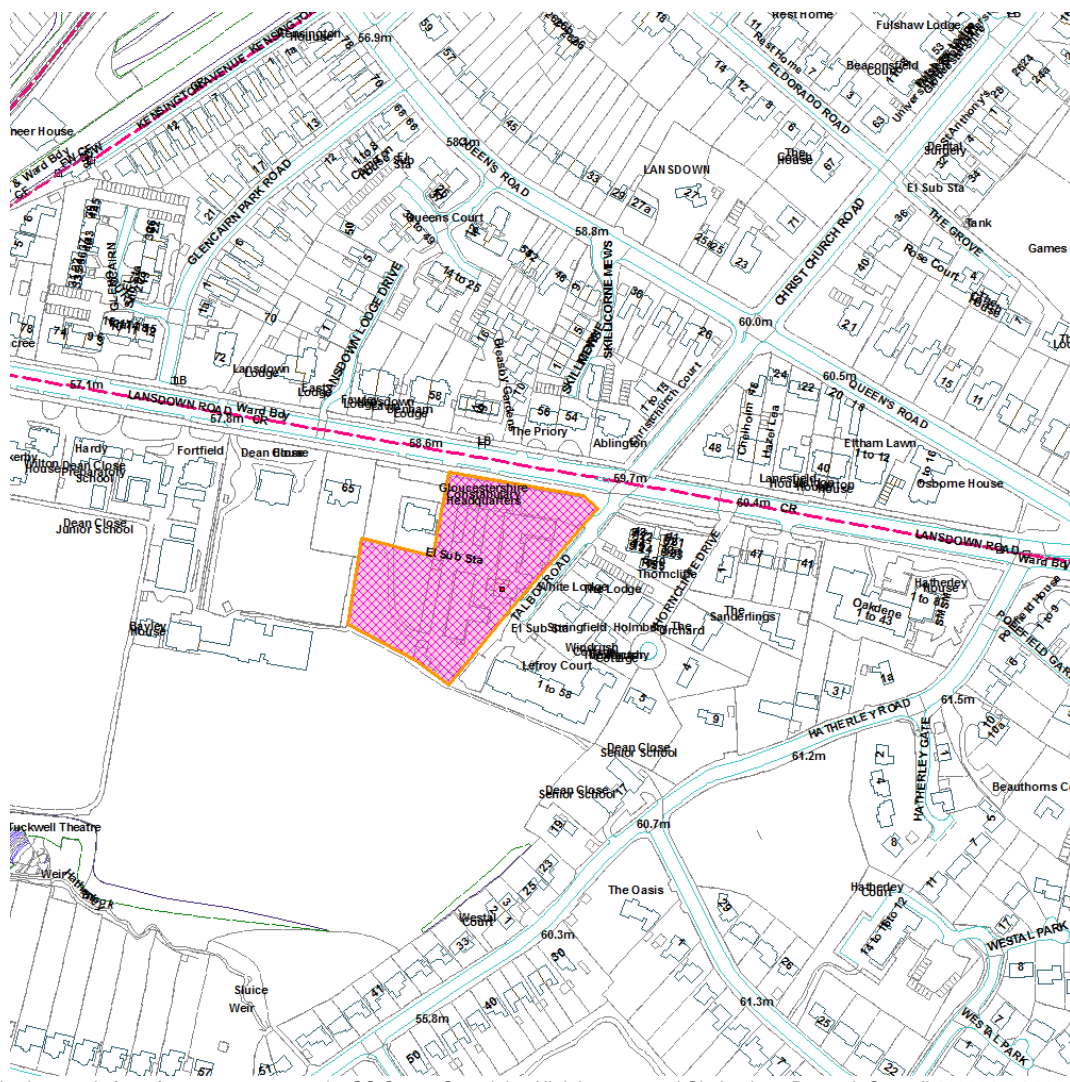


<b>APPLICATION NO:</b> 17/00337/FUL	<b>OFFICER:</b> Miss Michelle Payne
<b>DATE REGISTERED:</b> 17th February 2017	<b>DATE OF EXPIRY:</b> 18th August 2017 (the determination period has been extended by agreement with the applicant)
<b>WARD:</b> Park	<b>PARISH:</b> n/a
<b>APPLICANT:</b>	CALA Homes (Midlands) Ltd & The Police & Crime Commissioner
<b>AGENT:</b>	Hunter Page Planning Ltd
<b>LOCATION:</b>	Central Cheltenham Police Station, Talbot House, Lansdown Road
<b>PROPOSAL:</b>	Demolition of all existing buildings on site and erection of 68no. new homes, access, landscaping and other associated works at the former Police Headquarters, Lansdown Road

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises the majority of the former Gloucestershire Constabulary Headquarters site on the southern side of Lansdown Road (A40), at the junction with Talbot Road. The building in the north-western corner of the former headquarters site, Holland House formerly known as Wilton House, has been retained by the Constabulary as a Community Police Station.
- 1.2 Extensive pre-application discussions have taken place over the years in relation to the redevelopment of the site for housing. Most recently, discussions have taken place with Cala Homes (Midlands) Ltd since September 2016, culminating in this application for planning permission. The application is a joint application between Cala Homes and the Police and Crime Commissioner for Gloucestershire.
- 1.3 The application proposes the demolition of all existing buildings on site, and the construction of 68no. new residential units with associated infrastructure and parking. The scheme would also provide for an area of green open space within the site and landscaping throughout.
- 1.4 The housing comprises 43no. apartments (8no. one bed and 35no. two bed) within three Villa buildings fronting Lansdown Road, and 25no. townhouses (1no. three bed and 25no. five bed) on the rear portion of the site.
- 1.5 The application has been accompanied by the following detailed reports and statements:
  - Planning Statement
  - Design and Access Statement
  - Built Heritage Statement
  - Transport Statement
  - Flood Risk Assessment
  - Extended Phase 1 Habitat and Bat Emergence Survey
  - Tree Survey and Arboricultural Impact Assessment
  - Financial Viability Assessment
  - Statement of Community Involvement
- 1.6 The application is before planning committee at the request of Councillor Harman due to the level of concern amongst local residents.
- 1.7 Members will visit the site on planning view.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Conservation Area

### **Relevant Planning History:**

None

## 3. POLICIES AND GUIDANCE

### Adopted Local Plan Policies

CP 1 Sustainable development

CP 3 Sustainable environment

CP 4 Safe and sustainable living  
CP 5 Sustainable transport  
CP 7 Design  
PR 1 Land allocated for housing development  
BE 3 Demolition in conservation areas  
BE 4 Timing of demolition in conservation areas  
BE 7 Parking on forecourts or front gardens in conservation areas  
GE 5 Protection and replacement of trees  
GE 6 Trees and development  
EM 2 Safeguarding of employment land  
HS 1 Housing development  
HS 2 Housing density  
HS 4 Affordable housing  
RC 6 Play space in residential development  
UI 1 Development in flood zones  
UI 2 Development and flooding  
UI 3 Sustainable Drainage Systems  
TP 1 Development and highway safety

#### Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)  
Dean Close & Hatherley Park Character Area Appraisal and Management Plan (2008)  
Lansdown Character Area Appraisal and Management Plan (2008)  
Affordable housing (2004)  
Landscaping in new development (2004)  
Sustainable buildings (2003)  
Sustainable developments (2003)  
Flooding and sustainable drainage systems (2003)  
Planning obligations (2003)  
Play space in residential development (2003)

#### National Guidance

National Planning Policy Framework (NPPF)  
Planning Policy Guidance (NPPG)

## **4. CONSULTATION RESPONSES**

### **Architects Panel**

*6th March 2017*

#### Design Concept

The panel had no objection to the principle of the development and generally found the background information, site appraisal and contextual analysis presented was extremely thorough and convincing.

The overall design was of a high standard but the panel had reservations over certain aspects of the scheme as follows:

#### Design Detail

The architect's description of the buildings along Lansdown Road as villas in open space, similar to Wilton House and other villas in the area, was misleading because the spaces between the buildings are relatively narrow and do not follow the pattern of development suggested.

The D&A statement describes the three villas having equal status but the east end block is not as long as the others and also appears too close to Talbot Road. The panel thought this block could afford to be different and address Talbot Road in a more positive manner.

The architect described the elevations as following Regency proportions which the panel also found misleading since the design clearly doesn't reflect many key aspects of Regency design. The horizontal proportions of the first floor windows in particular do not help the composition. The panel believed the top floor also appeared far too high, not helped by the glass balustrading which might be better incorporated into a more solid parapet, but noticeably higher than some of the earlier elevation studies included in the D&A statement.

The panel generally felt the scheme looked like overdevelopment of the site. The "villas" are squeezed in along the Lansdown frontage and the town houses at the rear are too cramped resulting in very narrow gaps between the blocks. Reducing the number of houses would free up the whole site layout composition and provide the opportunity to enhance spaces at the end and around the buildings.

With regard to the choice of materials, the panel questioned the need for two different coloured bricks and would want to be convinced that the reconstituted ashlar proposed looked as good as the real thing.

#### Recommendation

Submit revised design proposals.

### **Historic England**

*9th March 2017*

Thank you for your letter of 17 February 2017 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

#### Summary

In its current form, we do not judge this development scheme to be a convincing response to its context, nor a bold attempt at creating an original design confident yet sensitive to its prominent location on a main westerly approach to the town. As such, the overall scale and plan form, the current design, and the intrusion of substantial car parking, will cause harm to Lansdown Conservation Area.

#### Significance

This application site involves the unoccupied Central Cheltenham Police Station on Lansdown Road, within the Lansdown Character Area of the Cheltenham Conservation Area. It is identified within this appraisal as a significant negative building/space on a large and visually prominent site on this westerly approach to the town. On visiting the site, Historic England reaffirm that the modern buildings, although prominent, have no architectural or townscape merit. What was apparent when walking the vicinity (and in line with the council's Character Area Appraisal) are the large numbers of Regency and early Victorian formally laid out villas of a consistent height (three storeys), the wide open linear street pattern permitting medium and long distance views, and an ambience of unspoilt elegance, grandeur and space. There is a variety of styles and construction materials which add variety to this street scene. This is of value when considering the application in line with the impact on the conservation area.

#### Impact

The proposal is for the demolition of all existing buildings on site and the erection of 68 no. new homes, in the form of three principal street-facing blocks, and two further terraces to the rear of the site. There is no in-principle objection to the redevelopment of this site, and indeed we acknowledge the opportunity of enhancing what is currently a detractive component of Lansdown Road and the wider conservation area. However we do raise a number of serious concerns.

We note within the Built Heritage Statement the reference to the three 'villa' blocks fronting Lansdown Road representing a modern interpretation of the prevalent form of town villas that line this road. Nevertheless the impact of these 5-storey villa blocks set forward of Wilton House, at a scale and height significantly greater than the prevailing form, will attract undue attention on a prominent axis within the conservation area, one which retains its sense of a relatively low-scale, wide-open verdant avenue. Whilst we acknowledge the scale of the current buildings within the site, for this scheme to succeed in respecting the conservation area, a suitable scale must be established deferential to the predominant form of Lansdown Road.

With respect to the design, this plot of land, combined with the scale of development available, on a key route into Cheltenham town and on the axis of a planned approach to Christ Church (Grade II\* listed), requires a scheme of genuine boldness and originality. The design has the capability of responding to a range of surrounding styles, or has the opportunity to create an overtly contemporary solution very much of its time.

Added to this is concern regarding the extent of formalised parking fronting Lansdown Road. Although some precedent has been established elsewhere, much of it is of an incidental low-key nature. This proposal involves linear parking allocation lining the entire main elevation. With reference to the Soft Landscape Plan, the increase of formal screening will have the potential to change the organic character of boundary treatment that is characteristic of Lansdown Road.

#### Policy

When determining this application the local authority should pay particular attention to the Planning (Listed Buildings and Conservation Areas) Act 1990, section 72 (1) "with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area". In line with the National Planning Policy Framework 2012, planning authorities should look for opportunities for proposals within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification (para. 132). Only proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably (para. 137). Additionally, the desirability of new development making a positive contribution to local character and distinctiveness should be encouraged (paras. 61 and 131).

#### Position

We consider this scheme to represent an over-intensive development uncharacteristic of the prevailing rhythm and urban grain of villas lining Lansdown Road, identified as a significant contribution to the conservation area ('properties are set back from the road within large plots creating a consistent building line which is sympathetic to the form of the historic properties', Lansdown Character Appraisal, p. 18, 5.15). Reducing the three dominant villas to two will preserve this pattern, will create meaningful views into the site, and afford a greater sense of relief and space characteristic of the historic villas; their overbearing presence as proposed will thereby be proportionately reduced. We believe the current layout will be predominantly viewed as a continuous stretch of development, rather than as individual villas. We also advise pushing the villas further back to align with Wilton House; this current stepping forward adds to the detrimentally assertive character of this road-fronting element.

Moreover, we are not persuaded that the design of the villas meaningfully represents an interpretation of Georgian classical architecture as the design narrative. The elevational proportions are not entirely followed-up (for example the hierarchy of windows and the

unaligned upper storey) and are not felt to be intelligible so as to provide a strong contextual design-response.

#### Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 61, 131, 132 and 137 of the NPPF. We will be happy to engage further to discuss a reduced scheme.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

### **GCC Highways Development Management**

*20th June 2017*

I refer to the above planning application received on the 21st February 2017, submitted with application form, Planning Statement, Design and Access Statement parts 1, 2 & 3, Transport Statement parts 1, 2 & 3 and drawing refs. PL01, PL02 and 22095\_00\_010\_01 Revision: K.

#### Location

Talbot Road is located to the east of the site and is approximately 5.5m in width and connects to Lansdown Road via a signalised crossroad junction on the north-east side of the site. Talbot Road features footways of approximately 2.0m in width on both sides of the road with street lighting and areas of intermittent grass verge sections running parallel. Talbot Road is a class 4 road subject to the sign posted 30mph speed limit.

Lansdown Road is largely a two-way single carriageway, with intermittent sections being three lane carriageway, varying in width from approximately 11.6m to 13.5m in width, and is a primary route into Cheltenham to the east and the wider highway network including the A40 and M5 to the west. A footway of approximately 3.0m width is provided on the southern side of the carriageway, with a segregated footway/cycleway of similar width on the northern side of the carriageway.

The signalised crossroad junction adjacent to the north-east of the site includes turning restrictions; prohibiting turning east onto Lansdown Road from Talbot Road, and turning eastward on to Lansdown Road from Christchurch Road.

#### Accessibility

All of the roads in the locality have footpaths to both sides of the highway. The site is sustainably located within acceptable walking and cycling distances to key local facilities and amenities which, together with the dedicated walking and off road cycling routes may encourage travel by foot and cycle.

Considering its location the development site is relatively well served by the existing high quality public bus services with the nearest bus stops located on Lansdown Road opposite the site on both sides.

These services provide links to Gloucester, Bishop's Cleeve, Hatherley and Oxford. Services 94, 94U provide peak hour services to and from Gloucester which provides future occupiers of the development the opportunity to commute to work in Gloucester by bus providing scope for a modal shift away from the private motor car.

Furthermore Cheltenham Spa train station is located approximately 600m north-west of the site. The station provides links to London, Birmingham, Bristol, Plymouth, Cardiff, Gloucester and Nottingham.

### Access

The proposed development will be accessed from the 3 existing priority junction accesses previously used by the former Police station fronting Talbot Road. Access 1 is the northernmost existing access on Talbot Road and will provide an egress only point from the site as part of a one-way system in operation around apartment blocks A-C. The access is approximately 6.0m wide consisting of a shared surface area to the north of apartment blocks A-C.

Access 2 is the existing central access on Talbot Road and will comprise an entrance only point for the parking around apartment blocks A-C. The access is approximately 5.5m in width, narrowing to 4.8m in width approximately 9m in width. The area extending from access 2 is part of the shared surface loop feature around apartment blocks A-C, connecting to the egress only point (access 1).

Access 3 is the southernmost former access on Talbot Road, access 3 leads to the 25 of the dwellings. This access will also consist of a shared surface access 6.8m in width.

Visibility splays of 43m have been demonstrated on drawing ref. 22095\_03\_020\_01 which would relate to a vehicle speed of 30 mph however no evidence of actual vehicle speeds on Talbot Road have been submitted as part of the application. Therefore in the absence of any other evidence the Highway Authority would revert to GCC's Annual Speed Monitoring Report (1998-2006) which shows that the 85th percentile wet weather speed of vehicles on a 30 mph highway to be 34 mph. This vehicle speed gives a visibility requirement of 54m in each direction. I am satisfied that this level of visibility can be achieved with land available.

### Layout

Gloucestershire currently does not have parking standards, with parking assessed against the NPPF. A statement published in March 2015 stated that Local Planning Authorities should only impose local parking standards for residential and non-residential development where there is a clear and compelling justification that it is necessary to manage their local road network.

The 2011 Census data indicates that based on an average of 0.9 cars per dwelling, the proposed 68 dwelling development could expect car ownership to total 61 cars. In addition to the 0.2 spaces per dwelling required by MfGS for visitor parking, a total of 14 visitor spaces for the 68 dwelling development would also be required. When combining the expected car ownership levels and GCC's visitor space requirement (based on MfGS), the proposed site would be expected to provide at least 75 car parking spaces.

In total the proposed development will provide a total of 126 parking spaces for the 68 dwellings. Each dwelling, except the 1 bed dwellings have at least 2 car parking spaces plus garage provision. The development will provide the following parking provision:

- 1 space per apartment (43 spaces total);
- 2 spaces per dwelling (50 spaces total);
- 1.6m x 3m garage per dwelling (25 total), and;
- 8 visitor spaces - many visitors to the site can be accommodated for within the total site parking allocation.

As the amount of parking provided is higher than the average car ownership figures in the 2011 census data, based on the above, the parking provision is considered acceptable.

Each parking space complies with the recommended design guidance of 9.13 and 9.14 Manual for Gloucestershire Streets with each space measuring 2.4m x 4.8m in length with 6.0m of drivable surface in front of them for ease of access. The private garages also comply with the recommended design guidance of 9.22 Manual for Gloucestershire Streets

with each single garage measuring a minimum of 6m x 3m, with minimum door width of 2.4m.

In addition the site will provide a minimum of 1 secure cycle storage space per dwelling.

Refuse vehicle tracking as shown on Drawing No. 22095\_00\_010\_01 Revision: K demonstrates that an 11.6m refuse vehicle can safely service the apartment element of the site, utilising the one-way system surrounding apartment blocks A-C. The site layout also allows the refuse vehicle to enter the southernmost part of the site in a forward gear, manoeuvre and egress the site safely whilst being able to safely pass a large estate car and maintaining adequate inter-visibility with opposing vehicles.

#### Road Safety Audit

A Stage 1 Road Safety Audit (RSA) has been carried out where the auditor identified no safety issues. The only general observation that was made stated 'plans provided for the audit team's consideration, included a swept path analysis of a refuse vehicle circulating the apartment part of the development. This analysis currently shows a refuse vehicle requiring land currently occupied by a building. The designers should ensure that adequate room is available within the curtilage, if conflict between vehicles / infrastructure is to be avoided.' A revised drawing (ref. 22095\_00\_010\_01 Revision K) has since been submitted demonstrating reasonable clearance from any vertical kerb-line structure, tree or formal parking space.

#### Vehicle Trip Generation

A manual traffic count survey was carried out on 26th November 2008, recording the number of turning movements occurring at each of the access/egress points within the former Police Headquarters. Although the historic traffic data for the existing site is from 2008 it is deemed to be the most accurate, as the existing use has ceased it would therefore be impossible to obtain an accurate up-to-date manual traffic count. In addition Police Headquarters are not well surveyed by TRICS (Trip Rate Information Computer System).

It is considered that there has been no material increase in trip generations from the site onto the existing highway since the traffic survey was previously carried out and is therefore deemed acceptable to use the turning movements from the survey in order to make a comparison to the expected vehicular movements from the proposed site.

The submitted Transport Statement has used the manual traffic count survey for the site previous use and TRICS data alongside the 2011 Census: Method of Travel to Work data to identify the likely level of additional vehicle movements associated with the proposed development. The data showed that in the network peak hours the residential development will generate approximately 51 fewer two-way vehicular trips during the AM peak (8:00-9:00) compared to the Police Headquarters and 66 fewer two-way vehicular trips in the PM peak (17:00-18:00) based on weekday average trip generations.

Analysing the 3 existing access points on Talbot Road, accesses 1 and 3 will incur a net reduction of 83% (-88 trips) and 14% (-5 trips) respectively, whilst access 2 will incur a net increase of 14% (+2 trips), however this is considered to be the result of the egress only access onto Lansdown Road being stopped up.

Theoretical traffic generated from the proposed development has been distributed onto the local highway network based on 2011 Travel to Work Census data for Medium Super Output Area Cheltenham 011. The turning count demonstrated that in the worst case scenario the proposed site would produce a maximum of 20 two-way vehicle movements along any one route (Lansdown Road west) equating to 59.7% of the vehicular trips generated by the site, therefore as the impact is negligible the cumulative impacts of the development are not considered severe and it would be deemed unreasonable to require additional work.

It has been demonstrated that the proposed residential development overall will generate significantly fewer vehicle movements than the former Police Headquarters, with the proposed site producing 51 fewer trips during the AM peak period; a reduction of 60%, and 66 fewer trips during the PM peak period; a reduction of 67%. The net difference for average weekday trips demonstrates that the proposed site produces 585 fewer trips than the former Police Headquarters; an average daily reduction of 64%.

#### Personal Injury Collisions

The road safety analysis has been assessed for the past five year period available (1st December 2011 - 30th November 2016). There has been no personal injury collisions recorded within the vicinity of the development site within this time period.

However, it is noted that nine collisions took place at the Talbot Road/Christchurch Road/Lansdown Road cross roads junction within the past 5 years. Only 1 serious accident took place within the 5-year study period (01/11/2012 - 30/11/2016). The accident took place in Year 1 and involved a police vehicle exiting Talbot Road colliding into the side of a motorcyclist heading west along Lansdown Road.

Of the collisions recorded at the Talbot Road/Christchurch Road/Lansdown Road cross roads, all involved driver and/ or pedestrian error. It is noted that 22% of collisions involved police cars associated with the former site use, the proposed site is expected to improve safety on the local highway network due to the closure of the Lansdown Road access, therefore removing the accident risk of vehicles pulling out of the site directly on to the Lansdown Road carriageway.

It is therefore reasonable to conclude that there is not an excessive amount of personal injury collisions on the wider network and that those collisions that do occur are spread. As there is no evidence that there is an existing highway safety problem it is reasonable to conclude that the additional traffic from the development will not have a material impact on general road safety in the area.

#### Construction Traffic

Concerns have been raised regarding the construction phase of the development, should planning permission be granted, construction traffic and the impacts of this are an inevitable consequence of engineering works and cannot be avoided, however the submission of a Construction Method Statement, together with any potential planning conditions which the LPA may deem necessary in terms of works restrictions will mitigate the impact. Largely, the planning system does not consider the impact of the construction phase of a development, except for to ensure that authorities look to mitigate the impact as far as possible.

#### Recommendation

The National Planning Policy Framework (NPPF) states at paragraph 32 that "development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". The Highway Authority considers that this development will not have a severe impact on the local highway network. The NPPF also states that "safe and suitable access to the site can be achieved for all people", and that "opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure." It is considered that the development proposals will meet these criteria.

The Highway Authority recommends that no highway objection be raised subject to the following conditions being attached to any permission granted:

Condition #1 Access - Visibility

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 43m distance in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason: - To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

#### Condition #2 Access - Construction

Prior to work commencing on site the vehicular accesses shall be laid out and constructed in accordance with the submitted 22095\_00\_010\_01 Revision: K with the area of the access roads within at least 10.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained as such thereafter until and unless adopted as highway maintainable at public expense.

Reason: - To reduce potential highway impact by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraphs 32 and 35 of the NPPF.

#### Condition #3 Internal Layout

No building on the development shall be occupied until the carriageways (including surface water drainage/disposal, vehicular turning heads and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footways to surface course level.

Reason: - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraphs 32 and 35 of the NPPF.

#### Condition #4 Parking & Turning

The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan 22095\_00\_010\_01 Revision: K, and those facilities shall be maintained available for those purposes thereafter.

Reason: - To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

#### Condition #5 Cycle Storage

The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of 68 no. bicycles has been made available in accordance with details to be submitted to and approved in writing by the LPA.

Reason: - To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

#### Condition #6 Fire Hydrants

No development shall commence on site until a scheme has been submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.

Reason: - To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

#### Condition #7 Stopping up of an access

The development hereby permitted shall not be occupied until the access onto Lansdown Road has been fully closed up with the adjacent footway reinstated to full height and with full height kerbing at the carriageway edge.

Reason: - To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

#### Condition #8 Access & Egress Signage

The development hereby permitted shall not be occupied until details of signage displaying entrance and exit only shall be erected directing vehicles to access the site via access 2 (in) and to egress the site via access 1 (out) has been made available in accordance with details to be submitted to and approved in writing by the LPA, and those facilities shall be maintained available for those purposes thereafter.

Reason: - To reduce potential highway impact by ensuring that a safe and secure access is laid out that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph 35 of the National Planning Policy Framework.

#### Condition #9 'KEEP CLEAR' Markings

Prior to the development hereby permitted being occupied, the 'KEEP CLEAR' markings located on Talbot Road in front of access 1 (out) shall be refurbished or replaced.

Reason: - To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

#### Condition #10 Pedestrian Crossing Improvements

Prior to works commencing on the development hereby permitted, details of the proposed pedestrian improvements to be made along Talbot Road to improve walking journeys shall be submitted to and agreed in writing by the Local Planning Authority, the works shall then be constructed in accordance with the approved plans and made available for public use prior to the first occupation of the dwellings hereby permitted.

Reason: - To ensure that the priority is given to pedestrian and cycle movements and that a safe and secure layout that minimises conflict can be created in accordance with Paragraph 35 of the NPPF.

#### Condition #11 Construction Method Statement

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction

Reason: - To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework.

#### Condition #12 Residential Travel Plan

No works shall commence on the development hereby permitted until a Travel Plan has been submitted to and agreed in writing by the Local Planning Authority, setting out:

- i. objectives and targets for promoting sustainable travel,
- ii. appointment and funding of a travel plan coordinator,
- iii. details of an annual monitoring and review process,
- iv. means of funding of the travel plan, and;
- v. an implementation timetable including the responsible body for each action.

The approved Travel Plan shall be implemented in accordance with the details and timetable therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: - To ensure that the opportunities for sustainable transport modes are taken up in accordance with paragraphs 32 and 36 of the National Planning Policy Framework.

#### Condition #13 Estate Roads - Maintenance

No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: - To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the Framework.

#### Informatives:

Note I: The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

Note II: The proposed development will involve works to be carried out on the public highway and the applicant/developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing works.

Note III: You are advised to contact Amey Gloucestershire 08000 514 514 to discuss whether your development will require traffic management measures on the public highway.

Note IV: The proposed development will require the relocation of a street lighting column and the Applicant/Developer is required to obtain the permission of the GCC Street Lighting department before commencing any works.

Note V: The applicant is advised that to discharge Condition #13 that the Local Planning Authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

#### Statement of Due Regard

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation,

other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

**GCC Local Flood Authority (LLFA)**

*2nd March 2017*

I have reviewed the above planning application in relation to surface water drainage and Flood Risk Assessment (FRA).

The site is within the Environment Agency's Flood Zone 1 and at low risk from fluvial flooding. There is however a higher risk from surface water flooding on the site which the FRA acknowledges.

The applicant has properly considered the SuDS hierarchy and it is acknowledged that infiltration will not be viable as a drainage strategy on the site due to the underlying mudstone and overlying sand and gravels. Earlier infiltration testing in 2008 on the site evidenced the lack of infiltration to the required standard for surface water drainage.

As there is no locally available watercourse the applicant proposes to utilise a network of surface water sewers attenuated through 2 geocellular tanks and discharged through a flow control to the Severn Trent surface water sewer in Lansdown Road. Attenuation has been calculated to accommodate the 1 in 100 year storm plus 40% additional runoff volume for climate change. There is currently no indication from the applicant that Severn Trent Water has agreed to this connection or to the proposed discharge rate of 17.92 l/s. However, this rate is a 40% reduction to the pre-developed existing discharge rate and is acceptable to the Lead Local Flood Authority (LLFA).

The FRA refers to two soakaways in the southwest of the site although there is no other reference to the extent of the site they are draining and it does not appear that they will be utilised in the proposed development.

From the location of the soakaways and the topography described in the FRA surface flows are to the south west of the site. The application does not appear to include exceedance flow routes for storms in excess of the 1 in 100 year event plus climate change (S9 Non-statutory technical standards for sustainable drainage systems).

Whilst the LLFA agrees in principle to the proposed drainage strategy the LLFA objects to the current surface water drainage proposals due to a lack of exceedance flow routing and as the proposed discharge is to the main sewer as the only drainage option, the lack of indication of agreement from Severn Trent to the discharge rate and connection.

NOTE 1: The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency.

NOTE 2: Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through [suds@gloucestershire.gov.uk](mailto:suds@gloucestershire.gov.uk) e-mail address. Please quote the planning application number in the subject field.

**GCC Local Flood Authority (LLFA) – revised comments**

*24th May 2017*

Further to my previous comments on the above planning application dated 2.3.17, I have received additional information in relation to the proposed surface water drainage strategy as follows.

- Drainage Strategy - Drawing No. 22095\_02\_010\_04 dated 19.4.16 depicting exceedance flow routes.
- Severn Trent letter dated 16.5.16 including conditional comments approving connection of the surface water runoff to the Water Company sewer in Lansdown Road.

In view of this additional information the Lead Local Flood Authority (LLFA) withdraws its objection the application and recommends that any approval includes the following conditions.

Condition:

No development shall commence on site until a detailed design and timetable of implementation for the surface water drainage strategy presented in the applicant's Flood Risk Assessment document has been submitted to and approved in writing by the Local Planning Authority. The detail must demonstrate the technical viability of the drainage system to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the life time of the development. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is first put in to use/occupied.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

Condition:

No development shall be put in to use/occupied until a SuDS management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

Condition:

Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 years event with allowance for climate change has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of public open space. Flow routes through gardens and other areas in private ownership will not be permitted. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: To ensure the health and safety of owners/occupiers of the site and to minimise the risk of damage to property. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for the health and safety of owners/occupiers and visitors to the site.

NOTE 1: The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency

NOTE 2: Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through [suds@gloucestershire.gov.uk](mailto:suds@gloucestershire.gov.uk) e-mail address. Please quote the planning application number in the subject field.

## **Social Housing**

*24th March 2017*

### Level of Affordable Housing Provision

Local Plan Policy HS4 states that 'in residential developments of 15 or more dwellings or residential sites of 0.5 hectares or greater a minimum of 40% of the total dwellings proposed will be sought for the provision of affordable housing.'

This application will comprise of 68 residential units. Therefore at 40% we will be seeking 28 affordable housing units (Fixed Equity - 20% discount market rate)

### Viability

- Firstly we would request that viability to be tested on 20% discount of the fixed equity market housing on 40% (28 units).
- If this is not viable then secondly we would ask viability to be tested on 20% of completion of 14 units.
- If the site is not considered viable we would expect to capture the following within the s106:
  - An overage clause to capture any market improvement value between the time of the viability validation and before completion of the site. The overage clause will seek to secure payments which would provide the equivalent on site affordable housing value via a commuted sum provision, should market conditions improve and the viability of the scheme allow such payment. Any payment would be subject to the ceiling of the equivalent cost to the developer of providing a policy compliant affordable housing contribution.
- The s.106 agreement will also include triggers for repeat viability appraisals, if the development hasn't started and completed with reasonable timeframes from when planning permission was given.

### Car Parking

Parking provision for affordable homes will be expected to be made on the same basis as that provided for market dwellings.

### Service Charge

Service charges should be kept minimal this can be achieved through the design and we would be happy to refer you to RPs for further input if necessary.

### Full Planning Application

On submission of a full planning/revised application we would require an Affordable Housing Plan as part of the application, detailing the location of both the market and affordable homes in terms of their type and size as well as highlighting parking spaces and the dwellings they serve.

## **Environmental Health**

*13th March 2017*

In relation to application 17/00337/FUL for the former Central Cheltenham Police Station, Talbot House, Lansdown Road, Cheltenham, Gloucestershire, GL51 6QT please can the following conditions be added from the Environmental Protection team:

The proposed development includes blocks A, B and C to front on to a busy main road in and out of Cheltenham as well as directly next to the existing and operational police station, this has the potential to adversely impact upon the planned new residential units.

Condition:

A sound insulation scheme shall be generated and adhered to for the construction of blocks A, B and C to protect all habitable rooms in these blocks from noise generated by traffic noise to be expected from the 24 hour use of the police station.

The sound insulation scheme shall achieve at least the levels as set by table 4 for living rooms and bedrooms in British Standard 8233: 2014 'Guidance on sound insulation and noise reduction for buildings'. This information will need to be further supported by the results of acoustic testing provided to the LPA prior to the residential units being occupied.

The insulation and scheme shall be implemented before the development is occupied and thereafter shall be retained and maintained in a good working order for so long as the site remains in use.

Reason: To protect the amenity of the occupiers proposed residential units.

This proposal includes an amount of demolition of existing buildings, this will inevitably lead to some emissions of noise and dust which have a potential to affect nearby properties. I must therefore recommend that if permission is granted a condition is attached along the following lines:

Condition:

The developer shall have a scheme for the control of noise and dust from works of construction and demolition at the site. The plan should also include controls on these nuisances from vehicles operating at and accessing the site from the highway. Such a plan is to be submitted to and approved by the Local Planning Authority before work commences on site.

Reason: To protect local residents

Advisory:

For the construction phase to be kept within the times of work as follows: 7:30am - 6:00pm Monday - Friday and 8:00am - 1:00pm Saturdays with no noisy work on a Sunday or Bank Holiday and to be mindful of noise when deliveries arrive at the site.

Informative:

Should a survey of the existing building (prior to any work beginning) indicate the presence of any asbestos containing materials, the demolition of the building will need to be undertaken in accordance with the legislation surrounding asbestos removal and the demolition of buildings containing asbestos and the waste disposed of in a legally compliant manner.

## **Tree Officer**

*9th March 2017*

The CBC Tree Section is generally content with submitted drawings which indicate intended tree removals as well as tree planting mitigation.

Most trees within this site are to be removed. However, several existing trees are retained along the front of the Lansdown Rd boundary but, internally, most trees are earmarked for

removal. Most of these internal trees are of relatively low quality and as such their removal and replacement is acceptable.

The majority of CBC Tree Section points of concern of 29.6.16 have been addressed with 1-2 exceptions:

- 1) No Method Statement (MS) for the removal of the front boundary wall has been submitted. This should be submitted and agreed prior to the commencement of any works (including demolition) on site. Most feeding roots of the large street trees outside the site exist under this wall and within the site. As such this MS should also contain a Tree Protection Plan of all retained trees (as per para 4.14 of the BS Tree Survey/AIA document) within the site as well as a method statement for the removal of the hard surface parking area facing onto Lansdown Rd. Para 5.17 of this document states that a pre-commencement site meeting should take place. This site meeting needs to involve CBC Trees Officer so as to help ensure Tree protection is as described.
- 2) Any existing hard surface should be removed with due care and a no-dig surface installed. However it would be preferable if the existing hard surface was retained throughout. Clarifications are necessary for construction methods in this area.
- 3) Point 2 of previous trees officer comment suggested that proposed tree planting is too large. Such large trees would be 5 metres+ high. Whilst this would provide instant landscaping, such large trees may struggle to establish. It would be preferable to plant smaller trees (14-16's-3.5metre) and spend any saved costs on improved aftercare and maintenance. There are 2 existing self-sown holm oak at the existing entrance. It is pleasing that these trees can be retained. However there is a proposal to plant a 3rd very large holm oak adjacent. The planting pit of this tree will likely necessitate the removal of the other existing oaks and as such this proposed 20-25cms girth tree should be reduced to a 10-12 selected standard size.
- 4) It is noted that there is a proposal to plant 13 *Tilia cordata* 'Streetwise' in front of the town houses at the rear of this site. These trees are not appropriate as they will become too large, shed honeydew onto cars beneath, block views and general could become a nuisance to adjacent occupiers. This species should be changed to a smaller species- eg *Cornus mas*, magnolia species, *Prunus* species etc.
- 5) The BS survey/AIA shows Trees T44, 45 + 46 'can be removed subject to agreement with neighbours'. These trees are outside the boundary of this site and as such any proposal to remove these trees must be subject to a routine Conservation Area Tree Removal Notification (Section 211 Notice).

**Severn Trent Water Ltd**

*2nd March 2017*

With reference to the above planning application the company's observations regarding sewerage are as follows.

I can confirm that we have no objections to the proposals subject to the inclusion of the following condition:

- The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to reduce or exacerbate a flooding problem and to minimise the risk of pollution.

## **Gloucestershire Centre for Environmental Records**

*1st March 2017*

Report available to view on line.

## **Strategic Land Use Team**

*22nd February 2017*

The relevant policy document for consideration in regard to this application is the adopted Cheltenham Borough Local Plan Second Review 2006; Material Considerations include National Planning Policy Framework (NPPF), national Planning Practice Guidance (PPG) and the Tewkesbury, Cheltenham and Gloucester Joint Core Strategy Submission Document November 2014.

The NPPF seeks to achieve sustainable development, and whilst it seeks to boost the supply of housing (para 47) it also aims to support sustainable economic growth (para 19). The presumption in favour of sustainable development places the development plan as the starting point for decision making (paragraph 12).

The adopted Cheltenham Borough Local Plan Second Review 2006 constitutes the 'Development Plan' for the purpose of this application and should be read as a whole according to the degree of consistency of its policies with the Framework.

The proposed site is within an area which is allocated for housing development in the 2006 Local Plan (policy PR 1). Since the adoption of that plan the northwest corner of the site has been renovated and is in use as an office. Consequently that part of the site is excluded from the current scheme. It is considered that the current application is in conformity with policy PR 1.

The emerging Cheltenham Plan (Part One) has not yet reached submission stage so carries limited weight in planning decisions. However, it also contains the application site as an allocation for housing.

In conclusion, the Planning Policy Team are of the view that the principal of the re-development of the site for residential dwellings would be in conformity with the Development Plan, particularly policy PR 1. The proposed development would be consistent with the presumption in favour of sustainable development in paragraph 14 and the core Planning Principles in paragraph 17 of National Planning Policy Framework.

## **Joint Waste Team**

*17th February 2017*

All individual properties on this development would have to present their waste and recycling receptacles at the nearest adopted highway which would likely be on Talbot Road, unless the Ubico vehicles are able to use the development road shaded in salmon colour which would mean that it would need to be constructed to take the weight of a 26 tonne refuse vehicle.

It mentions bin storage areas in the key, but I can't find them on the plan? Therefore I would suggest that all bin storage areas for the communal blocks are located at the entrance to Talbot Road.

The other pavements around this site have to be wide enough to accommodate the waste and recycling receptacles when presented on collection day and not pose any obstructions to pedestrians.

With this many properties being built, there will be a phased approach and so the developer has to take account of the need for waste and recycling collections from residents having moved onto the site to take place whilst building is still underway.

## 5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent out to 158 properties in close proximity to the site. In addition, site notices were posted adjacent to the site, and an advert published in the Gloucestershire Echo.
- 5.2 In response to the publicity, 11 representations have been received, which have been given due consideration. The comments have been circulated in full to Members but the concerns principally relate to traffic and highway safety matters.

## 6. OFFICER COMMENTS

### 6.1 Determining Issues

6.1.1 The main considerations when determining this application for planning permission relate to the principle of development; design and layout; impact on the conservation area; impact on neighbouring amenity; parking and highway safety; trees and landscaping; and affordable housing and other planning obligations.

### 6.2 The site and its context

6.2.1 The application site is located on the south side of the Lansdown Road (A40) on the westerly approach to the town. The site is wholly situated within the Central Conservation Area and straddles the boundary between the Lansdown Character Area, and the Dean Close and Hatherley Park Character Area.

6.2.2 The site is irregular in shape, some 1.06 hectares, and comprises three main buildings, which are 1960's modern purpose-built buildings, up to 5 storeys in height. The buildings are located within the Lansdown Character Area part of the site which is identified in the Townscape Analysis Map as being a 'significant negative building/site'. At paragraph 5.4, the Character Appraisal states that the site is "*a large and visually prominent site*" and that the "*modern buildings, although prominent, have no architectural or townscape merit. The site is constantly active and generates significant amounts of traffic.*"

6.2.3 The external space within the site is largely hard surfaced, with limited pockets of soft landscaping and several mature trees. Vehicular access is provided from Talbot Road to the east, with pedestrian access available from Lansdown Road. Extensive car parking is provided throughout the site.

6.2.4 The site is bound by residential properties on Lansdown Road and Talbot Road to the north and east, with Dean Close School grounds abutting the site to the south and west. There are a number of grade II listed, and locally indexed buildings in the vicinity of the site; indeed, the late 19C building retained by the Constabulary to the northwest is locally indexed for being a "*Well designed villa, characteristic of the later stages of the development of the Lansdown estate.*"

6.2.5 A public combined water sewer crosses the site which is proposed to be diverted.

### 6.3 Principle of development

6.3.1 Paragraph 49 of the NPPF advises that when determining applications for housing they *“should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”*; as it stands, the Council is currently unable to demonstrate such a five year supply.

6.3.2 Where housing policies are not considered to be up-to-date, 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 indicate that development should be restricted.

6.3.3 In this instance, the application site is located within the built up area of Cheltenham in a highly sustainable location, and is allocated for housing development in Policy PR1 of the adopted Cheltenham Borough Local Plan Second Review 2006 which constitutes the 'Development Plan' for the purpose of this application. The site is also allocated for housing in the emerging Cheltenham Plan (Part One).

6.3.4 Local Plan Policy HS1 states that housing development will be permitted on land allocated for residential development.

6.3.5 Therefore the principle of developing the site for housing accords with the Development Plan, and the NPPF, subject to a number of material considerations set out below.

6.3.6 In addition to the above, there is no objection in principle to the wholesale demolition of the existing buildings on site. Indeed, Historic England acknowledge that the existing buildings *“have no architectural or townscape merit”* and recognise *“the opportunity of enhancing what is currently a detractive component of Lansdown Road and the wider conservation area”*.

#### 6.4 Design and layout

6.4.1 Local plan policy CP7 (design) requires all new development to be of a high standard of architectural design and to complement and respect neighbouring development and the character of the locality.

6.4.2 In addition, the NPPF sets out at paragraph 56 that *“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”*. With particular regard to development in the historic environment, paragraph 131 advises that decisions on planning applications should take account of *“the desirability of new development making a positive contribution to local character and distinctiveness”*.

6.4.3 The proposed site layout has evolved as a result of the extensive pre-application discussions, and has been influenced by a 'Concept Statement' dated August 2008; this concept statement provided informal officer advice but established some important development principles and objectives for the site.

6.4.4 Whilst a comprehensive design approach has been taken across the site, for the purposes of this section of the report, the development proposals have been broken down into two distinct elements; the apartment blocks fronting Lansdown Road, and the housing to the rear.

##### Apartment blocks

6.4.5 The principle of three 'Villa' blocks fronting Lansdown Road was established in the 2008 concept statement in order to reflect the existing character along this stretch of the road, and has since formed part of the pre-application discussions.

6.4.6 The three apartment blocks proposed would be consistent in height, providing accommodation over five floors, and are comparable to the height of the existing buildings on site, and the neighbouring Thorncliffe Flats which is also five storeys.

6.4.7 The buildings are contemporary in their appearance, faced in reconstituted Ashlar stone, two types of buff brick, and grey vertical standing seam cladding; with flat roofs. Blocks A and B are identical whilst Block C differs due to the irregular shape of the site. The Architects' Panel on reviewing the original submission recognised that this end block *"could afford to be different"* but suggested that it could *"address Talbot Road in a more positive manner"*. In response to this, large curved, glazed balconies have been introduced which help to address the corner in a more satisfactory manner and provide visual interest. The overall height of the building, and window proportions, has also been amended to address concerns raised by the Architects Panel.

6.4.8 Historic England has raised concern in relation to the apartment blocks, suggesting that the number of villas fronting Lansdown Road should be reduced to two, so as to avoid the development being viewed as a continuous mass; however, our Conservation Officer was closely involved in the pre-application discussions, and considered *"the design of the three 'villas' at the front to be particularly successful in addressing the constraints and character of the site and its immediate context"*. The Urban Design Manager also felt the *"massing and siting of the three frontage apartment blocks seems to work well"*. Additionally, as previously noted, the 2008 concept statement suggests three villa buildings to the Lansdown Road frontage. Officers are confident that the 4m gap between the buildings, together with the 3.8m set back from the principal elevations of the side wings to the buildings, and recessed upper floor will ensure that the apartments read as three separate buildings.

6.4.9 Historic England also advises that the apartment buildings should be set further back into the site in line with Holland (formerly Wilton) House. However, officers strongly disagree with this suggestion as Holland House is an anomaly within an otherwise consistent building line, and it would be incorrect for the new development to relate to this single building and depart from the predominant building line. Members will note this on planning view.

6.4.10 Car parking for the apartment blocks would be located to the front and rear of the buildings. Where frontage parking is proposed, it would be located behind, and largely screened by, new hedging and tree planting. Additionally, it should be noted that the extent of frontage car parking would be much reduced from that previously associated with its former use.

#### Housing to rear

6.4.11 The housing to the rear is generally considered to be successful and well thought-out. Officers are not entirely convinced by the curved terrace, and how it relates to surrounding development, but recognise the applicant's desire to retain such a terrace within the development. The houses would be three storeys in height and subservient in nature to the frontage development, thereby achieving an important sense of hierarchy within the site, albeit not within the terraces themselves.

6.4.12 The houses are more traditional in form than the apartment blocks but are subtly contemporary in their appearance. A similar palette of facing materials is proposed with coursed reconstituted Ashlar stone to the principal elevations, and buff brick to the side and rear elevations. The roofs are pitched or hipped, with a parapet detail to the front and side elevations.

6.4.13 At pre-application stage, the Conservation Officer raised concern in relation to the quality of the housing to the rear suggesting that the terraces appeared *"bland, repetitive and uninspiring"*. In order to address this concern, after some negotiation, metalwork balconies, including some with canopies, inspired by the historic terraces within the town, and Juliet balconies have been introduced to provide variety within the terraces and to help enliven the street scene.

6.4.14 Each dwelling would benefit from an enclosed rear garden and an integral garage, and two additional frontage car parking spaces per unit. Visitor parking spaces would also be provided within the site.

## 6.5 Impact on conservation area

6.5.1 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

6.5.2 Historic England has asserted that, in relation to the frontage development, *"the overall scale and plan form, the current design, and the intrusion of substantial car parking, will cause harm to Lansdown Conservation Area"*. They have not, however, specified whether they consider the harm to be 'substantial' or 'less than substantial'.

6.5.3 In assessing whether a proposal causes substantial harm, paragraph 017 of the NPPG states that this *"will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases"*.

6.5.4 The Conservation Officer identified at pre-application stage that the proposed redevelopment scheme, as a whole, would lead to 'less than substantial' harm to the conservation area, but specifically at the rear of the site. The demolition of the existing buildings and the proposed frontage development was positively endorsed, and the distinction between the front and rear of the site is important when attributing weight to the level of harm that is being identified.

6.5.5 Paragraph 134 of the NPPF advises that where less than substantial harm is identified, *"this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."*

6.5.6 Paragraph 020 of the NPPG provides guidance as to what is meant by the term 'public benefits'. It suggests that public benefits should be *"of a nature or scale to be of benefit to the public at large and should not just be a private benefit"*. However, it also highlights that benefits do not have to be *"accessible to the public in order to be genuine public benefits"*. Heritage benefits may include sustaining or enhancing the significance of a heritage asset and the contribution of its setting; reducing or removing risks to a heritage asset; or securing the optimum viable use of a heritage asset in support of its long term conservation.

6.5.7 In this case, the proposed redevelopment would secure the removal of the existing 'significant negative' buildings on site which, in itself, offers significant heritage gains to the Lansdown Road frontage. Therefore whilst it may be felt that some parts of the scheme are more successful than others, when viewed as a whole, the scheme would certainly preserve the conservation area, if not enhance it.

6.5.8 In this respect, a recent appeal decision at Pate Court is quite pertinent, in that the Inspector concluded that the development would not harm the character and appearance of the area but *"would, on the contrary, at least preserve if not enhance the character and appearance of the Central Cheltenham Conservation Area"*, and in doing so, would

comply with national policy set out in Section 12 of the NPPF. This appeal decision was made in light of a strong objection from the Local Planning Authority.

## 6.6 Impact on neighbouring amenity

6.6.1 Local plan policy CP4 (safe and sustainable living) requires all new development to avoid causing unacceptable harm to the amenity of adjoining land users and the locality. Consideration is given to a number of matters including, but not limited to, loss of sunlight and/or diffuse daylight, loss of outlook, and loss of privacy.

6.6.2 Additionally, one of the core planning principles set out within paragraph 17 of the NPPF is to *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*.

6.6.3 The scheme has been carefully considered to ensure that there would not be any unacceptable impact on existing neighbouring amenity. The development will not result in any significant overlooking or loss of privacy, outlook or daylight to neighbouring dwellings.

## 6.7 Parking and highway safety

6.7.1 Local plan policy TP1 (development and highway safety) seeks to prevent development that would endanger highway safety.

6.7.2 The development proposals for the site have been fully considered by the GCC Highways Development Management Team and their detailed response, in Section 4 above, covers a wide range of issues including, but not limited to, access arrangements, layout and parking provision, vehicle trip generation, and personal injury collisions. The response concludes that the Highway Authority raises no highway objection subject to a number of conditions.

6.7.3 It should be noted that the suggested condition requiring the implementation of a Residential Travel Plan has not been attached, as officers do not consider it necessary in order to grant planning permission. Paragraph 36 of the NPPF sets out that *“All developments which generate significant amounts of movement should be required to provide a Travel Plan”*. In this regard, planning practice guidance advises that *“Local Planning Authorities must make a judgement as to whether a proposed development would generate significant amounts of movement on a case by case basis...In determining whether a Travel Plan will be needed...local planning authorities should take into account the following considerations:*

- *the Travel Plan policies (if any) of the Local Plan;*
- *the scale of the proposed development and its potential for additional trip generation (smaller applications with limited impacts may not need a Travel Plan);*
- *existing intensity of transport use and the availability of public transport;*
- *proximity to nearby environmental designations or sensitive areas;*
- *impact on other priorities/strategies (such as promoting walking and cycling);*
- *the cumulative impacts of multiple developments within a particular area;*
- *whether there are particular types of impacts around which to focus the Travel Plan (e.g. minimising traffic generated at peak times); and*
- *relevant national policies, including the decision to abolish maximum parking standards for both residential and non-residential development”*.

6.7.4 In this instance, it has been determined that the proposed residential development would generate significantly fewer vehicle movements than the former Police Headquarters; producing 51 fewer trips during the AM peak period (a 60% reduction) and 66 fewer trips during the PM peak period (a 67% reduction) with a net average of 585 fewer weekday trips (a 64% reduction). Moreover, the application site is in a highly

sustainable location, on the main A40, in close proximity to Cheltenham Spa train station, and the town centre. A shared use footway for pedestrians and cyclists is available into the town centre along Lansdown Road.

6.7.5 In addition to the above, only cycle parking for the apartment blocks has been conditioned, as each of the individual houses can reasonably provide cycle storage within their garages or rear gardens.

## 6.8 Trees and landscaping

6.8.1 Local plan policy GE5 (protection and replacement of trees) seeks to resist the unnecessary felling of trees on private land. In addition, policy GE6 (trees and development) advises that the planting of new trees and measures adequate to ensure the protection of trees during construction works may be required in conjunction with development.

6.8.2 The Trees Officer has reviewed the application and generally supports the proposals which indicate intended tree removals as well as tree planting mitigation. Whilst many of the trees within the site are to be removed, most of them are of relatively low quality, and as such their removal and replacement is considered to be acceptable.

6.8.3 The application is accompanied by detailed, high quality, hard and soft landscaping proposals to include the provision of an area of green open space within the housing to the rear, and the planting of 49no. trees throughout the wider site.

6.8.4 Revisions to the tree planting scheme have been made during the course of the application to reduce the size of the proposed trees. As originally submitted, the Trees Officer considered the tree planting to be too large, suggesting that *"Whilst this would provide instant landscaping, such large trees may struggle to establish. It would be preferable to plant smaller trees...and spend any saved costs on improved aftercare and maintenance"*.

6.8.5 In addition, further information has been provided in relation to the 13no. Tilia cordata 'Streetwise' trees which the Trees Officer originally considered to be inappropriate *"as they will become too large, shed honeydew onto cars beneath, block views and generally could become a nuisance to adjacent occupiers"*. The applicant's Landscape Consultant has confirmed that this particular species does not drop honeydew as they are not susceptible to aphids.

## 6.9 Affordable housing and other planning obligations

6.9.1 Local plan policy HS4 (affordable housing) seeks the provision of 40% affordable housing in all new residential developments of 15 or more dwellings. Note 1 to the policy advises that the proportion of affordable housing *"may vary to take account of the exceptional circumstances relating to a site"*. This application is for 68 dwellings and therefore policy HS4 is triggered. Additionally, for a development of this nature, contributions to education, libraries and play space will also normally be sought. In response to this policy, the applicant has set out that the proposal cannot deliver affordable housing due to viability concerns; this has been fully scrutinised and the conclusions are set out below.

6.9.2 The NPPF at paragraph 173 advises that in order to ensure viability, *"the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable"*.

6.9.3 Additionally, planning practice guidance sets out that *“where planning obligations or other costs are being introduced...decisions must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic growth. Where the viability of a development is in question, local planning authorities should look to be flexible in applying policy requirements wherever possible”*.

6.9.4 The viability of the scheme was independently assessed at pre-application stage by the District Valuer Service (DVS), the specialist property arm of the Valuation Office Agency (VOA) which provides independent valuation and professional property advice to bodies across the public sector; the conclusion at that time was that the scheme was not viable based on a policy compliant scheme, i.e. 40% at a mix of 75:25 rented to intermediate housing.

6.9.5 During the course of this application, an updated confidential Financial Viability Assessment was submitted by BNP Paribas Real Estate on behalf of the applicant; the report concluded that *“With the provision of 0% affordable housing the Development currently generates deficit against the Site’s benchmark land value.”* Again the report was independently assessed by the DVS, with the site value for benchmarking purposes based on the existing office accommodation.

6.9.6 As a result of the conclusions drawn at pre-application stage, the Housing Enabling Officer requested that the assessment was based on a 20% discount of the fixed equity market housing on 40% of the units (27 units). The outcome of the assessment was that the scheme was viable (i.e. the residual land value - what the developer could afford to pay for the site - was greater than the benchmark value). However due to the fixed equity values coming back so high this would not have been an affordable product.

6.9.7 Subsequently, the applicant requested that the viability be retested, with the site value being benchmarked based on a residential conversion of the existing building under permitted development rights to provide 92no. residential flats; this is a valid alternative scenario. The outcome of this revised assessment was that the scheme would only be marginally viable; this was because the value of the site for conversion to residential is greater than as offices.

6.9.8 In response, the applicant queried some of the assumptions made by the DVS in their revised assessment. The applicant is firmly of the view that the site is not viable and in challenging some assumptions sought to change the conclusion of the report. Notwithstanding this position, given the context of what the police were seeking to achieve through the sale of the site (see 6.9.8), it was clear that ongoing viability work was not going to find common ground. Therefore whilst matters relating to viability have not been exhausted, the likely outcome would have been that some element of affordable housing could be provided if the scheme was considered in isolation, ignoring the requirements of the police as landowner.

6.9.9 From the outset of the recent pre-application discussions, the need for Gloucestershire Constabulary to achieve £6m from the sale of the Lansdown Road site was made clear. The Constabulary have confirmed that the capital receipts from the sale of Lansdown Road have repaid temporary borrowing taken out to part fund the provision of the new centralised custody suite for Gloucestershire at Waterwells, and centralised investigative and safeguarding teams for Gloucestershire at Prism House, adjacent to the custody suite and the Force HQ. The Constabulary have confirmed that the re-provision has enabled them to deliver significant operational benefits that are in the public interest (see appendix 1).

6.9.10 It was clear from the viability work carried out that at no point would a residual land value (RLV) of £6m be reached; the viability exercise was therefore not abortive as it helped prove this point.

6.9.11 Officers are satisfied that the needs of the Constabulary to reinvest the capital receipts in the provision of their core County-wide functions on one site trigger the 'exceptional circumstances' clause of policy HS4, as referred to in Note 1. The provision of high-quality police services is very much in the public interest and it is the sale of this land that has enabled the Constabulary to invest so substantially in these services. In this respect, the development has similar attributes to an enabling development; the capital receipt is facilitating something else that brings with it distinct public benefits. It is therefore considered that the proposed development is compliant with policy HS4 in that exceptional circumstances do exist to consider a lesser (or no) provision.

6.9.12 Notwithstanding the above viability considerations, a report has more recently been submitted on behalf of the applicant that sets out the case for 'vacant building credit'. The following paragraph of the NPPG, paragraph 021, explains what the vacant building credit (VBC) is:

*National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.*

6.9.13 Paragraphs 022 and 023 below go on to explain the process for determining the vacant building credit, and when the vacant building credit applies.

*Where there is an overall increase in floorspace in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan. A 'credit' should then be applied which is the equivalent of the gross floorspace of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided.*

*The existing floorspace of a vacant building should be credited against the floorspace of the new development. For example, where a building with a gross floorspace of 8,000 square metre building is demolished as part of a proposed development with a gross floorspace of 10,000 square metres, any affordable housing contribution should be a fifth of what would normally be sought.*

(Paragraph 022)

*The vacant building credit applies where the building has not been abandoned.*

*The policy is intended to incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings. In considering how the vacant building credit should apply to a particular development, local planning authorities should have regard to the intention of national policy.*

*In doing so, it may be appropriate for authorities to consider:*

- *Whether the building has been made vacant for the sole purposes of re-development.*
- *Whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.*

6.9.14 In this case, the site has become vacant through the reprovision of the Constabulary's core County-wide functions on one central site and accordingly does not fall within the 'abandoned' category; VBC is therefore applicable.

6.9.15 The resultant floorspace of the proposed development is 8,238 sqm, 101 sqm less than the 8,339 sqm of existing floorspace, and therefore when applying VBC to this application, no affordable housing provision can reasonably be sought.

6.9.16 The applicant has agreed to all other applicable contributions including education, libraries and play space.

6.9.17 To summarise, officers have spent a considerable amount of time working with the developer and the DVS to understand the viability implications of these proposals. This work has established that, in isolation, the development would likely have delivered some affordable housing provision although this would have been somewhat removed from the full 40%. Given the length of time dedicated to these discussions, officers took the decision to stop this work because of the important context around the site. The Police have understandably made their position very clear; at risk they have invested a significant amount of money into new and improved County-wide policing and the capital receipt for the sale of this site will be used to repay this expenditure. Officers are satisfied that this context can be considered as exceptional circumstances to justify no affordable housing being delivered on the site because of the public interest of delivering quality policing. Furthermore, and trumping the viability discussions, when the vacant building credit is applied to the site (as an incentive to developing brownfield land) it is apparent that provision of no affordable housing is the right conclusion and that a compelling case has been presented by the applicant.

#### 6.10 Other considerations

6.10.1 Local plan policy UI2 (development and flooding) advises that development will only be permitted where it would, in the case of redevelopment, reduce the quantity or rate of surface water run-off. Additionally, local plan policy UI3 (sustainable drainage systems) requires the incorporation of Sustainable Drainage Systems in new developments; *"Where this is not practicable developers will be required to demonstrate fully why the development cannot incorporate sustainable drainage systems and how the development manages surface water drainage"*.

6.10.2 The application site is located within Flood Zone 1 and at low risk from fluvial flooding; however, the site is identified as being at a higher risk from surface water flooding in the Flood Risk Assessment (FRA) which accompanies the application.

6.10.3 The application has also been accompanied by a surface water drainage strategy which, together with the FRA, has been fully reviewed by the Lead Local Flood Authority (LLFA) who state that *"The applicant has properly considered the SuDS hierarchy and it is acknowledged that infiltration will not be viable as a drainage strategy...Earlier infiltration testing in 2008 on the site evidenced the lack of infiltration to the required standard for surface water drainage"*. It is therefore proposed *"to utilise a network of surface water sewers attenuated through 2 geocellular tanks and discharged through a flow control to the Severn Trent surface water sewer in Lansdown Road"*.

6.10.4 Following receipt of additional information in relation to the proposed surface water drainage strategy, namely, a drawing depicting exceedance flow rates, and a letter from Severn Trent including conditional comments approving connection of the surface water runoff to the Water Company sewer in Lansdown Road, the LLFA has withdrawn its initial objection to the application subject to the inclusion of conditions should planning permission be granted.

## 7. CONCLUSION AND RECOMMENDATION

- 7.1 This application has been submitted following extensive pre-application discussions and negotiation with the developer to lift the overall quality of scheme and secure a development worthy of its prominent, sensitive location within the Conservation Area.
- 7.2 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.3 The application site is allocated for housing in the local plan and therefore the principle of developing the site for housing is in accordance with the Development Plan and the NPPF.
- 7.4 In addition, there is no objection in principle to the wholesale demolition of the existing buildings on site which have no architectural or townscape merit, subject to a suitable scheme for redevelopment.
- 7.5 The proposed site layout has been influenced by a 'Concept Statement' dated August 2008; this concept statement provided informal officer advice but established some important development principles and objectives for the site. A comprehensive, high quality, contemporary design approach has been taken across the site and the layout is generally considered to be successful and well thought-out.
- 7.6 Whilst it has been identified that, on balance, the proposed development would lead to less than substantial harm to the conservation area, having carefully evaluated the policy context and guidance set out with the NPPF, officers are satisfied that this harm would be outweighed by the public benefits of the proposal. The proposed redevelopment would secure the removal of the existing 'significant negative' buildings on site which, in itself, offers significant heritage gains to the Lansdown Road frontage. Therefore whilst it may be felt that some parts of the scheme are more successful than others, when viewed as a whole, the scheme would certainly preserve the conservation area, if not enhance it.
- 7.7 The scheme has been carefully considered to ensure that there would not be any unacceptable impact on existing neighbouring amenity. The development will not result in any significant overlooking or loss of privacy, outlook or daylight to neighbouring dwellings.
- 7.8 Officers acknowledge the significant concerns raised by local residents in relation to highway safety but the Highways Authority, having fully considered the proposals, raises no highway objection. The proposed residential development would generate significantly fewer vehicle movements than the former Police Headquarters.
- 7.9 The application is accompanied by high quality, hard and soft landscaping proposals to include the provision of an area of green open space within the housing to the rear, and the planting of 49no. trees throughout the wider site. The Trees Officer has reviewed the application and generally supports the proposals.
- 7.10 A considerable amount of time has been spent working with the developer and the DVS to understand the viability implications of these proposals. This work established that, in isolation, the development would likely have delivered some affordable housing provision although this would have been somewhat removed from the 40% policy requirement. Officers took the decision to stop this work because of the important context around the site. The Police have made their position very clear; at risk they have invested a significant amount of money into new and improved County-wide policing and the capital receipt for the sale of this site will be used to repay this expenditure. Officers are satisfied that this context can be considered as exceptional circumstances to justify no affordable housing being delivered on the site because of the public interest of delivering quality

policing. Furthermore, and trumping the viability discussions, when the vacant building credit is applied to the site (as an incentive to developing brownfield land) it is apparent that provision of no affordable housing is the right conclusion and that a compelling case has been presented by the applicant.

- 7.11 Overall, officers recognise the significant potential enhancement to the locality given what already exists on the site, and the neighbouring care home; the housing needs within the borough; and the requirements of the Police and Crime Commissioner. The recommendation therefore is to grant planning permission subject to the following conditions:

## 8. CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three 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 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 Tree protective fencing shall be installed in accordance with the specifications set out within BS 5837:2012. The fencing shall be erected, 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 process.

Reason: In the interests of local amenity, having regard to policies GE5 and GE6 of the Cheltenham Borough Local Plan (adopted 2006).

- 4 Prior to the commencement of development, including any works of demolition, a scheme for the control of noise, dust and dirt from works of construction and demolition at the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include controls on these nuisances from vehicles operating at, and accessing, the site. The approved scheme shall thereafter be adhered to throughout the demolition and construction period.

Reason: To reduce any potential impact on local residents, having regard to policy CP4 of the Cheltenham Borough Local Plan (adopted 2006). This information is required up front because the amenity of adjoining land users could otherwise be compromised at the beginning of construction.

- 5 Prior to the commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The approved statement shall thereafter be adhered to throughout the construction period. The statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;

- v. provide for wheel washing facilities; and
- vi. specify the intended hours of construction operations.

Reason: To reduce any potential impact on the public highway during construction, and to accommodate the efficient delivery of goods and supplies in accordance with paragraph 35 of the National Planning Policy Framework. This information is required up front because highway safety could otherwise be compromised at the beginning of construction.

- 6 Prior to the commencement of development, a detailed design and timetable of implementation for the surface water drainage strategy presented in the applicant's Flood Risk Assessment document shall be submitted to and approved in writing by the Local Planning Authority. The detail must demonstrate the technical viability of the drainage system to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the life time of the development. The scheme for the surface water drainage shall be carried out in accordance with the approved details prior to first occupation of the development.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

- 7 Prior to the commencement of development, an exceedance flow routing plan for flows above the 1 in 100 years event with allowance for climate change shall be submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of public open space. Flow routes through gardens and other areas in private ownership will not be permitted. The scheme shall subsequently be completed in accordance with the approved details prior to first occupation of the development.

Reason: To ensure the health and safety of owners/occupiers of the site and to minimise the risk of damage to property. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for the health and safety of owners/occupiers and visitors to the site.

- 8 Prior to their installation, a scheme for the provision of fire hydrants (served by mains water supply) shall be submitted to and agreed in writing by the Local Planning Authority. No dwelling shall be occupied until the fire hydrant serving that property has been provided in accordance with the agreed scheme.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

- 9 No external facing or roofing materials shall be applied unless in accordance with physical samples of the materials, which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to Policies CP3 and CP7 of the Cheltenham Borough Local Plan (adopted 2006).

- 10 The following elements of the scheme shall not be installed, implemented or carried out unless in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority:

- a. All windows and external doors (including heads, cills and reveals);

- b. Roof lights;
- c. All balconies (including balustrades and canopies);
- d. Flat roof to apartment blocks;
- e. Parapet detail to houses; and
- f. Rainwater goods.

Reason: In the interests of the character and appearance of the area, having regard to Policies CP3 and CP7 of the Cheltenham Borough Local Plan (adopted 2006).

- 11 The vehicular accesses hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 43m distance in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To reduce potential highway impact by ensuring that adequate visibility is provided and maintained, and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 32 and 35 of the National Planning Policy Framework.

- 12 Prior to first occupation of the development hereby permitted, the vehicular accesses shall be laid out and constructed in accordance with approved drawing no. 22095\_00-010\_01 K, with the area of the access roads within at least 10.0m of the carriageway edge of the public road surfaced in bound material. The vehicular accesses shall be maintained as such thereafter until and unless adopted as highway maintainable at public expense.

Reason: To reduce potential highway impact by ensuring that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 32 and 35 of the National Planning Policy Framework.

- 13 Prior to first occupation of the development hereby permitted, pedestrian improvements shall be made along Talbot Road to improve walking journeys in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the priority is given to pedestrian and cycle movements and that a safe and secure layout that minimises conflict can be created in accordance with paragraph 35 of the National Planning Policy Framework.

- 14 Prior to first occupation of the development hereby permitted, details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians, and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit in accordance with the National Planning Policy Framework.

- 15 Prior to first occupation of the dwellings hereby permitted, the carriageways (including surface water drainage/disposal, vehicular turning heads and street lighting) providing access from the nearest public highway to that dwelling shall be completed to at least binder course level and the footways to surface course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraphs 32 and 35 of the National Planning Policy Framework.

- 16 Prior to first occupation of the development hereby permitted, vehicular parking and turning facilities shall be provided in full accordance with approved drawing no. 22095\_00\_010\_01 K, and the facilities shall be maintained available for those purposes thereafter.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 32 and 35 of the National Planning Policy Framework.

- 17 Prior to first occupation of the development hereby permitted, secure and covered cycle storage facilities for the apartment blocks for a minimum of 43no. cycles shall be made available in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall thereafter be retained in accordance with the approved details.

Reason: To ensure the adequate provision and availability of cycle parking so as to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with Paragraph 32 of the National Planning Policy Framework.

- 18 Prior to first occupation of the development hereby permitted, the existing vehicular access onto Lansdown Road shall be fully closed up with the adjacent footway reinstated to full height and with full height kerbing at the carriageway edge.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 32 and 35 of the National Planning Policy Framework.

- 19 Prior to first occupation of the development hereby permitted, signage displaying entrance and exit only routes, directing vehicles to access the site via access 2 (in) and to egress the site via access 1 (out) shall be erected in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The signs shall be retained for those purposes thereafter.

Reason: To reduce potential highway impact by ensuring that a safe and secure access for all people is laid out that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraphs 32 and 35 of the National Planning Policy Framework.

- 20 Prior to first occupation of the development hereby permitted, the 'KEEP CLEAR' markings located on Talbot Road in front of access 1 (out) shall be refurbished or replaced.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 32 and 35 of the National Planning Policy Framework.

- 21 Prior to first occupation of the development hereby permitted, a SuDS management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, shall be submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding, having regard to policy UI3 of the Cheltenham Borough Local Plan (adopted 2006).

- 22 All landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority.

Reason: To ensure that the planting becomes established, having regard to policies CP1 and CP7 of the Cheltenham Borough Local Plan (adopted 2006).

## **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, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

- 2 The applicant/developer is advised that should asbestos containing materials be present on site, the demolition of the buildings will need to be undertaken in accordance with the legislation surrounding asbestos removal and the demolition of buildings containing asbestos, and the waste disposed of in a legally compliant manner.
- 3 The applicant/developer is advised that demolition and construction works should be kept within the following hours: 7:30am - 6:00pm Monday - Friday and 8:00am - 1:00pm Saturdays with no noisy work on a Sunday or Bank Holiday, and to be mindful of noise when deliveries arrive at the site.
- 4 The applicant/developer is advised that in order to discharge Condition 13 the Local Planning Authority will require a copy of a completed dedication agreement between the applicant and the local highway authority, or the constitution and details of a Private

Management and Maintenance Company confirming funding, management and maintenance regimes.

- 5 The applicant/developer should instruct the following GCC contractor to relocate the existing street lighting column including LED lantern, who can also carry out the electrical transfer on WPD's behalf.

Wayne Adams  
W&N Adams  
wandnadamsltd@aol.co.uk

The applicant/developer should let the Street Lighting Team at GCC know once installation is complete, so that it can be inspected.

- 6 The applicant/developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.
- 7 The proposed development will involve works to be carried out on the public highway and the applicant/developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with Gloucestershire County Council before commencing works.
- 8 The applicant/developer is advised to contact Amey Gloucestershire on 08000 514 514 to discuss whether the development will require traffic management measures on the public highway.
- 9 The applicant/developer is advised that a sound insulation scheme should be generated and adhered to for the construction of the apartment blocks A, B and C to protect all habitable rooms from noise generated by traffic to be expected from the 24 hour use of the police station. The sound insulation should achieve at least the levels set out in table 4 for living rooms and bedrooms in British Standard 8233: 2014 'Guidance on sound insulation and noise reduction for buildings'.



**Gloucestershire Constabulary**  
County Police Headquarters,  
No. 1 Waterwells, Waterwells Drive,  
Quedgeley, Gloucester, GL2 2AN  
Tel: 101 [www.gloucestershire.police.uk](http://www.gloucestershire.police.uk).



Dan Forrester  
Area Land Director  
CALA Homes Midlands Limited  
Cala House  
Arleston Way  
Solihull  
West Midlands  
B90 4LH

25<sup>th</sup> July 2017

Dear Dan

#### **Former Lansdown Road Police HQ site, Cheltenham**

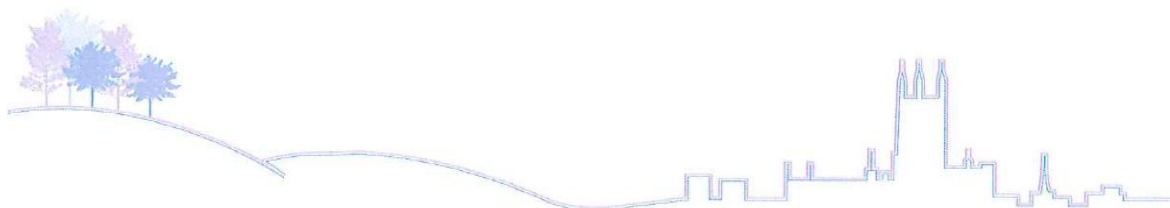
I understand that to assist with CALA Homes' planning application for residential redevelopment of the above site you require an update to our Operational Statement dated March 2015 as provided to Cheltenham Borough Council with the Police and Crime Commissioner's pre-application consultation submission.

I can confirm that there was a custody suite at Lansdown Road and that some of our criminal investigation teams were based at this site. Our re-provision has allowed us to centralise our custody suite for Gloucestershire at Waterwells (at a cost of £13m) and to centralise our investigative and safeguarding teams for Gloucestershire at Prism House, adjacent to the custody suite and the force HQ (at a cost of £3m). We have invested £16m so that our core County-wide functions are on one central site, in buildings which are fit for purpose and in an optimum location. The Police and Crime Commissioner has invested substantial funding into this project, which has enabled us to deliver significant operational benefits that are in the public interest.

I can confirm that £6m of the costs for the above developments is being funded from the sale of Lansdown Road to CALA Homes and temporary borrowing was taken out to fund the expenditure on these buildings. This can be seen in our statutory accounts for 2015/16. This loan has now been repaid using the capital receipts from the sale of Lansdown Road. The balance of the funding for these buildings was from reserves.

If we had not received the funds from the sale of the Lansdown Road site the PCC would have had to take out borrowing to fund the above developments. This would have added costs to the revenue budget at a time when significant savings are required to balance the budget. The Constabulary has identified £35m savings over the last seven years (on a budget of £100m per year) and currently is projecting a savings requirement for £6m for the three years to 2020/21.

I must stress that the funding from the sale of the Lansdown Road site has enabled us to complete this work and achieve the operational benefits from a centralised custody and centralised investigative and safeguarding teams.



The capital receipt from the sale of the Lansdown Road site has therefore been used to advance the PCC's programme of improving the Constabulary's physical assets elsewhere in Cheltenham and Gloucestershire to assist with delivering policing in a more efficient and cost effective manner in the public interest.

Please let me know if you require any further information.

Regards



Peter Skelton  
Chief Finance Officer