

APPLICATION NO: 14/01928/FUL	OFFICER: Mrs Lucy White
DATE REGISTERED: 23rd October 2014	DATE OF EXPIRY: 22nd January 2015
WARD: Pittville	PARISH: Prestbury
APPLICANT:	Uliving And University Of Gloucestershire
AGENT:	Mr Ian Woodward-Court
LOCATION:	Pittville Campus, Albert Road, Cheltenham
PROPOSAL:	Erection of a student village incorporating 577 new-build student bedrooms, the refurbishment of the existing media centre (which will include a reception/security desk, a gym, retail facilities, multi-faith area, refectory and bar, quiet study area, laundrette, ancillary office space), and the provision of a mixed use games area. In addition, the proposal involves the demolition of existing teaching facilities and the retention and refurbishment of 214 existing student rooms.

Update to Officer Report

1. OFFICER COMMENTS

1.1. Below is a full list of suggested conditions and informatives in respect of the above application and officer recommendation to permit.

1.2. Late representations have been received from gfirst LEP and a third party, both of which are attached to this report.

1.3. Suggested Conditions

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
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 development hereby permitted shall be carried out in accordance with drawing numbers 1793-P-101G, 1793-P-102D, 1793-P-104B, 1793-P-105B, 1793-P-106A, 1793-P-130, 1793-P-131, 1793-P-132, 1793/P/133, 1793/P/134, 1793/P/135, 1793/P/136, 1793/P/137, 1793-P-201C, 1793-P-203C, 1793-P-205C, 1793-P-206C, 1793-P-207C, 1793-P-210C, 1793-P-211C, 1793-P-212C, 1793-P-250A, 1793-P-251A, 1793/P/252/A, 1793/P/253/A, 1793/P/254/A, 1793/P/255/A, 1793/P/256/A, 1793/P/257/A, 1793/P/258, 1793/P/259, 1793/P/260, 1793/P/261A, 1793/P/262, 1793/P/263, 1793/P/411, 1793/P/412, 1793/P/413, 1793/P/414, 1793/P/416, 1793/P/417, 1793/P/418, 1793-P-511A, 1793/P/270, 1793/P/271, 1793/P/272 and IA-363-LP-P01D received 11th May 2015 .
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 No development shall take place, including ground works and site preparation, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The details and provisions outlined in the statement hereby approved shall be adhered to in full throughout the construction period (including demolition and site preparation phases) unless otherwise agreed in writing by the Local Planning Authority. The Statement shall provide for:-

- i. the parking of vehicles of site operatives and other staff and all visitors
- ii. the parking of delivery vehicles and the loading and unloading of plant and materials
- iii. the type and number of vehicles expected to occupy the site during the construction phase
- iv. the storage of all plant and materials used in the construction of the development
- v. wheel washing facilities
- vi. measures to control dust and dirt during construction
- vii. routing and timing of all construction and delivery vehicles

Reason: The provision of the facilities and measures needs to be established prior to ground works on site to allow for sufficient and appropriately located areas for such provision and to protect the amenities of the locality during the construction phase, in accordance with Local Plan Policy CP4 and TP1 relating to local amenity and highway safety.

- 4 Prior to commencement of the development hereby approved the following information shall be submitted to and approved in writing by the Local Planning Authority:

- (i) a full site survey showing:
 - a) the datum used to calibrate the site levels
 - b) levels along all site boundaries at regular intervals
 - c) levels across the site at regular intervals
 - d) finished floor levels or other datum of adjacent buildings
 - e) cross section drawings clearly showing existing ground levels in relationship with the finished floor and eaves levels at adjacent buildings

- (ii) full details showing:
 - a) the proposed finished floor level of all buildings and ground levels including hard surfaces
 - b) cross section drawings showing the proposed finished floor and eaves levels of all buildings and ground levels including hard surfaces
 The development shall be implemented in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: The application site is not level and therefore it is important to clarify, prior to any ground works, the height of the development in relation to existing levels and structures both on and off site. The information is necessary to allow the impact of the development to be accurately assessed.

- 5 Prior to the commencement of development, full details of the method of any piling of foundations shall be submitted to and agreed in writing with the Local Planning Authority. The piling shall be carried out in accordance with the approved details.

Reason: The method of piling needs to be established prior to ground works in order to protect the amenities of residents in nearby properties in accordance with Policy CP4 of the Local Plan.

- 6 Prior to the commencement of development (including works of demolition and site preparation), tree protection fencing shall be installed in accordance with the specifications set out within the Arboricultural Report (reference Pittville Campus) received 11th May 2015 and the Tree Protection Plan Drawing no. 1793/P/101 Rev F dated April 2015 and received 11th May 2015. The tree protection measures shall be erected installed, inspected and approved in writing by the Local Planning Authority prior to the commencement of any works on site (including demolition and site clearance) and shall remain in place until the completion of the construction phase of the development hereby approved.

Reason: To prevent damage to any trees on site, full tree protection measures need to be in place prior to the commencement of any ground works in accordance with Local

Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

- 7 In the event that contamination is found at any time when carrying out the development hereby approved it must be reported immediately in writing to the Local Planning Authority. An investigation and risk assessment must thereafter be undertaken and a remediation scheme submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and submitted to and approved in writing by the Local Planning Authority.
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 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 Local Plan Policy NE4 relating to development on contaminated land.
- 8 No development of the superstructure shall commence unless and until a scheme for the disposal of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details. No land drainage run-off or surface water shall discharge, either directly or indirectly, into the public sewerage system and foul water and surface water discharges shall be drained separately from the site.
Reason: To ensure that the foul and surface water drainage systems do not contribute to flooding or pollution of the watercourse in accordance with Local Plan Policy UI3 relating to sustainable drainage systems.
- 9 The surface water drainage system shall be designed in accordance with the principles of Sustainable Drainage Systems (SUDS). This shall include a maintenance strategy and full details (including calculations) the details of which shall be submitted to and approved by the Local Planning Authority prior to commencement of development of the superstructure. Prior to the first occupation of any part of the development, the surface water drainage system shall be completed in all respects in accordance with the details approved and shall be retained as such thereafter.
Reason: To ensure the surface water drainage system does not contribute to flooding or pollution of the watercourse in accordance with Local Plan Policy UI3 relating to sustainable drainage systems.
- 10 Prior to first occupation of any of the new build student bedrooms hereby approved the access shall be laid out and constructed in accordance with the details shown on drawing No IA-363-LP-PO1D and maintained as such thereafter.
Reason: To reduce potential highway impact by ensuring the access is suitably laid out and constructed in accordance with Policy TP1 of the Local Plan.
- 11 Prior to first occupation of any of the new build student bedrooms hereby approved, the car parking area shall be marked out and constructed in accordance with the details shown on drawing No. IA-363-LP-PO1D. The car parking area shall thereafter be retained in accordance with the approved plans and kept available for use as car parking.
Reason: To reduce potential highway impact and to ensure adequate car parking within the curtilage of the site in accordance with Policies CP5, TP1 and TP6 relating to sustainable transport, development and highway safety and parking provision within development.
- 12 Prior to the first occupation of any new build student bedrooms, the cycle parking and cycle storage provision shall be laid out and constructed in accordance with the details

shown on drawing No. IA-363-LP-PO1D and thereafter kept free of obstruction and available for the parking of cycles only.

Reason: To ensure adequate provision and availability of cycle parking that is also accessible and convenient to potential users in accordance with Local Plan Policy TP6 and CP5 relating to parking provision in development and sustainable transport.

- 13 No development of the superstructure shall take place until full details of the removal of the existing south bound bus lay-by in Albert Road and reinstatement of footway, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the first occupation of any new-build student accommodation hereby approved.
Reason: To reduce potential highway impact and increase modal shift in accordance with Local Plan Policy TP1 and CP5 relating to highway safety and sustainable transport.
- 14 All works relating to the development hereby approved, including works of demolition or site preparation prior to operations, shall only take place between the hours of 08:00 and 18:00 Monday to Friday, 08:00 and 13:00 on Saturdays and at no time on Sundays or Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To protect the amenities of residents in nearby residential properties in accordance with Policy CP4 of the Local Plan.
- 15 The design and details of air handling plant serving the proposed catering facilities provided in the new Reception building (Media Centre) shall be submitted to and approved in writing by the Local Planning Authority. The air handling plant shall be installed prior to the first occupation of the residential accommodation hereby approved and installed and operated in accordance with the approved details and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.
Reason: These details need careful consideration in order to protect the amenities of residents of nearby properties in accordance with Policy CP4 of the Local Plan.
- 16 The design and details of air conditioning plant serving the Reception building (Media Centre) shall be submitted to and approved in writing by the Local Planning Authority. The air conditioning plant shall be installed prior to the first occupation of the residential accommodation hereby approved and installed and operated in accordance with the approved details and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.
Reason: These details need careful consideration in order to protect the amenities of residents of nearby properties in accordance with Policy CP4 of the Local Plan.
- 17 The design and details of noise attenuation measures for the proposed Reception building (Media Centre) shall be submitted to and approved in writing by the Local Planning Authority. The noise attenuation measures shall be installed prior to the first occupation of the residential accommodation hereby approved and installed and operated in accordance with the approved details and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To protect the amenities of residents of nearby properties in accordance with Policy CP4 of the Local Plan.
- 18 The external noise level at the boundary of the campus from combined mechanical equipment noise shall not exceed 35dB LAeq, 1 hour between the hours of 07:00 and 23:00, and 25dB LAeq 5 minutes between the hours of 23:00 and 07:00, when assessed as a rating level in accordance with BS 4142:2014.
Reason: To protect the amenities of residents of nearby properties in accordance with Policy CP4 of the Local Plan.

- 19 The noise level from amplified, live or recorded music at the proposed Reception building (Media Centre) shall not exceed 55dBA Lmax, fast between the hours of 07:00 and 23:00 daily and 45 dBLmax, fast between the hours 23:00 and 07:00 daily, when measured at the site boundary.
Reason: To protect the amenities of residents of nearby properties in accordance with Policy CP4 of the Local Plan.
- 20 The use of the Multi-Use Games Area and outdoor gym shall be restricted to the hours of 09:00 and 21:00 daily.
Reason: To protect the amenities of residents of nearby properties both on and off-site in accordance with Policy CP4 of the Local Plan.
- 21 The collection of refuse from the site and all deliveries of goods and materials to the commercial units on site shall only be made between the hours of 08:00 and 20:00 Monday to Saturday and at no time on Sundays or Bank Holidays.
Reason: To protect the amenities of residents of nearby properties both on and off-site in accordance with Policy CP4 of the Local Plan.
- 22 All glazing to the residential properties hereby approved shall be constructed of two panes of 4m glass, separated by a 16mm sealed air gap, unless otherwise agreed in writing by the Local Planning Authority. Windows facing directly onto Albert Road and New Barn Lane shall be fitted with attenuated acoustic trickle vents (with standard trickle vents to all other windows) unless otherwise agreed in writing by the Local Planning Authority.
Reason: To protect the amenities of residents of nearby properties in accordance with Policy CP4 of the Local Plan.
- 23 Prior to the first occupation of any residential accommodation hereby approved, a scheme for the provision of refuse and recycling storage facilities to serve the proposed development (including the Reception building and including appropriate containers in accordance with adopted Supplementary Planning Document - Waste Minimisation in Development Projects) shall be submitted to and approved in writing by the Local Planning Authority. The residential units shall not be occupied until the approved scheme has been implemented and the facilities shall be retained as such thereafter.
Reason: To achieve sustainable waste management and to facilitate recycling in accordance with Gloucestershire Waste Local Plan Policy W36 relating to waste minimisation.
- 24 Prior to any development taking place on the building envelope, a detailed scheme for landscaping, tree and/or shrub planting and associated hard surfacing (which should be permeable or drain to a permeable area) shall be submitted to and approved in writing by the Local Planning Authority. The scheme approved shall be carried out in the first planting season following the commencement of development or unless otherwise agreed in writing by the Local Planning Authority. Any trees, shrubs or grassed areas planted in accordance with the approved details that fail, die, are removed or become seriously damaged or diseased within a period of 5 years of initial planting shall be replaced with others of similar species in the next available planting season. The details to be submitted for approval shall include:
- i. New hard surface areas and other surface materials (including samples where requested)
 - ii. Boundary treatment both on the perimeter of the site and within internal areas
 - iii. External lighting fixtures and columns
 - iv. Outdoor furniture
 - v. Hard and soft landscaped features/terraces
 - vi. Planting plans and specifications (including SuDS, layout, species, plant size, numbers/density and tree root type)

vii. Implementation programme

viii. Long term Maintenance Programme (including management responsibilities and maintenance schedules)

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.

- 25 No development of the superstructure shall take place until samples of the materials to be used in the external surfaces of the buildings hereby permitted (including details of mortar mixes and details of the materials to be used in the alterations to any existing buildings) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a large scale bay elevation study and sample panel of brickwork/mortar, window section, coping detail and colour schemes. The materials used in the development shall be in accordance with the samples and details so approved.

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

- 26 No development of the superstructure shall take place until details (to include design, materials, colour and finish) of the following have been submitted to and approved in writing by the Local Planning Authority:-

- i. sections and elevations of all new and replacement external doors and windows and glazed frontages (including cills, reveals and setbacks)
- ii. curtain walling and cladding (including elevations and samples)
- iii. entrance details and canopies to new residential blocks (including elevations and sections)
- iv. rainwater and foul water goods
- v. ventilation, extraction and air conditioning plant, flues and any other pipework (other than that required by Conditions 15 and 16 and including elevations and specification details)
- vi. roof plant and service enclosures (including elevations)
- vii. visitor bicycle stands

The details shall be accompanied by elevations and section drawings where indicated or subsequently requested by the Local Planning Authority. Section drawings shall be to a minimum scale of 1:5 together with full size cross section profiles. 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.

- 27 No development on the building envelope or entrance car park and access points (Albert Road and New Barn Lane) shall take place until details of the specification and location of all hard surfacing materials (other than those related to the proposed landscaping scheme) have been submitted to and approved in writing by the Local Planning Authority. All new hard surfacing areas shall be formed from permeable materials or provision shall be made to direct run-off from the hard surface to a permeable or porous area (soakaway) within the site. 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 and maximise the absorption of rainfall on site in accordance with Local Plan Policy CP1 relating to sustainable development and CP7 relating to design.

- 28 No development on the building envelope shall take place until a detailed scheme for boundary walls, fences or other means of enclosure shall be submitted to and approved

in writing by the Local Planning Authority and the boundary walls, fences or other means of enclosure shall be erected before the development hereby permitted is first occupied.

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 Policy CP7 relating to design.

- 29 The residential buildings hereby permitted (shown as C1, C2, C3, C4, C5, TH1, TH2 and TH4 on Drawing No 1793/P/101 G received 11th May 2015) shall only be occupied as student residential accommodation for the University of Gloucestershire and shall be used for no other purpose within Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and/or re-enacting that order with or without modification), or any change of use permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any statutory instrument revoking and/or re-enacting that Order with or without modification), including any use as independent residential dwellings.

Reason: The Local Planning Authority wishes to have the opportunity of exercising control over any subsequent use.

- 30 Prior to first occupation of any residential accommodation hereby approved, a scheme showing full details of any proposed signage, external lighting and CCTV installation shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented in accordance with the approved details prior to first occupation of any residential accommodation hereby approved and thereafter maintained as such unless otherwise agreed in writing by 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 Policy CP7 relating to design and CP4 relating to local amenity.

- 31 Prior to the completion of development, a scheme for the provision of public art shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme for public art shall be fully installed within six months of the first occupation of the residential accommodation hereby approved.

Reason: To allow provision of public art in accordance with Local Plan Policy CP7.

- 32 A schedule of measures to be taken to deter seagulls from nesting on the property shall be submitted to and approved in writing by the Local Planning Authority. The measures so approved shall be implemented prior to first occupation of any residential accommodation hereby approved and maintained on site to the satisfaction of the Local Planning Authority.

Reason: In order to protect the amenities of residents in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

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, the authority sought a number of revisions to the proposed development in relation to design, amenity and highway safety.

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.

- 2 Any works on or adjacent to the public highway may require a legally binding highway works agreement and the applicant is required to contact the Local Highway Authority before commencing works on the highway (devcoord@gloucestershire.gov.uk)
- 3 If the need arises to work on site outside of the agreed hours, the site operator should also seek an agreement under the Control of Pollution Act 1974 with Cheltenham Borough Council Public Protection team. An example of such a situation would be the delivery to site of equipment requiring a road closure.
- 4 Notwithstanding Condition 3 of 14/01928/FUL, the applicant is advised that no operatives vehicles involved by way of contractors, sub-contractors to the development under construction should be stored or parked in neighbouring streets. Sufficient space should be allocated on site, the details of which must be considered fully when applying to discharge Condition 3 of 14/01928/FUL.