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Dear Members of the CBC Planning Committee

I am writing to all members of the Borough Planning Committee ahead of the meeting on Thursday evening (22 January) which will consider the University's application for planning permission to redevelop the Pittville Campus (LPA ref: 14/01928/FUL). I recognise that this is an unusual step. But the application is vital to the University's future, and we are keen to ensure that there is a full and open understanding of the issues.

The University has worked hard over many months to develop a scheme which we believe will bring substantial benefits, not just to the University but to Cheltenham and Gloucestershire. We have been in detailed discussion with the Borough planning team about every aspect of the development, and the plan has been significantly improved thanks to their input. We were therefore naturally disappointed that the officers' report recommends that the application be refused. We are, however, pleased to see that the report is an "on balance" report and final judgement is left for Planning Committee members to decide.

As the officers' report makes clear, there is not a disagreement about the principle of redevelopment. It is accepted and agreed that the Pittville site is appropriate for redevelopment for student accommodation. The proposed layout of the scheme has also been broadly agreed.

Where we differ is in the overall balancing judgement that officers have made. It is our belief that the potential "significant harm" that officers say would be caused by the proposal has not been demonstrated. On the contrary, our firm view is that the overall economic, environmental and social advantages of the scheme to the University and the Borough, and the major improvement that the scheme represents compared with the current state of the site, constitute substantial net benefits.

To explain how we have reached this judgement, it may be helpful to briefly address some key points from the officers' report.

### ***Timing***

We do not agree with the suggestion that the application is premature, and that more time should have been taken in discussing and developing it.

There has been a dialogue with Cheltenham Borough Council since September 2013, with two separate pre-application submissions (both before and after the announcement of the preferred bidder).

We believe 13 months of discussions is an appropriate and sufficient period, and we submitted the application on 21st October 2014 with agreement to scale, mass and layout. This followed positive emails such as one dated 17th October from CBC that said: "What I would like to stress is that we are very grateful for your attention to these points - it really is starting to lift the quality of the scheme which we are all pleased with. I am confident that there will be discussion points once the application has been submitted but I think there is now a shared understanding of the quality that is expected on this important site".

What is true is that the University has emphasised throughout that there are some critical milestones that we are attempting to meet. By its nature, student accommodation has to be available at the start of a new academic year. Accommodation is an important part of the offer to first year students, and having the new student accommodation ready for September 2016 materially affects the University's ability to compete for applicants in the recruitment round that starts this Spring. Working back from there, there are also critical milestones in agreeing the financing package for the scheme, which in turn will determine our ability to invest more widely in the University's estate.

So the timing of decisions is important in this case. But at no stage have we sought to push ahead faster than we believed was reasonable. Our original intention had been to submit this application in July 2014, but on advice from case officers this was delayed by three months to allow for further consultation and improvements to the scheme.

### ***Design***

Much of the officers' report is devoted to a detailed discussion of the design. To some extent, design is inevitably a subjective matter, which will provoke strong feelings and debate. The University believes that the central question should be: "is this design suitable for its purpose?". Form should follow function, and we believe that the design we have submitted is entirely appropriate and suitable for the function of providing student accommodation. It will transform for the better a site which is now dilapidated and deteriorating. So we see no justification for a conclusion that the design would cause "significant and demonstrable harm".

There has been intensive debate about the design. Unsurprisingly, there have been mixed and contradictory views from different sources. For example:

- The public generally preferred a Regency style
- Planning officers preferred a Modern style
- The Architects Panel wished for more "wit and flair"
- The Civic Society suggested a greater range of storey heights
- The Urban Design officer considered the layout and landscaping acceptable; but in turn the Architects Panel felt it was poor.

Our architects Lewis and Hickey are an award-winning practice who have designed student accommodation projects creating in total over 11,000 student rooms. Faced with these mixed opinions, Lewis and Hickey have delivered a scheme that we are proud of, that is a good response to the functional requirement of providing student accommodation, that is financially viable, and that strikes a balance between the conflicting design views received.

The design we have submitted is the design for which we seek approval. But as is normal practice for major planning applications, we are ready and willing to accept conditions relating to approval of materials and landscaping, with a view to working constructively with the planning officers to ensure that what is built gives the best possible result.

### ***Amenity***

One of the grounds for rejection cited by planning officers is “uncertainties” about the management of the site and student behaviour. The University has extensive experience of managing over 8,000 students and Uliving currently manage 18,000 student rooms. The proposed student village of just under 800 places represents only 10% of the University’s total student enrolment.

Between us, the University and Uliving have produced an Operational Management Plan (57 pages) and an addendum (31 pages) that set out in very considerable detail all areas of student and site management. We believe that should have been given rather more weight in forming a judgement of confidence that the University and Uliving will manage the site effectively.

The fears and uncertainties set out in the report are not shared by the Environmental Health team or the police. Both statutory consultees support the scheme, with the police entering into a formal partnership agreement with the University and committing to deliver a project specific scheme upon operational commencement. The University’s students are accommodated across all our campuses, in leased accommodation and in private rented accommodation across Cheltenham and Gloucester. This reflects a deliberate goal by the University to ensure that we do not create excessive concentrations of student accommodation in one particular locality, and the Pittville scheme will materially help us in continuing to work towards that goal.

For a planning application to be rejected on grounds of potential “significant harm”, the Planning Authority needs to demonstrate and evidence what harm might occur. Recent case law has established that it is not sufficient to base an argument on unfounded or hypothetical fears, for example:

APP/Y11110/A/06/2016991 appeal decision – “without supporting evidence, I consider that these statements [about student behaviour] amount to nothing more than generalised and simplistic assertions. In particular, they do not distinguish students from other members of society who may be “young and fit”, they do not take into account the diversity of age and behaviour that is found within any student population”.

In 2013/2014 there was a University accommodation shortfall of 554 beds. This means that some hundreds of students are needing to be housed in private and leased accommodation,

which does not benefit from operational management plans or car-free tenancies. So the Pittville scheme would ease accommodation pressures across Cheltenham as a whole, and enable us to keep working towards good amenity management. The Pittville site is, of course, an already-developed brownfield site, so building new accommodation there will not add to the pressures to develop greenfield space.

Notwithstanding this, if there are still concerns regarding student management, a legally binding pre-occupation condition can be attached to the permission that requires formal approval of the Operational Management Plan by the Local Planning Authority. This would provide future control and comfort to the Council and the planning committee without prejudicing the deliverability of much-needed student accommodation for September 2016.

### ***Transport and Highways***

We are pleased that the principle of the development is acceptable and we have worked hard to provide all outstanding information. We wish to thank Mark Power at Gloucestershire County Council for his continued input. It is our understanding that all concerns have now been actioned.

If there are still any outstanding concerns on highway grounds then we would invite the Planning Committee to consider attaching pre-occupation conditions to the planning permission.

### ***Conclusion***

The development of the student village is important to the future success and viability of the University. The University is making real progress, in terms of student satisfaction, research excellence, and in other ways. But higher education is now an intensely competitive business. Good quality student accommodation, particularly for first year students, is critical to our ability to compete for applicants. At present we have a substantial shortfall in the volume of accommodation we can offer.

But this application is not just about the future of the University. It is also about our ability to contribute to wellbeing and prosperity in Cheltenham and Gloucestershire. We have been present in Cheltenham for nearly 170 years, and we are committed to supporting the community. The planning application includes a document we published recently detailing the many ways in which students and staff contribute. If we are to keep increasing the benefits we bring to the community, we need to be able to recruit students - and therefore we must be able to house them in well-designed and well-managed accommodation.

So we believe the net benefit of this application for Cheltenham is clear and real. Whereas the grounds cited for rejection do not seem to us compelling - the amenity issue is not well-evidenced to demonstrate "significant harm", the highway concerns are resolvable through conditions, and the design is appropriate for its purpose and can be further improved through pre-commencement conditions on materials and landscaping. No single element of the grounds for rejection represents significant or demonstrable harm sufficient to outweigh the very real benefits that the scheme would bring to the University and to the Borough.

So we very much hope that the Committee will be willing to approve this application on Thursday.

Yours sincerely

Stephen Marston  
Vice-Chancellor

cc.  
Tracey Crews – CBC