

APPLICATION NO: 23/00728/FUL	OFFICER: Mrs Lucy White
DATE REGISTERED: 29th April 2023	DATE OF EXPIRY: 24th June 2023/Agreed Ext of Time 20 th November 2023
DATE VALIDATED: 29th April 2023	DATE OF SITE VISIT:
WARD: St Marks	PARISH:
APPLICANT:	Cheshire West And Chester Council
AGENT:	SF Planning Limited
LOCATION:	Lansdown Industrial Estate Gloucester Road Cheltenham
PROPOSAL:	Erection of single storey building to accommodate artists' studios (replacement of the existing artists' studios at Lansdown Industrial Estate).

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located within the far north-west corner of the Lansdown Industrial Estate (LIE) and forms part of a private car parking area that serves nearby industrial units. The site is therefore hard surfaced and marked out with parking spaces. The rear gardens of properties in Rowanfield Road and Roman Road form the north and west site boundaries with Unit 41a (Cleevley Motors) to the east and Sunningend Business Centre/Maxet House located further south. Access to the site is via Gloucester Road and the internal, main estate road running through LIE.
- 1.2 The application proposes the erection of a single storey, pitched roof building with associated parking and landscaping. The building is intended to accommodate artists' studios and has been submitted concurrently with an application that relates to the northern half of LIE.
- 1.3 The Cheltenham Artists' Studios currently occupy Unit 1A of LIE. This building and others is proposed to be demolished to facilitate the redevelopment of the northern half of the estate for residential purposes. An application seeking outline planning permission for the erection of up to 215 dwellings following the demolition of all existing buildings is, at the time of writing, also being considered by the Council (ref 21/002832/OUT). The proposed artists' studios building would offer suitable replacement accommodation upon their displacement following the implementation of the aforementioned proposed residential scheme, should it receive planning permission.
- 1.4 The applicant for 21/02832/OUT has confirmed that it would facilitate the construction of the new building as proposed, but the Lansdown Art Studios would need to fund their occupation of the building.
- 1.5 This report should therefore be read alongside the officer report for 21/02832/OUT which also discusses the public realm enhancements that the proposed artists' studios building could bring to the wider estate and the s106 obligations required to ensure the delivery of the artists' studios alongside the implementation and construction of the above proposed residential scheme for the northern half of the estate.
- 1.6 This application is before the Planning Committee because of its direct link to the above planning application (21/02832/OUT) for the northern part of Lansdown Industrial Estate. As such, both applications are being considered concurrently. Regardless, this application must be determined separately and on its individual merits. Any decision made on the larger residential application (21/02832/OUT) is not a determining factor when considering the artists studios application.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Land Allocated for Mixed Use
Airport safeguarding over 15m
Principal Urban Area

Relevant Planning History:

21/02828/OUT PCO

Outline application for mixed use redevelopment at Units 22 and 23 Lansdown Industrial Estate (residential and commercial) with all matters reserved apart from access, following demolition of existing buildings

21/02832/OUT PDE

Outline application for the redevelopment of the northern part of Lansdown industrial estate for up to 215 dwellings with associated access roads, parking and public open space following the demolition of the existing buildings. All matters reserved except for access.

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 12 Achieving well-designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

Adopted Cheltenham Plan Policies

EM1 Employment Land and Buildings

EM2 Safeguarding Non-Designated Existing Employment Land and Buildings

D1 Design

SL1 Safe and Sustainable Living

GI2 Protection and replacement of trees

GI3 Trees and Development

CI1 Securing community infrastructure benefits

Adopted Joint Core Strategy Policies

SD1 Employment - Except Retail Development

SD3 Sustainable Design and Construction

SD4 Design Requirements

SD9 Biodiversity and Geodiversity

SD14 Health and Environmental Quality

INF1 Transport Network

INF2 Flood Risk Management

INF4 Social and Community Infrastructure

INF5 Renewable Energy/Low Carbon Energy Development

Supplementary Planning Guidance/Documents

Cheltenham Climate Change (2022)

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	71
Total comments received	8
Number of objections	1
Number of supporting	6
General comment	1

5.1 The application was advertised by way of 71 letters sent to neighbouring properties and businesses and site notices displayed at accessible locations within and adjacent to the site. A total of 8 third party representations were received, the majority in support of the proposed development. The comments/concerns raised, in summary, are as follows:

- Proposals will provide much needed affordable studio space for the local artists, securing their future within Cheltenham and enhancing cultural art within the Borough and the Council's Public Arts Strategy

- Proposed artists' studios would be a good neighbour to adjacent residential properties, with minimal noise and non-toxic waste generation.
- What screening will be provided to hide the ground floor level from houses in Rowanfield Road. The pitched roof would be visible and existing boundary trees were removed by the owners of the industrial estate.
- Odour from proposed refuse store

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The key issues for consideration are the design, scale and layout of the proposed development and their impacts on the character and function of the industrial estate and the amenities of neighbouring land users. Highway safety and the potential impacts arising from displacement parking within the industrial estate will also need to be considered.

6.3 As discussed in the introduction, this application has been submitted concurrently with a proposed scheme to redevelop the northern half of the estate for residential purposes. As such, the implementation and delivery of the artists' studios building alongside the construction of the proposed residential scheme will also need to be considered very carefully and by way of a s106 obligation.

6.4 Design and layout

6.5 Section 12 of the NPPF sets out that good design is a key aspect to achieving sustainable development and creating better places to in which to live. Similarly, Policy SD4 of the JCS require development to respond positively to and respect the character of the site and its surroundings. These objectives are reiterated in Policy D1 of the Cheltenham Plan which requires development to achieve a high standard of architectural design that complements neighbouring development.

6.6 The proposed new building would be single storey, rectangular in form and with a pitched roof. The materials palette consists of external red brick facing walls incorporating architectural feature blockwork and areas to apply art murals. The proposed roof covering is light grey metal cladding. A series of roof lights has been oriented to meet the (optimum light) requirements of the end user. Other ground floor fenestration consists of dark grey PVC or aluminium framed windows within each elevation. An array of photovoltaic (PV) panels is shown on the south facing roof slope and 3no. air source heat pumps (ASHPs) would be provided to the rear (west) side of the building.

6.7 Refuse and cycle storage facilities and dedicated parking for 3no. vehicles to the front of the building are also provided. The applicant has indicated that the adjacent remaining parking area (48 spaces) would also be made available to the artists' studios.

6.8 The proposed refuse store is separated from the main entrance by a screen/feature wall and would be further obscured by a timber fence surround. The feature screen wall and the front elevation have been designed to allow space for the artists to apply art work, murals and signage. The applicant has provided additional information on how this art work would be applied to the face of the building. If required, advertisement consent would be sought at later date. A soft landscaping scheme consisting of low maintenance shrubs and grass/wildflowers along the north west side of the building is also proposed.

- 6.9** The design approach is fairly simple but has a contemporary feel. The architectural features of the building clearly correspond with the intended use of the building as artists' studios, which internally would be sub-divided into studio spaces to suit the needs of the occupier.
- 6.10** The design, scale and layout aspects of the proposals are considered acceptable. As such, the proposals adhere to the objectives of Policy D1 of the Cheltenham Plan, SD4 of the JCS and section 12 of the NPPF (2023).
- 6.11** Employment Use
- 6.12** Lansdown Industrial Estate is not identified as a key employment site within the Borough, therefore Policy EM1 of the Cheltenham Plan (CP) is not relevant.
- 6.13** Policy H2 of the CP allocates a number of sites for mixed-use development, including LIE. Each allocation is supported by a site-specific policy which provides further guidance and in this case Policy MD1 of the CP is relevant.
- 6.14** Policy MD1 relates specifically to LIE. The site specific requirements of the policy are an employment led regeneration of LIE which may include an element of residential development, provided that existing provision is offset by a net gain in the quality and/or number of jobs provided on the site. It also states that *'The site is capable of redevelopment for mixed-uses, including a continued element of employment in better-quality units with some new residential development. There would be a net loss of employment land but this should be offset by an upgrade in the quality and density of premises'*.
- 6.15** In addition to MD1, CP Policy EM2 could also be considered relevant to the proposals in that it seeks to safeguard non-designated existing employment land and buildings within the Borough. It states that development proposals for a change of use of land and buildings currently or last in employment use will only be permitted where certain criteria are met.
- 6.16** Although there may some conflict with this policy in that the proposals are not employment generating in the traditional sense, there are no industrial buildings on the application site, which is currently used as a car park serving the wider estate. As such, the proposals would not result in the loss or displacement of employment.
- 6.17** An artist's studio falls within Use Class E (commercial, business and services) and there is currently a range of uses across LIE which includes those falling within Class E. The proposals also seek to secure the long term future of the Lansdown Art Studios who have been present at LIE for some 25 years and provide valuable and much sought after studio space for local artists, which contributes significantly to Cheltenham's arts culture and emerging Culture Strategy. This, and the enhancements the proposed development would bring generally to the southern half of the estate, are material considerations in the determination of this application and are considered to weigh heavily in the balance.
- 6.18** With the above in mind, Paragraph 97 of the NPPF, in supporting the provision of social, recreational and cultural facilities and services to meet community needs, states that planning policies and decisions should *'plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places for worship) and other local services to enhance the sustainability of communities and residential environments.'*
- 6.19** In light of the above considerations, the proposed development adheres broadly to the objectives of Policies MD1, EM2, H2 and D1 of the Cheltenham Plan, Policies SD3, SD4 and INF4 of the JCS.

6.20 Impact on neighbouring property

- 6.21** Section 12 of the NPPF requires development to create places with a high standard of amenity for existing and future users. Policy SL1 of the Cheltenham Plan advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land users or the locality. In assessing impact on amenity, the Council will take account of matters including, but not limited to, loss of privacy, light and outlook. The policy is consistent with adopted JCS policy SD14.
- 6.22** The nearest residential properties are located to the north east of the site in Rowanfield Road. All other surrounding development is in commercial use. All the concerns raised by local residents are duly noted. These concerns relate primarily to the location of the proposed refuse store and the height of the roof.
- 6.23** The proposed refuse store would be screened by timber fencing and located some 12.8 metres from the rear elevation of No 84 Rowanfield Road. Although located adjacent to the boundary with No 84, the intended user of the building is unlikely to generate waste (odour/pollutants) that would cause significant harm to the occupiers of neighbouring properties.
- 6.24** The nearest affected dwelling is 3 Emanuel Cottages. The ridge height of the proposed building is approximately 4.4 metres, the side elevation of which would be located approximately 2.5 metres from the shared boundary with this neighbouring property. The eaves height of the new building is 3 metres and the shallow pitched roof would slope away from the north site boundary. The side elevation of 3 Emanuel Cottages faces the shared, timber fenced boundary and there is one small ground floor window in this side elevation. Therefore, despite the proximity of the new building, the potential impact on the amenities of the occupiers of 3 Emanuel Cottages and those of the closest Rowanfield Road properties, would not be significantly harmed. Officers are also mindful of the scale of building that could be erected adjacent to a property boundary within the curtilage of a dwelling house under permitted development.
- 6.25** The Council's Environmental Health team (EHO) has reviewed the scheme and has no overriding concerns subject to approval of the details of the proposed ASHPs, given their number and proximity to neighbouring property boundaries. A condition has been added accordingly.
- 6.26** There are no other concerns arising from the proposals in respect of loss of light, privacy/overlooking, outlook, overbearing appearance or noise and disturbance.
- 6.27** For the above reasons, the proposals are considered to be in accordance with the objectives and policy guidance of section 8 of the NPPF (2023), Policy SL1 of the Cheltenham plan and Policy SD14 of the JCS.

6.28 Access and highway issues

- 6.29** Paragraph 11 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Policy INF1 of the JCS reiterates the stance of the NPPF and states that proposals should ensure that safe and efficient access to the highway network is provided for all transport modes.
- 6.30** The proposed development would be accessed via Gloucester Road and the internal estate road and would provide 3no. dedicated spaces (including 1no. disabled space) for the artists' studios; which in their current location have no formal allocated parking.

6.31 However, it is acknowledged that the proposals would result in the loss of existing parking provision for the wider industrial estate (20 spaces), which has the potential to displace car parking onto the local road network (as well as into other areas of LIE). The Highway Authority (HA) therefore requested that a parking survey be undertaken to assess existing parking demand for this part of LIE in addition to an assessment of the likely number of vehicular trips resulting from the proposals and an accumulation assessment to determine the likely resulting parking demand.

6.32 The applicant's subsequent Technical Note and parking survey conclude that there would be no adverse parking impact as a result of the development. The remaining parking spaces would be able to accommodate the demand within LIE without displacement onto the local road network. The applicant also points out the introduction in June 2023 of number plate recognition cameras and signage; sought to address previous fly-parking by non-estate users. In addition to the existing 68 spaces on the application site, the majority of the units across the estate have allocated parking within front forecourt areas. Thereby, a total of 212 formal car spaces are currently available within the southern part of the estate. The proposals would therefore result in a 10% loss of overall parking spaces. The parking accumulation assessment found that on average there would be 57 available parking spaces at any one time within the southern half.

6.33 The HA has reviewed the above documents and concludes that the proposal should not result in an adverse impact on highway safety or congestion. However, a condition requiring the subsequent approval of a construction management plan is recommended. This would ensure pedestrian and motorist safety and that the highway network is not adversely impacted during the construction phase. This condition has been added accordingly.

6.34 Sustainability

6.35 Policy SD3 of the JCS requires all new development to be designed to contribute to the aims of sustainability by increasing energy efficiency and minimising waste and air pollution. Development proposals are also required to be adaptable to climate change in respect of the design, layout, siting, orientation and function of buildings. Similarly, Policy INF5 of the JCS sets out that proposals for the generation of energy from renewable resources or low carbon energy development will be supported.

6.36 The Cheltenham Climate Change SPD (adopted June 2022), sets out a strategy for decarbonising buildings over the next decade. For all new development there is an opportunity to improve the environmental performance of buildings through the inclusion of technologies and features such as photovoltaics, heat recovery, permeable (or minimal) hard surfaces, fabric first design approach, insulation renewable and appropriately sourced materials and alternative heating systems.

6.37 The application is not accompanied by a Sustainability Statement. However, the applicant's covering letter sets out the proposed sustainability features of the development which include high performance insulation, solar panels, air source heat pumps, efficient heat and light systems and the use of fabric first construction methods.

6.38 The above measures are considered acceptable and proportionate to the nature and scale of the development proposed.

6.39 Conditions are suggested to secure the implementation of the ASHPs and solar panels.

6.40 Other considerations

6.41 S106 Obligation/Planning Application 21/02832/OUT

- 6.42** As discussed in the report introduction, the s106 in respect of application 21/02832/OUT (should planning permission be granted), would need to include an obligation requiring the implementation/construction of the new artists' studios building alongside the delivery of the residential scheme. The drafting of the s106 obligations is still in progress, but it is likely that various trigger points would be set for the commencement and completion of construction work on the artists' studios and associated completion/occupation of a certain number of new dwellings within the southern half of the estate. There is also likely to be a period of displacement for the artists following the demolition of their current building, the implications of which will form part of the s106 negotiations and drafting.
- 6.43** Planning permission is typically granted subject to a condition requiring its implementation within a three year period. Should outline planning permission be granted for application 21/02832/OUT, the implementation/commencement of this planning permission and approval of subsequent reserved matters applications are likely to occur beyond the three year time period that would normally be imposed by condition on the artists' studios planning permission. Given the very special circumstances of this case, officers are suggesting therefore, that the time period for implementation of the artists' studios planning permission be extended to 5 years.
- 6.44** Public Sector Equalities Duty (PSED)
- 6.45** As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are three main aims:
- Removing or minimising disadvantages suffered by people due to their protected characteristics
 - Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
 - Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.
- 6.46** Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have "regard to" and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.
- 6.47** In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

- 7.1** For the reasons set out above, the recommendation is therefore the grant planning permission subject to the following conditions. The applicant has agreed to the pre-commencement conditions.

8. CONDITIONS / INFORMATIVES

- 1 The planning permission hereby granted shall be begun not later than the expiration of five 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 Prior to first occupation of the building hereby approved, the proposed solar PV panels shall be installed in accordance with the approved drawings and details (to include their operation, design, appearance and positioning on the roof) which shall have been submitted to and approved in writing by the local planning authority.

Reason: In the interests of the character, appearance and amenities of the area and reducing carbon emissions, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020), adopted policies SD3, SD4 and SD14 of the Joint Core Strategy (2017) and guidance set out in Cheltenham Climate Change SPD (2022).

- 4 Prior to first occupation of the development, refuse and recycling storage facilities shall be provided in accordance with the approved plans and shall be retained as such thereafter.

Reason: In the interests of sustainable waste management and recycling, having regard to Policy W36 of the Gloucestershire Waste Local Plan.

- 5 Prior to first occupation of the development, parking and turning facilities shall be provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and shall remain free of obstruction for such use at all times.

Reason: To ensure the adequate provision of car parking within the site in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 6 Prior to first occupation of the development, secure covered cycle storage shall be provided in accordance with the approved plans. The cycle storage shall thereafter be retained available for such use in accordance with the approved plans at all times.

Reason: To ensure the adequate provision and availability of cycle parking, so as to ensure that opportunities for sustainable transport modes have been taken up, having regard adopted policy INF1 of the Joint Core Strategy (2017).

- 7 Prior to the commencement of development, including any works of demolition or site clearance, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

The approved method statement shall be adhered to throughout the development process and shall, where necessary:

- i) specify the type and number of vehicles expected during the construction of the development;
- ii) allocate space for the parking of vehicles for site operatives and visitors;
- iii) allocate space for the loading and unloading of plant and materials;
- iv) allocate space for the storage of plant and materials used in constructing the development;
- v) specify the intended hours of construction;
- vi) specify measures to control the emission of noise, dust and dirt during construction;
- vii) provide for wheel washing facilities; and
- viii) specify the access points to be used and maintained during the construction phase.

Reason: To minimise disruption on the public highway and to adjacent land users, and accommodate the efficient delivery of goods and supplies during the course of the construction works, having regard to adopted policy INF1 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable highway impact during construction.

- 8 Details of the type/model, operation and predicted noise levels of the proposed air source heat pumps (ASHPs) shall be submitted to and approved in writing by the local Planning authority. The ASHPs shall be installed prior to first occupation of the building hereby approved and in accordance with the details approved. The ASHPs shall be retained as such thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of future occupiers and neighbouring properties and to reduce carbon emissions, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020), adopted policies SD3, SD4 and SD14 of the Joint Core Strategy (2017) and guidance set out in Cheltenham Climate Change SPD.

- 9 Prior to the commencement of development, a surface water drainage scheme, which shall incorporate Sustainable Urban Drainage System (SUDS) principles, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for implementation of the works; and proposals for maintenance and management. The development shall not be carried out unless in accordance with the approved surface water drainage scheme.

Reason: To ensure sustainable drainage of the development, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

- 10 Prior to the commencement of development, a site investigation and risk assessment shall be carried out to assess the potential nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11 and shall include:

a) a survey of the extent, scale and nature of contamination

b) an assessment of the potential risks to:

- human health

- property (including buildings, crops, livestock, pets, woodland and service lines and pipes)

- adjoining land

- ecological systems

- groundwaters and surface water

- archaeological sites and ancient monuments

c) an appraisal of remedial options to mitigate against any potentially significant risks identified from the risk assessment.

Where remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2a of the Environmental Protection Act (1990) in relation to the intended use of the land after remediation.

The site investigation, risk assessment report, and proposed remediation scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with adopted policy SD14 of the Joint Core Strategy (2017).

- 11 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority and development shall be halted on that part of the site affected by the unexpected contamination. An investigation and risk assessment must then be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11 and a remediation scheme, where necessary, also submitted. Following completion of measures identified in the approved remediation scheme, a verification report shall be submitted to and approved in writing by the Local Planning Authority before development can recommence on the part of the site identified as having unexpected contamination.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with adopted policy SD14 of the Joint Core Strategy (2017).

- 12 No external facing or roofing materials shall be applied unless in accordance with:
a) a written specification of the materials; and/or
b) physical sample(s) of the materials.
The details of 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 adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 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, the authority sought minor revisions to the design and layout of the proposals in the interests of the amenities of the locality.

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

Consultations Appendix

Building Control

12th May 2023 - This application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Publica Drainage And Flooding

15th May 2023 - There are no objections on flood risk and drainage matters provided that a sustainable surface water drainage plan is submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The finished floor levels of the proposed building should be set appropriately based on surface water flood risk to reduce the risk of damages within the building.

The drainage plan should detail how surface water on the site will be disposed with flood risk mitigated to both the proposed site and any neighbouring/downstream properties. Rainwater collection/re-use and the use of permeable surfaces are recommended, as per the Cheltenham Climate Change SPD. As per the Sustainable Drainage System (SUDS) hierarchy, infiltration should be initially considered and BRE 365 infiltration testing should be undertaken to test for feasibility and to establish a site specific infiltration rate for drainage system design. If infiltration is proven not to be viable due to poor infiltration rates, onsite attenuation (flood storage) will be required prior to controlled discharge off the site. The maximum allowable discharge rate needs to be controlled as per the Lead Local Flood Authority (LLFA) requirements for a brownfield development. These requirements state that the peak discharge in the 1 in 100 year rainfall event (plus 40% allowance for climate change) should be as close as is reasonably practicable to the greenfield runoff rate for the same event. If this is proven to not be feasible then a 40% reduction over the pre development discharge rate is acceptable. An exceedance surface water route plan for flows greater than the 1 in 100 year rainfall event should also be submitted, identifying the surface water flow routes through the site should the capacity of the drainage system be exceeded.

GCC Highways Planning Liaison Officer 1

16th June 2023 –

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 recommends that this application be deferred.

The justification for this decision is provided below.

The proposal intends to remove some 20no. parking spaces which currently appear to serve the entire estate, and it is not clear from the information submitted, whether the removal of these many spaces is likely to result in displacement of vehicles onto the adjacent local road network. As such, the applicant is requested to carry out parking surveys to ascertain the existing demands of the car park, as well as an assessment to determine the likely number of vehicle trips resulting from the development proposal with an accumulation assessment to determine the likely resulting parking demands.

The Highway Authority therefore submits a response of deferral until the required information has been provided and considered.

GCC Highways Planning Liaison Officer 2

12th October 2023 –

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 subject to conditions.

The justification for this decision is provided below.

The application site is located within the Lansdown Industrial Estate, Cheltenham, approximately 2km west of Cheltenham town centre. The application seeks permission for the erection of a single storey building to accommodate artists studios (replacement of the existing artist studios at Lansdown Industrial Estate) at Lansdown Industrial Estate.

The site is accessed via B4633 Gloucester Road, a two-way single carriageway road subject to a posted speed limit of 30mph. The site is a typical industrial estate complex, where the carriageway is bordered by paved areas, a cycle lane and typical street furniture including bollards and street trees. Regarding highway safety, there are no recorded instances of a personal injury collisions within 50m of the application site within the most recent 5-years.

Following receipt of the Car Parking Assessment (05400-T-01-B), the Highway Authority can conclude that the proposal is not perceived to result in an adverse impact of highway safety or congestion. The report demonstrates that the loss of 20 car parking spaces will not result in an adverse impact on the local highway network, as of the approx. 212 formal car parking spaces on the southern side of the industrial estate will be reduced to 192. Where a parking accumulation assessment using ATC data from September/October 2021 demonstrates that the average maximum weekday parking accumulation is 135 cars parked, and therefore there would be an average of 57 car parking spaces available within the development in place.

However, the application site is anticipated to receive a high number of vehicle movements, it is therefore necessary to condition for a construction management plan to ensure pedestrian and motorist safety and that the highway network is not adversely impacted during the construction phase.

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.

Conditions

Construction Management Plan

Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning

Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:

Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);

Advisory routes for construction traffic;

Any temporary access to the site;

Locations for loading/unloading and storage of plant, waste and construction materials;

Method of preventing mud and dust being carried onto the highway;

Arrangements for turning vehicles;

Arrangements to receive abnormal loads or unusually large vehicles;

Highway Condition survey;

Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

Environmental Health

3rd August 2023 -

We will need to see a noise assessment for the impact of these on nearby residential properties. As there are more than one external unit, this will need to be the standard of BS4142:2014 A1 2019. I am happy for this to be required by condition for approval before first use.

Cheltenham Civic Society

24th May 2023 - OBJECT

We strongly support the proposed use, but this is an uninspired design. There is no information about how this will fit into the masterplan/ wider context of the site.