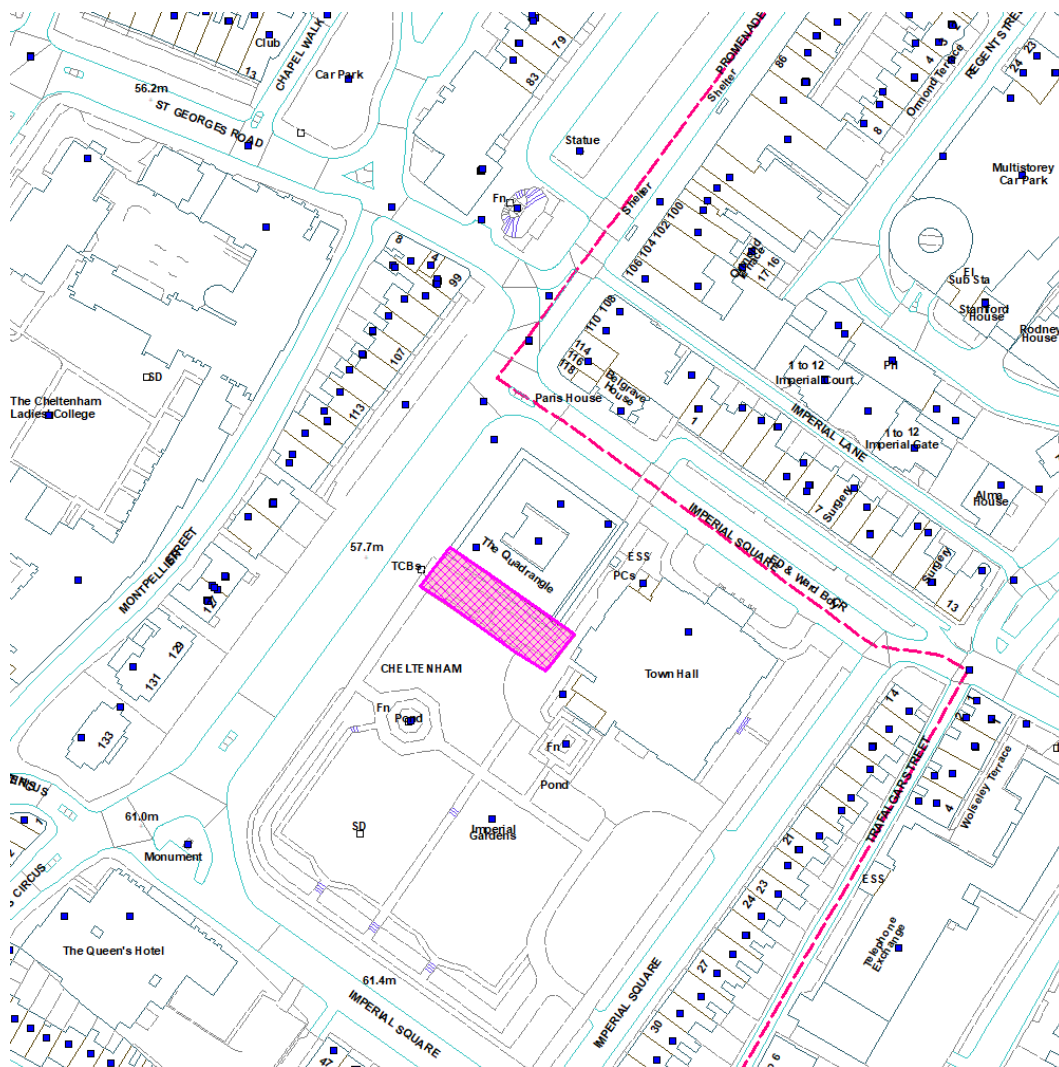


APPLICATION NO: 19/01436/FUL		OFFICER: Michelle Payne
DATE REGISTERED: 19th July 2019		DATE OF EXPIRY: 13th September 2019
DATE VALIDATED: 19th July 2019		DATE OF SITE VISIT: Various dates
WARD: Lansdown		PARISH: n/a
APPLICANT:	ABF Pension Trustees LTD	
AGENT:	SF Planning Limited	
LOCATION:	The Quadrangle, Imperial Square, Cheltenham	
PROPOSAL:	Public realm improvements to external areas including new public exhibition facilities, external seating area, replacement planting and hard landscaping works	

RECOMMENDATION: Permit



This site map is for reference purposes only. OS Crown Copyright. All rights reserved Cheltenham Borough Council 100024384 2007

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located to the southwest of The Quadrangle building and extends into Imperial Gardens. The site is wholly located within the Montpellier Character Area of Cheltenham's Central Conservation Area; and in proximity to a number of grade II and II* listed buildings, including the grade II listed Town Hall.
- 1.2 The application is seeking planning permission for improvements to the public realm, to include new public exhibition facilities, external seating areas, replacement planting and hard landscaping works. The application has been submitted following pre-application discussions.
- 1.3 The works are proposed in connection with the refurbishment, alteration and extension of The Quadrangle, for which planning permission was granted in 2018. The approved scheme proposes improvements to the building's façade, extensions to the ground floor commercial space, and the provision of a new roof top restaurant.
- 1.4 The application is at committee for reasons of transparency as the site extends onto land within the Council's ownership, which is designated as Public Green Space.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Business Improvement District
Conservation Area
Core Commercial Area
Principal Urban Area
Smoke Control Order

Relevant Planning History:

18/00277/FUL

PERMIT

10th April 2018

Refurbishment, alterations and extensions to the existing building including facade improvements, extensions to ground floor commercial space and new roof top restaurant

18/01722/CONDIT

PERMIT

2nd October 2018

Variation of condition 10 on planning permission ref. 18/00277/FUL to amend the wording to read "Prior to the internal fit out of the roof top restaurant element of the scheme, a detailed lighting scheme for the roof top restaurant shall be submitted to and approved in writing by the Local Planning Authority. The agreed lighting scheme shall be fully implemented prior to first occupation of the roof top restaurant and shall be retained as such thereafter"

19/00417/DISCON

DISCHARGED

12th April 2019

Discharge of condition 4 (Tree Protection Plan) on planning permission ref. 18/00277/FUL

19/00961/CONDIT

PERMIT

20th June 2019

Variation of condition 5 on planning permission ref. 18/00277/FUL to amend the wording to read "Prior to the occupation of more than 50% of the floorspace of the building, hard and/or soft landscaping works shall be carried out in accordance with a robust hard and soft landscaping scheme which shall have first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences, other boundary treatments and finished ground levels; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; a

planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation. The landscaping works shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority"

19/01169/CONDIT

PERMIT

29th July 2019

Variation of condition 2 (approved plans) on planning permission ref. 18/00277/FUL to allow minor material amendments to the approved scheme

19/01538/DISCON

DISCHARGED

22nd August 2019

Discharge of condition 3 (construction method statement) on planning permission ref. 19/01169/CONDIT

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 4 Decision-making

Section 12 Achieving well-designed places

Section 16 Conserving and enhancing the historic environment

Saved Local Plan Policies

CP 3 Sustainable environment

CP 4 Safe and sustainable living

CP 7 Design

GE 5 Protection and replacement of trees

GE 6 Trees and development

Adopted Joint Core Strategy Policies

SD4 Design Requirements

SD8 Historic Environment

SD14 Health and Environmental Quality

Supplementary Planning Guidance/Documents

Montpellier Character Area Appraisal and Management Plan (2007)

4. CONSULTEE RESPONSES

Historic England

5th August 2019

Thank you for your letter of 19 July 2019 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Tree Officer

13th August 2019

The CBC Tree Section does not object to this proposal subject to minor modification.

The existing northern border of the Imperial Gardens is not a successful aesthetic design in the longer term. There are few trees of individual particularly special merit and tree planting appears to have been somewhat ad hoc over the years and visually the border does not sit well as a whole. The current proposal involves the removal of all trees and the replanting with new 9 trees:

- 5 X Sweet Gum-medium/large trees with strong autumn colour (and delicate fragrance). These trees will be very large when planted (8-10 meters);
- 2 X 'Emerald Queen' Norway maple-a variety of Norway maple with a most attractive shade of green foliage-ultimately growing tall and broad;
- 2 X Katsura 'a multi-stemmed small/medium size tree with strong autumn colour and sweet fragrance.

There is a proposal to introduce much new structural soil under the existing border. Currently the existing soil depth is shallow and it is anticipated that the quality of this soil is not very fertile. This new structured soil is a good growing medium and new trees should establish and grow well.

This combination of trees to be planted on the existing border as well as within the park should be a good basis for an aesthetically pleasing arboricultural vista (on the assumption that all trees establish quickly and grow!) However, this is a relatively high level of casual vandalism in this part of town and these proposed trees may be prone to such damage. It is recommended that tree protection (high quality spec) tree protection guards are fixed in place around all tree trunks to deter vandalism

It is also noted that Sweet gum trees cast dense shade and the proposal to plant these over a coffee/sitting area and to the south of office space could lead to demands for pruning (or felling) and as such it is recommended that 1-2 examples varieties of this species (Eg 'Stella')are planted which have a less dense canopy (though not all trees need to be such a variety)

It is recommended that new more acidic soil is incorporated into the tree planting pits of the Katsura. This tree species gives the best autumn colour when in acid soil and as such the existing soil ph where these trees are to be planted should be lowered.

It is understood that the engineering of the new Root Cells is quite involved and as such, supervision by suitably qualified and experienced arboriculturist of the installation is necessary.

Green Space Manager

13th August 2019

I support the proposal, the proposed perennial scheme looks like a positive introduction into the garden, increasing biodiversity and habitat for pollinating insects. It also makes better use of what is currently an unused and uninviting space. Could the consent be conditioned subject to the submission and approval of detailed planting plans, hard materials list, and maintenance plan. The scheme crosses over onto CBC land, so we need to be clear as to who is responsible for which bits and ensure maintenance is co-ordinated.

Building Control

1st August 2019

No comment

Report in documents tab

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Given the nature of the site and the proposals, individual letters of notification were not sent; however, site notices were posted and an advert published in the Gloucestershire Echo. In response to the publicity, representations have been received from Friends of Imperial Square and Gardens, and Cheltenham Art in the Park (AitP), both of which generally support the proposals; albeit, AitP do raise some specific concerns in relation to the exhibition display stands. The comments have been circulated in full to Members.

6. OFFICER COMMENTS

6.1 Determining issues

6.1.1 The main considerations when determining this application relate to the principle of development; design and impact on the historic environment; and trees and landscaping.

6.2 Principle

6.2.1 As previously noted, part of the application site, where it extends on to the Council's land, is identified as Public Green Space (PGS); and relevant Local Plan (LP) policy GE1 sets out that the development of PGS will not be permitted. The preamble to the policy at paragraph 6.20 of the LP highlights that the visual, environmental and recreational value of these spaces is enhanced by its public accessibility, and that the Council will safeguard it from loss or erosion as a result of development.

6.2.2 In this instance, the proposals would not result in the loss of any public access to the site but would provide an opportunity to significantly enhance this part of the public realm. As such, the proposals are not in conflict with saved LP policy GE1 and are, in principal, supported by officers.

6.3 Design and impact on the historic environment

6.3.1 The application seeks to improve the relationship between The Quadrangle building and Imperial Gardens to the south, in connection with the significant improvements to the building's façades, and extensions to the ground floor commercial space. Currently, The Quadrangle effectively turns its back on the gardens and fails to make the most of its prestigious position.

6.3.2 Whilst the approved Quadrangle scheme made some attempt to improve the building's relationship with the gardens, through the creation of a ramped and stepped access route, it was limited in its scope; and the applicant's subsequently expressed a concern that this might be a missed opportunity to greatly improve this area of public realm.

6.3.3 This application now proposes the creation of a 'plaza', predominately with a sandstone effect finish to match the existing façade of the building, broken up using a stone effect grey tile. Similarly, the walls that make up the plaza, the raised planters, and the curved landscaping wall that retains Imperial Gardens, will be a mix of grey tiles or a

sandstone effect finish. Subject to the use of high quality materials, which can be secured by way of condition, the proposed palette of materials is considered to be acceptable, and appropriate in its context. New tree planting and soft landscaping would be integrated throughout the scheme.

6.3.4 The Conservation Officer has not formally commented on the application but did provide the following comment at pre-application stage:

No objection to the principle of the proposed works is raised by the Conservation Officer as the development could sustain and, if done well, enhance...However the scheme needs to be worked up further to give a proper appreciation of what is proposed and its impact. Assurances will be required that the scheme will be high quality, befitting its context and this can be done through the submission of further, more comprehensive, information.

6.3.5 The Conservation Officer has reviewed the more comprehensive information which accompanies this application and has verbally confirmed their support for the proposals.

6.3.6 Overall, officers are satisfied that the scheme would represent a significant enhancement to the locality, and accords with the aims and objectives of saved LP policies CP3, CP4 and CP7, and adopted JCS policies SD4, SD8 and SD14. Additionally, the proposals would be in accordance with Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservations Areas) Act 1990.

6.4 Trees and landscaping

6.4.1 The approved Quadrangle scheme previously gave consent to remove some Council owned trees within the existing landscaped border at the edge of the gardens. This application now proposes the wholesale removal of this landscaped border but provides for replacement planting to mitigate its loss.

6.4.2 The landscaping proposals which include 9 new trees and perennial planting, both on the applicant's land and within the gardens, have been agreed by the Tree Officer and Green Space Manager; all of the recommendations made by the Tree Officer have been incorporated into the revised landscape planting plan.

6.4.3 A condition requiring the submission of a management and maintenance plan for the lifetime of the development, as suggested by the Green Space Manager, is recommended.

6.5 Other matters

6.5.1 There are no amenity concerns arising from the proposals; the proposed plaza is located away from the nearby residential properties.

6.5.2 The concerns raised by AitP have been duly noted but mostly fall outside the remit of the planning application. Nevertheless, the applicant's Design and Access Statement highlights that they are "keen to ensure that groups like Art in the Park could still operate and enjoy the use of the space"; and that should planning permission be granted they will look to engage with groups like AitP in developing the final design of the stands. A condition is recommended which requires the detailed design to be submitted and agreed by officers.

7. CONCLUSION AND RECOMMENDATION

7.1 The proposals seek to provide an enhancement to the public realm in this prominent town centre location, and would represent a significant investment by the applicant. The

scheme incorporates high quality landscaping proposals, and no objection has been raised by any party in response to the application.

- 7.2 The proposals accord with all relevant national and local planning policy; and the recommendation therefore is to grant planning permission subject to conditions.

8. CONDITIONS

- 8.1 The following conditions are suggested should Members be minded to grant planning permission but at the time of writing the report they are still to be agreed by the applicant:

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

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

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

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

- 3 Notwithstanding the approved plans, prior to the commencement of development, physical samples of the proposed hard surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. All new hard surfacing areas shall be permeable or drain to a permeable area and shall be carried out in accordance with the approved samples.

Reason: In the interests of the character and appearance of the area, having regard to saved policy CP7 of the Cheltenham Borough Local Plan (2006), and adopted policy SD4 of the Joint Core Strategy (2017). Approval is required upfront because the hard surfacing is an integral part of the development and its acceptability.

- 4 Prior to the commencement of development, a management and maintenance plan (MMP) for the hard and soft landscaping, for a minimum period of two years, shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall cover:

- a) weeding;
- b) pruning;
- c) feeding;
- d) replacement of any dead trees or plants;
- e) sweeping; and
- f) repair and maintenance of hard structures.

Reason: In the interests of the character and appearance of the area, having regard to saved policies CP7, GE5 and GE6 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017). Approval is required upfront because the long term maintenance of the landscaping is integral to the development.

- 5 Prior to the commencement of development (including demolition and site clearance), an Arboricultural Monitoring scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of (i)

person(s) to conduct the monitoring; (ii) the methodology and programme for reporting; and (iii) a timetable for inspections. The works shall not be carried out unless in accordance with the approved details.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to saved policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 6 Prior to their installation, the detailed design of the demountable exhibition display stands shall be 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 saved policy CP7 of the Cheltenham Borough Local Plan (2006), and adopted policy SD4 of the Joint Core Strategy (2017).