

# Cheltenham Borough Council

Cabinet – 16<sup>th</sup> November 2010

## Review of North Place & Portland Street Development Brief and Cheltenham Civic Pride Urban Design Framework SPD

<b>Accountable member</b>	<b>Cllr Rawson – Cabinet Member for the Built Environment</b>
<b>Accountable officer</b>	<b>Tracey Crews – Spatial Planning Manager, Cheltenham &amp; Tewkesbury</b>
<b>Accountable scrutiny committee</b>	<b>Economy &amp; Business Improvement Overview &amp; Scrutiny Committee</b>
<b>Ward(s) affected</b>	<b>SPD - All</b> <b>Development Brief – St Paul’s &amp; Pittville</b>
<b>Key Decision</b>	<b>No</b>
<b>Executive summary</b>	<p>On 27<sup>th</sup> July 2010 Cabinet approved a consultation exercise on the proposed revisions of the North Place and Portland Street Development Brief and its associated technical appendix; the Cheltenham Civic Pride Urban Design Framework Supplementary Planning Document (SPD). These revisions were considered necessary by the Cheltenham Development Task Force in order to reflect current market conditions and enable greater flexibility in the type and mix of uses that could be accommodated on the site.</p> <p>Consultation formally took place between 23<sup>rd</sup> August and 1<sup>st</sup> October 2010 and the comments have now been considered and the documents revised accordingly. The key changes are set out under paragraph 4.3 of this report. A full schedule of the comments received and the proposed changes to each document is provided at Appendix A (for the SPD) and Appendix B (for the Development Brief).</p>
<b>Recommendations</b>	<p><b>I therefore recommend that Cabinet</b></p> <p><b>(i) approves the revisions to the following documents:</b></p> <ul style="list-style-type: none"><li>• <b>Cheltenham Civic Pride Urban Design Framework Supplementary Planning Document</b></li><li>• <b>North Place and Portland Street Development Brief</b></li></ul> <p><b>(ii) recommends the adoption of the revised documents to full Council.</b></p>

<b>Financial implications</b>	None arising from this report  <b>Contact officer: Mark Sheldon, mark.sheldon@cheltenham.gov.uk, 01242 264123</b>
<b>Legal implications</b>	The Cabinet has responsibility for initiating reviews of planning policy documentation. The revised documents must then be processed in accordance with the statutory procedures. It is then for Cabinet to make formal recommendations to full Council which makes the final decision as to adoption of planning policy.  <b>Contact officer: Jonathan Noel, jonathan.noel@tewkesbury.gov.uk, 01242 775117</b>
<b>HR implications (including learning and organisational development)</b>	Employees and Trade Unions will need to be kept informed of progress, in particular in relation to employee car parking at North Place.  <b>Contact officer: Amanda Attfield, amanda.attfield@cheltenham.gov.uk, 01242 264186</b>
<b>Key risks</b>	See Risk Summary at Appendix D
<b>Corporate and community plan Implications</b>	As highlighted in the report to Cabinet on the 27 <sup>th</sup> July 2010, the only implication for the corporate or community plans is regarding the reduction in the affordable housing requirement; from 50% in the 2008 version of the Development Brief; to a minimum of 40%. However, this figure is now in line with the existing affordable housing policy HS4 from the Cheltenham Borough Local Plan.
<b>Environmental and climate change implications</b>	The revised Development Brief includes the addition of a 6 bay bus node which was not included in the 2008 version. There are positives and negatives from an environmental and climate change perspective. The inclusion of a bus node could encourage more people to use public transport, thereby increasing its sustainability. This has to be balanced against potential carbon-based emissions from waiting buses. However, the overall number of buses will not increase, they will be merely relocated from Royal Well so whilst there is potentially a minimal local environmental impact, there is no increase in emissions across the borough.

## **1. Background**

- 1.1** The purpose of this report is to seek approval for the revisions to the Cheltenham Civic Pride Urban Design Framework SPD (which contains the North Place and Portland Street Development Brief as a technical appendix) following the consultation exercise undertaken from 23rd August to 1st October 2010. In addition, the report seeks the recommendation of Cabinet to full Council for the adoption of the revised documentation as a Supplementary Planning Document (SPD).
- 1.2** As set out in the report to Cabinet of the 27th July 2010, the adopted Development Brief is a technical appendix to the Cheltenham Civic Pride Urban Design Framework SPD – an adopted part of Cheltenham’s Local Development Framework (LDF). As such, any change to the Brief needs to be reflected in the parent SPD – which effectively summarises all the work of the Civic Pride project. Furthermore, any review of either document is subject to statutory requirements for the preparation of SPDs and is subject to public consultation.
- 1.3** The adopted SPD was also subject to a Sustainability Appraisal in accordance with the Strategic Environmental Assessment Directive, which assessed the sustainability impacts of the SPD and the Development Brief. As a consequence of the revisions to these documents, a revised Sustainability Appraisal was undertaken for the proposed changes to the Development Brief only. Consultation took place into the Sustainability Appraisal at the same time as the SPD and Development Brief. No significant changes were made to the Sustainability Appraisal following this process.
- 1.4** The key changes to the Development Brief for consultation included;
- Review of specific list of land uses
  - Reduction in affordable housing from 50% to a minimum of 40% to reflect Local Plan policy HS4 (affordable housing) and current market conditions
  - Inclusion of a 6 bay bus node
  - Plans amended to reflect flexibility in land uses
- 1.5** The changes to the SPD only reflect any amendments made to the Development Brief so are minor.
- 1.6** The consultation process is now complete and the key revisions following this consultation are set out under paragraph 4.3 of this report. A full schedule of the comments received and the proposed changes to each document is provided at Appendix A (for the SPD) and Appendix B (for the Development Brief) and Appendix C (for the amended plan referred to in both documents).

## **2. Reasons for recommendations**

- 2.1** Once the revised SPD is adopted it will be used as a material consideration in the determination of planning and related issues. More specifically the revised North Place and Portland Street Development Brief will enable greater flexibility and deliverability as the basis for a planning application for these key sites.

## **3. Alternative options considered**

- 3.1** Following receipt of advice from The Cheltenham Development Task Force, officers considered not revising the Development Brief but upon analysing the current market position and seeking further validation from independent specialist property consultants, it was considered that this

could lead to further delays in the site being developed.

## **4. Consultation and feedback**

**4.1** Consultation formally took place between 23<sup>rd</sup> August and 1<sup>st</sup> October 2010 in line with the Council's Statement of Community Involvement. In summary, there were a total of approximately 15 respondents making approximately 87 individual comments in total. There were a number of representations of support for the proposed revisions to provide greater flexibility in the mix and types of uses that could be accommodated and, therefore, increase the deliverability of the site. There was also support for the retention of the high design and sustainability aspirations for the site. The revisions gained the support of Natural England, English Heritage and the Environment Agency.

**4.2** The full schedule of comments is provided at Appendices A and B.

**4.3** The proposed amendments to both documents as a result of the consultation can be summarised as follows:

- provide more clarity about the types of 'town centre uses' that could be acceptable.
- set out that parking provision will need to be agreed with the planning and highway authorities and based on evidence of need for the development.
- set out that parking needs to take into account the needs of the evening economy and also to be designed with safety and security considerations.
- include the requirement that development should incorporate crime prevention and 'Secured by Design' principles.
- better clarification of access arrangements to the site to be provided.
- emphasise that high quality improvements are required to St. Margarets Road, the streetscene and pedestrian and cycle movements.
- set out that access and working hours should be restricted during construction to protect neighbours' amenity.
- include establishing a green corridor to help to link to the Promenade and Pittville Park and providing links for pedestrians, cyclists and biodiversity.
- include the possibility of changing Portland Street to two-way working (subject to modelling) and providing streetscene improvements.
- incorporation of additional land on Warwick Place into the area of the brief (see Appendix C).

### **Task Force Recommendations**

**4.4** The Task Force noted the positive actions by the planning team in undertaking the public consultation and were complimentary over the quality of the analysis received and recommended that the report be accepted.

## **5. Performance management –monitoring and review**

**5.1** The Cheltenham Development Task Force Board manages the wider project but not issues

relating to planning which remain the responsibility of the Borough Council as Planning Authority. Regular reporting takes place to the Council's Operational Programme Board by the Task Force Managing Director.

## 6. Next Steps

- 6.1** If Cabinet agrees the recommendations, the SPD and Brief will go to Council on 13<sup>th</sup> December as part of the Cabinet Minutes for approval. This will see the documents formally adopted as part of the Local Development Framework and become a material consideration on determining planning applications.
- 6.2** In addition to these planning elements, there are several other items on the critical path that must be addressed before these major sites can be taken to the market. These include; the conclusion of the archaeological works recently undertaken; the production of a PPS5 (Planning Policy Statement 5: Planning for the Historic Environment) statement concerning historical context and; the appointment of professional advisers. It is believed that all of these steps will be in place by January 2011. On this basis and recognising the OJEU (Official Journal of the European Union) procurement rules the timetable would allow for the identification of a preferred bidder by late autumn 2011.

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<b>Appendices</b>	<p><b>A Response Report Civic Pride SPD</b></p> <p><b>B Response Report North Place &amp; Portland Street Development Brief</b></p> <p><b>C Amended Plan</b></p> <p><b>D Risk Assessment</b></p>
<b>Background information</b>	<p><b>1 Revised Cheltenham Civic Pride Urban Design Framework SPD (post- consultation amendments – for adoption)</b></p> <p><b>2 Revised North Place &amp; Portland Street Development Brief (post- consultation amendments – for adoption)</b></p> <p><b>3 Revised North Place &amp; Portland Street Development Brief Sustainability Appraisal (post-consultation amendments)</b></p> <p><b>4 Response Report Sustainability Appraisal</b></p> <p><b>5 Cabinet Report 27<sup>th</sup> July 2010</b></p>