. However, the overall number of buses will not increase, they will be merely relocated from Royal Well, so whilst there is potentially a minimal local environmental impact, there should be no increase in emissions across the borough.</p>

1. Background

- 1.1** The purpose of this report is to request that Council adopts the revisions to the Cheltenham Civic Pride Urban Design Framework SPD, which contains the North Place and Portland Street Development Brief as a technical appendix – see appendices A and B. This follows the consultation exercise undertaken between 23rd August and 1st October 2010 and the subsequent approval by Cabinet of the revisions. If Council adopts the revised documents they will become part of Cheltenham's Local Development Framework (LDF) and will be a material consideration in considering development proposals.
- 1.2** The existing adopted Development Brief is a technical appendix to the Cheltenham Civic Pride Urban Design Framework SPD, an adopted part of Cheltenham's LDF. Consequently any change to the Brief needs to be reflected in the parent SPD. Furthermore, any review of either document is subject to statutory requirements for the preparation of SPDs and is subject to public consultation.
- 1.3** The adopted SPD was also subject to a Sustainability Appraisal in accordance with the Strategic Environmental Assessment Directive, which assessed the sustainability impacts of the SPD and the Development Brief. As a consequence of the revisions to these documents, a revised Sustainability Appraisal was undertaken for the proposed changes to the Development Brief only. Consultation took place on the Sustainability Appraisal at the same time as consultation on the SPD and Development Brief. No significant changes were made to the Sustainability Appraisal following this process.
- 1.4** The main differences between the original and revised Development Briefs are set out below:

Original Brief

- 1.5** The original brief was specific in terms of the land uses considered suitable for development on the North Place and Portland Street sites. It required a new civic building of approximately 7,000 sqm to accommodate the borough council and other civic uses, a new civic square, commercial development (in B1 use), small retail or cafe units and residential development with 50% as affordable housing and a minimum of 10% of all housing to be town houses. There was also a requirement for a car park with a minimum of 300 spaces.

Revised Brief

- 1.6** The revised brief allows for a range of town centre and edge of centre uses (e.g. offices and retail) without specifying the full range of acceptable uses, thus allowing prospective developers to propose a mix of uses.
- 1.7** A number of explicit requirements remain. For instance, there is still a requirement for residential development to form part of the scheme, with a minimum of 100 units to be provided. However, there is no longer a specific requirement for a minimum of 10% of the units to be town houses. There has also been a reduction in affordable housing from 50% to a minimum of 40% to reflect Local Plan policy HS4 (affordable housing) and current market conditions. The provision for a car park with a minimum of 300 spaces also remains, together with a requirement for new landscaped public squares and spaces. Lastly, provision for a six bay bus node is an additional requirement of the revised brief.
- 1.8** The changes to the SPD only reflected any amendments made to the Development Brief and so were minor. Plans contained within all documentation have been amended to reflect the changes.

2. Reasons for recommendations

- 2.1 The revised North Place and Portland Street Development Brief will provide greater flexibility and make the redevelopment of these key sites more achievable.

3. Alternative options considered

- 3.1 Following receipt of advice from the Cheltenham Development Task Force, officers considered not revising the Development Brief. However, after considering the current market situation and seeking advice from independent specialist property consultants, they concluded that this could lead to further delays in the sites being developed.

4. Consultation and feedback

- 4.1 Consultation formally took place between 23rd August and 1st October 2010 in line with the Council's Statement of Community Involvement. In summary, there were a total of 15 respondents making approximately 87 individual comments in total. There were a number of representations of support for the proposed revisions to provide greater flexibility in the mix and types of uses that could be accommodated and therefore increase the deliverability of the site. There was also support for the retention of the high design and sustainability aspirations for the site. The revisions gained the support of Natural England, English Heritage and the Environment Agency.

- 4.2 The proposed amendments to both documents as a result of the consultation will, in summary:

- provide more clarity about the types of 'town centre uses' that could be acceptable.
- set out that parking provision will need to be agreed with the planning and highway authorities based on evidence of need for the development.
- set out that parking needs to take into account the needs of the evening economy and also to be designed with safety and security considerations in mind.
- include the requirement that development should incorporate crime prevention and 'Secured by Design' principles.
- provide better clarification of access arrangements to the site.
- emphasise that high quality improvements are required to St. Margarets Road, the streetscene and pedestrian and cycle movements.
- set out that access and working hours should be restricted during construction to protect neighbours' amenity.
- provide for a green corridor from the Promenade to Pittville Park, creating links for pedestrians, cyclists and an opportunity for improved biodiversity.
- include the possibility of changing Portland Street to two-way working (subject to modelling) and providing streetscene improvements.
- incorporate additional land on Warwick Place into the area of the brief.

Task Force Recommendations

- 4.3** The Task Force noted the positive actions by the planning team in undertaking the public consultation. They were complimentary about the quality of the analysis received and recommended to Cabinet that the report be accepted.

5. Recommendations of Cabinet

- 5.1** The revised documents were presented to Cabinet on 16th November 2010 with the following recommendations from the Cabinet Member for Built Environment:

(i) that Cabinet approves the revisions to the Cheltenham Civic Pride Urban Design Framework Supplementary Planning Document and the North Place and Portland Street Development Brief; and recommends that Council adopts them with the additional amendments set out at (ii) and (iii) below:

(ii) that the proposed wording at 3.39(ii) of the Supplementary Planning Document, "About 300 public car parking spaces" is not approved and that the previous wording be reinstated, namely:

"A minimum of 300 public car parking spaces. Developers are likely to be asked to consider two different options for the public car park: one underground and the other over-ground."

with consequent changes being made wherever the number of car park spaces is referred to in the Development Brief.

(iii) that the proposed wording of the Development Brief in Design Principle D, sub-section e. be amended as follows:

"A 6-bay bus node for local and national services, to include appropriate interchange and support facilities, will be accommodated at the southern end of the North Place/Portland Street site, potentially in North Place.

with a consequent change being made to Design Principle E, sub-section h(i) to delete the words "including the bus node".

- 5.2** The purpose of recommendation (ii) was to help ensure that adequate parking provision should be retained in the St Margaret's Road area and that underground parking should be considered as an option. The purpose of recommendation (iii) was to ensure that developers are not required to locate the bus node in Portland Street but can consider other options, especially North Place.

- 5.3** All three recommendations were accepted by Cabinet. The documents have now been amended in line with Cabinet's recommendations, see appendices A and B.

6. Performance management – monitoring and review

- 6.1** The Cheltenham Development Task Force Board manages the wider project but not issues relating to planning which remain the responsibility of the Borough Council as Planning Authority. Regular reporting takes place to the Council's Operational Programme Board by the Task Force Managing Director.

7. Next Steps

- 7.1** If Council adopts the revised SPD and Development Brief, it will replace the existing documents as part of the Local Development Framework and they will become a material consideration in determining planning applications.
- 7.2** If the SPD is adopted, it will form the basis of the marketing of the North Place and Portland Street development sites in the New Year. There are additional tasks which also need to be completed including: the conclusion of the archaeological works recently undertaken; the production of a Planning Policy Statement 5 statement concerning historical context; and the appointment of professional advisers. When these tasks are complete, and allowing for the requirements of the OJEU (Official Journal of the European Union) procurement rules, the timetable would allow for the identification of a preferred bidder to develop the sites by late autumn 2011.

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Appendices	<p>A Revised Cheltenham Civic Pride Urban Design Framework SPD (Final version – for adoption)</p> <p>B Revised North Place & Portland Street Development Brief (Final version – for adoption)</p> <p>C Risk Assessment</p>
Background information	<p>1 Consultation Response Report Civic Pride SPD (Library)</p> <p>2 Consultation Response Report North Place & Portland Street Development Brief (Library)</p> <p>3 Revised North Place & Portland Street Development Brief Sustainability Appraisal (post-consultation amendments) (Library)</p> <p>4 Consultation Response Report Sustainability Appraisal (Library)</p> <p>5 Original Cheltenham Civic Pride Urban Design Framework SPD (Available on request)</p> <p>6 Original North Place & Portland Street Development Brief (Available on request)</p> <p>7 Cabinet Report 27th July 2010 (Available on request)</p> <p>8 Cabinet Report 16th November 2010 (Available on request)</p>