

<b>APPLICATION NO:</b> 21/01696/FUL		<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 4th August 2021		<b>DATE OF EXPIRY:</b> 29th September 2021/Agreed Ext of Time 28 <sup>th</sup> February 2022
<b>WARD:</b> Pittville		<b>PARISH:</b>
<b>APPLICANT:</b>	Uliving@Gloucestershire Ltd	
<b>AGENT:</b>	Mrs Catherine Hoyte	
<b>LOCATION:</b>	Pittville Student Village Albert Road Cheltenham	
<b>PROPOSAL:</b>	Temporary dual use of up to 205 bedrooms for either student accommodation (C1) or serviced apartment accommodation (Class C1) for an 18 month period commencing June 2023.	

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. Members may recall that the 2021 November Planning Committee resolved to grant planning permission for the *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*, subject to deed of variation (DoV) of the s106 obligations attached to the original planning permission for the Pittville Student Village (reference 14/01928/FUL).
  
- 1.2. Since November 2021, and due to unforeseen circumstances, there has been a significant delay and administrative difficulties in finalising the required variations to the original s106 obligations, in part, due to some changes in interested parties to the legal agreements. Progress on the drafting of the DoV is now at an advanced stage and agreement reached between the parties on any re-wording necessary. The applicant has therefore requested that the proposed temporary dual use of the 205 student rooms now commences from June 2023 for an 18<sup>th</sup> month period. If the decision was issued based on the original application description, the temporary use would end in August 2023, which would clearly be of little benefit to the University.
  
- 1.3. Members are therefore being asked to consider only the revised, temporary 18<sup>th</sup> month period for the proposed dual use and any direct material considerations relating thereto. The general merits of the proposal and the principle of the proposed temporary dual use are established through the Planning Committee's resolution to grant planning permission in 2021.

- 1.4. It should be pointed out that the required amendments to the original s106 obligations are, in themselves, straightforward, in that the subject planning application reference number (21/01696/FUL) needs to be included plus any cross referencing and additional wording to the Schedules, as applicable.
- 1.5. Note that, none of the s106 obligations would be removed as a result of the grant of this temporary planning permission. 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 and unaffected by the proposals. The Shuttle Bus and Student Patrol scheme would continue to operate and solely for the students of the University of Gloucestershire. Any financial contributions required through the Borough and County Council s106 Obligations would continue to be paid or have already been paid in full. Consequently, the County Council (GCC) obligations relating to off-site highway improvement works do not require any variation since all monies have been paid in full to GCC. In this respect, GCC has confirmed that the County Council s106 does not require a DoV.
- 1.6. The Council's Environmental Health team (EHO) were consulted on the revised application description i.e. the proposed 18 month temporary dual use commencing June 2023. The EHO raises no objection and comments as follows:

*In relation to 21/01696/FUL, Pittville Student Village, Albert Road, Cheltenham, please note that there are no comments/ no objections from Environmental Health. Since the previous consultation no complaints have been received.*

- 1.7. The County Council Highways Development Management team (acting as Highway Authority) (HA) has also been consulted on the revised proposals. At the time of writing, their comments are awaited. The HA's response will be provided via a further update report before the May Planning Committee meeting.
- 1.8. Local residents were also informed in writing of the revised application description. At the time of writing, a total of 4 representations have been received (13 in respect of the original proposals) and the concerns raised, in summary, relate to the following matters:
- The buildings should only be used for students, as per the original plans
  - On-site parking inadequate with potential for overspill onto surrounding roads
  - Noise impact and anti-social behaviour
  - Future control over occupiers/use

- Student accommodation too expensive and not adequately maintained
- Mix of student and non-students inappropriate
- Road user safety when crossing New Barn Lane due to general increase in pedestrian and traffic
- Pedestrian crossing/traffic calming should be funded by applicant

## 1.9. Conclusions

1.10. The above neighbour concerns and consultee responses have been considered very carefully, alongside all representations made during the course of determining the application in 2021. Despite the length of time elapsed since the Committee's resolution to grant in November 2021 and the substantial completion and occupation of the Starvehall Farm development, officers consider that there are no changes in site or neighbourhood characteristics that would warrant withholding planning permission now.

1.11. In addition, the University has made it very clear in their supporting statements for this application that the primary use of the campus would remain as student accommodation. In term time student occupation would 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.

1.12. Similarly, there have been no changes in local or national policy guidance since November 2021 that would result in officers reaching an alternative recommendation to that set out in the full Committee report presented to Members in November 2021; which is attached to this update report and should be read in conjunction with the comments provided here.

1.13. In light of all of the above considerations, and subject to any objection raised by the HA, officers consider the proposals (in their revised form) acceptable and the recommendation

is to grant planning permission subject to the following conditions and subject to the completion of a Deed of Variation of the original s106 obligations.

## **CONDITIONS**

- 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 31<sup>st</sup> December 2024.

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) (excluding students and University of Gloucestershire staff) 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).