

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is the Pittville Student Village of the University of Gloucestershire which is located approximately one mile to the north east of the town centre within a predominantly residential area. Planning permission (ref 14/01928/FUL) was originally granted in 2015 for:-

Erection of a student village incorporating 603 new-build student bedrooms, the refurbishment of the existing media centre (which will include a reception/security desk, a gym, retail facilities, multi-faith area, refectory and bar, quiet study area, laundrette, ancillary office space), and the provision of a mixed use games area. In addition, the proposal involved the demolition of existing teaching facilities, 23 existing rooms and the retention and refurbishment of 191 existing student rooms.

- 1.2 Subsequent approval of a variation to construction working hours was granted in 2017, reference 17/00752/CONDIT.
- 1.3 This application seeks planning permission for a temporary dual use of up to 205 bedrooms for either student accommodation (C1) or serviced apartment accommodation (C1) for an 18 month period commencing August 2021. The application is made by Uliving who own and manage the student accommodation on this site.
- 1.4 The application includes statements in support of the proposals which also address some of the concerns raised by neighbouring residents. A variation of the original s106 Agreements are also being prepared.
- 1.5 This application is before Planning Committee at the request of Councillor Stephan Fifield. The reason for the request is the proposed lack of parking provision which would affect those local residents who consider they are already impacted by student parking issues arising from the student village.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Principal Urban Area

Relevant Planning History:

20/02039/PREAPP 1st February 2021 CLO

Removal of restrictive use condition/permission for more flexible use

14/01928/FUL 17th July 2015 PER

Erection of a student village incorporating 577 new-build student bedrooms, the refurbishment of the existing media centre (which will include a reception/security desk, a gym, retail facilities, multi-faith area, refectory and bar, quiet study area, laundrette, ancillary office space), and the provision of a mixed use games area. In addition, the proposal involves the demolition of existing teaching facilities and the retention and refurbishment of 214 existing student rooms.

14/02288/DEMCON 9th March 2015 NPRIOR

Application for prior notification of proposed demolition of all buildings on the site (Blocks A, B, C1, C2, D, E, F and 7 on submitted drawings). Removal of dual pitched roof connected to Block C2 and external staircases/smaller extensions to Block 11 (Media Centre)

15/01919/DISCON 4th January 2016 DISCHA

Discharge of conditions 4 (site survey & levels), 5 (piling), 6 (tree protection) and 7 (site contamination) on planning permission ref: 14/01928/FUL

15/01994/DISCON 6th January 2016 DISCHA

Discharge of condition 3 (construction method statement) on planning permission ref. 14/01928/FUL

15/02101/AMEND 7th December 2015 PAMEND

Non material amendment to planning permission ref: 14/01928/FUL - amendments to the position of tree protective fencing to allow construction of Block C3

16/00458/AMEND 13th April 2016 PAMEND

Non material amendment to planning permission ref: 14/01928/FUL - amendments to the overall site layout and alterations to elevations:

1 - handing of TH2, to enable a level access to the front doors, 2 - handing of TH3 (previously TH4) to enable access from the fire tender (repositioning of TH3 and handing of refuse/recycling store), 3 - amendments to the design and positions of the bin and cycle stores, 4 - amendments to fenestration detail (opening mechanism) to upper floors of town house blocks, 4 - general amendments to the Landscape Masterplan (notably - removal of landscaped section around MUGA, and alterations to hard and soft landscaping in Plaza area)

16/00570/DISCON 20th September 2016 DISCHA

Discharge of conditions 8 (surface water drainage system - scheme design), 9 (surface water drainage systems - maintenance strategy), 13 (bus lay-by details), 25 (external surface material samples), 26 (architectural details) on planning permission ref. 14/01928/FUL

16/01703/DISCON 21st December 2016 DISCHA

Discharge of condition 22 (glazing to residential properties), 24 (detailed scheme for landscaping, tree and/or shrub planting and associated hard surfacing), 27 (specification and location of all hard surfacing materials), 28 (detailed scheme for boundary walls, fences or other means of enclosure) on planning permission ref. 14/01928/FUL

17/00584/AMEND 30th March 2017 PAMEND

Non material amendment to planning permission 14/01928/FUL to allow for minor alterations to the Media Centre relating to front entrance canopy detail, internal layout, window and door sizes and positions, blockwork/render to north elevation, and addition of M & E vents/louvres.

17/00752/CONDIT 9th June 2017 PER

Variation of Condition 14 of 14/01928/FUL - proposed extension of on-site construction working hours (in order to meet the required programme and completion of internal works)

17/01259/DISCON 24th August 2017 DISCHA

Discharge of conditions 12, 13, 14, 20, 28 & 29 on planning permission ref. 17/00752/CONDIT

17/01582/DISCON 15th September 2017 DISCHA

Discharge of Condition 27 of Planning Permission 17/00752/CONDIT (signage, external lighting and CCTV)

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 6 Building a strong, competitive economy

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport
Section 12 Achieving well-designed places

Adopted Cheltenham Plan Policies

D1 Design
HM1 Student Accommodation
SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD4 Design Requirements
SD14 Health and Environmental Quality
INF1 Transport Network

Supplementary Planning Guidance/Documents

Central conservation area: Pittville Character Area and Management Plan (July 2008)

4. CONSULTATIONS

GCC Highways Planning Liaison Officer

12th October 2021

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection.

The justification for this decision is provided below.

This planning application seeks permission for a temporary change of use of part of the existing student accommodation at Pittville Campus to either student accommodation or serviced apartments (short term lets).

The proposal would not change the use class of the application site, and would not increase the number of available rooms. It is understood from the supporting information that the application would give the university flexibility during term times and the summer to let the rooms to non-students.

The proposed change to allow for serviced apartments could result in a higher trip generation figure to the application site. However, it is recognised that the site is in a relatively sustainable location, and there is limited parking available on site. As such it is not considered that the proposed temporary change would result in an unacceptable harm to highway safety nor that there would be a severe capacity issue.

It is noted that concerns have been raised that the proposal would result in displacement of parked vehicles on the roads surrounding the application site. There are currently parking restrictions on Hillcourt Road, Albert Drive and Marston Road. These restrictions will reduce the risk of any vehicles being displaced onto the highway.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which

an objection could be maintained.

The Highway Authority therefore submits a response of no objection.

Environmental Health

6th October 2021

Since the site opened we have received one complaint about noise from students, which the Uni dealt with effectively.

I don't have any objections, or adverse comments in respect of this application.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	39
Total comments received	10
Number of objections	10
Number of supporting	0
General comment	0

5.1 Letters of notification were sent to 39 neighbouring properties (those considered to be most affected by the proposals). In addition site notices were posted within the vicinity of the site and an advert placed in the Gloucestershire Echo. A total of 10 representations were received following the publicity and the comments/concerns raised, in summary, relate to the following:

- No parking spaces on site therefore proposals would result in major parking problems in the area
- Accommodation unsuitable for non-student use with potential noise and disturbance, security and safety issues arising
- Proposals lack clarity/certainty on the types of future occupiers
- University should alternatively concentrate efforts on increasing student numbers and reducing student accommodation rental costs
- Impact on local smaller rental accommodation providers
- Policy HM1 relates to new student accommodation and is therefore not relevant
- Implications and expectation of a repeat application for further 18 month period

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 Condition 29 of the original planning permission (14/01928/FUL) restricts the use of the new student accommodation blocks solely to students of the University of Gloucestershire, as follows:

The residential buildings hereby permitted (shown as C1, C2, C3, C4, C5, TH1, TH2 and TH4 on Drawing No 1793/P/101 G received 11th May 2015) shall only be occupied as student residential accommodation for the University of Gloucestershire and shall be used

for no other purpose within Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and/or re-enacting that order with or without modification), or any change of use permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any statutory instrument revoking and/or re-enacting that Order with or without modification), including any use as independent residential dwellings.

- 6.3** Similarly, the 1990 planning permission for the older accommodation blocks limits use to students only by virtue of the application description.
- 6.4** In addition to the 12 weeks during the summer months when the accommodation sits largely empty, the wording of the condition allows no flexibility should rooms remain empty during term time. The University comment that this situation has become more apparent since the COVID 19 pandemic and may continue. Whilst student intake is larger for 2021/22 than 2020/21, interest in the student village accommodation has declined.
- 6.5** Essentially, the proposals seek a dual use of up to 205 rooms in selected residential blocks for either student accommodation or as serviced apartments; both uses falling within Class C1. The application does not seek a change of use of the buildings, therefore the key issues for consideration are limited to the impacts of the proposed alternative occupiers and proposed alternative rental arrangements upon (i) the amenities of neighbouring properties and (ii) the management and function of the student village and (iii) parking and highway safety in nearby streets.
- 6.6 Officer Comments**
- 6.7** The supporting statements provided by the applicant set out the rationale behind the proposals and include details of the proposed letting arrangements, on-site management of the accommodation, parking arrangements and use of on-site facilities.
- 6.8** Fundamentally, the applicant makes it very clear that priority will always be given to Gloucestershire University students requiring accommodation and only if rooms remain empty after student applications close or over the summer months would letting be extended to alternative occupiers. The primary use of the site would remain as student accommodation and the proposals seek only an 18 month temporary period for the dual use. In addition, some of the potential lettings may not be income generating, should the alternative uses be for visiting university staff or for certain summer school activities etc.
- 6.9** The blocks proposed to be used for dual purpose form a group surrounding the MUGA and are set well within the site in the south east corner and away from the Albert Road and New Barn Lane frontages. The blocks are a mix of old and new accommodation and include both studio rooms and townhouse flats. The applicant states that the blocks selected are those that are historically, last to be let. Lettings would also ensure that whole floors, flats or townhouses would be let to either students or non-students and not a mix of both. All marketing would be undertaken by the University.
- 6.10** A range of potential alternative occupiers has been identified by the applicant and these include key workers, students of other HE establishments, those on work placements, interns, visiting staff and staff associated with the university, summer event and conference delegates, young professionals, graduates and other short term contractors and business workers. These types of occupier are considered by the applicant to be compatible with the primary student use of the site.
- 6.11** Rooms would be let on the same terms and conditions as those of the students with a 90 day limit imposed on lettings. The exception to this would be rooms let to students of other HE providers (and possibly university staff/visiting lecturers) who would occupy rooms under a student lease for a maximum of one academic year. Future occupiers

would be discouraged from bringing cars to Cheltenham, however 75 car parking spaces for all non-students would be made available on site between 6pm and 8am. Mini bus travel arrangements would be put in place for certain groups and activities.

- 6.12** The various provisions of the original s106 which protect the amenities of neighbouring properties, namely the Shuttle Bus, Student Patrol scheme and Community Liaison Group meetings would continue unaltered. A Deed of Variation (DoV) of the original s106 obligations (CBC and GCC) to incorporate the new planning permission is currently being drafted. Planning permission would not be granted until completion of the DoVs.
- 6.13** Policy HM1 of the Cheltenham Plan seeks to ensure that local higher education establishments and student housing providers facilitate the delivery of bespoke student accommodation at appropriate locations. *The Council expects proposals for student accommodation to demonstrate that they support educational establishments within the Borough. Housing provision for students should be located in accessible locations, close to public transport corridors and local services and facilities.*

The Council will support proposals that:

- a) Provide a high-quality living environment which includes a range of unit sizes and layouts.*
- b) Ensure that facilities will be well managed and that there will be no detriment to local amenity or unreasonable harm caused to nearby residents or the surrounding area.*
- c) Demonstrate that the facility is suitable for year-round occupation and that it has long-term sustainability and adaptability.*
- 6.14** Although HM1 is targeted at proposals for new student accommodation and the original planning permission pre-dates this policy, the objectives of this policy (in particular criterion (c)) are broadly relevant to the considerations of the current application.
- 6.15** Equally, it is acknowledged that the restrictive occupancy condition was imposed largely to protect the amenities of neighbouring properties. Parking associated with alternative C1 and other permitted uses was also a determining factor.
- 6.16** That said, the proposed dual use and intended alternative C1 use and the proposed management and letting arrangements do not stray far beyond that of the original planning permission. Similarly, an 18 month temporary period only is proposed and any unforeseen adverse impacts arising from the dual use would therefore also be temporary.

6.17 Access and highway issues

- 6.18** As stated above, the proposals include the provision of 75 on site car parking spaces for use by non-students between 6pm and 8am. Non-student occupiers would be discouraged from bringing cars to Cheltenham and students of other HE providers would not be allowed to bring cars to Cheltenham, on the same basis as current UoG students.
- 6.19** The concerns raised by neighbouring residents about on-street parking are noted. Although the proposals do not include a change of use of the land/buildings, the potential parking and highway safety issues arising from alternative occupiers require careful consideration. As such, the Highway Authority (HA) was consulted. A response of no objection was received.
- 6.20** The HA rightly point out that the serviced apartments for non-students could result in a higher trip generation figure. However, it is recognised that the site is in a relatively sustainable location, and there is some parking available on site. As such, it is not

considered that the proposed temporary change would result in unacceptable harm to highway safety nor that there would be a severe capacity issue.

6.21 The HA note the concerns of local residents about the displacement of parked vehicles on the roads surrounding the application site. There are currently parking restrictions on Hillcourt Road, Albert Drive and Marston Road. These restrictions would therefore reduce the risk of any vehicles being displaced onto the highway within the local area. The HA concludes therefore, that there would not be an unacceptable impact on highway safety or a severe impact on congestion and there are no justifiable grounds on which an objection could be maintained.

6.22 Officers also note that there is limited, unrestricted on street parking on New Barn Lane and Albert Road and the Pittville Pump Rooms car park now operates as a pay and display facility. Officers also consider it unreasonable to restrict all on street parking in the local area to residents only and the measures that would be put in place by the applicant to minimise parking congestion are considered acceptable. The application seeks a temporary 18 month period only which would also allow for any significant highway/parking impacts to be identified.

6.23 Other considerations

6.24 The comment made by neighbouring residents regarding repeat applications and the potential for a permanent alternative C1 use for the 205 rooms is also noted. Members are advised to consider the proposals before them and not speculate on any future application to extend the temporary period.

6.25 The Covid-19 pandemic has had wide ranging effects on all businesses and organisations and the resultant change in student accommodation preferences is not unique to the UoG. Should an application be submitted in the future to extend the temporary period further or should the university seek a more permanent solution to under occupancy and/or to vary the original restrictive condition (26), then these matters would be considered carefully at that time and with the benefit of some experience and understanding of any impacts of alternative C1 use.

6.26 The University have made it very clear in their supporting statements that the primary use of the campus will remain as student accommodation. In term time student occupation will always take priority but the proposals would allow for beneficial use of the 205 rooms in the event of low student uptake and during the summer periods when the accommodation lies largely empty. The University also state that it is vital that those occupying the 205 rooms would be compatible with the primary occupation of the site by students, given that student experience is paramount to the success of the university. The site and its facilities would continue to be managed in the same way, thereby safeguarding the amenities of university students and neighbouring residents. The Residents Community Liaison Group (which includes representatives of the Council's planning and environmental health teams) would also continue to operate and meet as before.

7. CONCLUSION AND RECOMMENDATION

7.1 For all reasons set out above, the recommendation is to grant planning permission subject to the following conditions and subject to the completion of Deeds of Variation of the original s106 obligations.

8. CONDITIONS / INFORMATIVES

- 1 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.

- 2 The use hereby permitted shall be discontinued and the buildings restored to their former use on or before 31st August 2023.

Reason: To enable the Local Planning Authority to assess the effects of the use over a temporary period, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 3 No serviced room or studio/apartment shall be let to an individual(s) for longer than 90 consecutive days within any 12 month period.

Reason: The accommodation is not suitable as permanent residential accommodation and to enable the Local Planning Authority to assess the effects of the use over a temporary period, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017)

- 4 The use hereby permitted shall be carried out substantially in accordance with the details set out within applicant's letter dated 23rd July 2021 and supplementary statement dated 25th October 2021. Up to 75 on-site parking spaces shall, at all times, be made available for use by the future occupiers of the 205 rooms between the hours of 18:00 and 08:00 Monday to Sunday.

Reason: To protect the amenities of resident students and neighbouring properties and to enable the Local Planning Authority to assess the effects of the use over a temporary period, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 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.