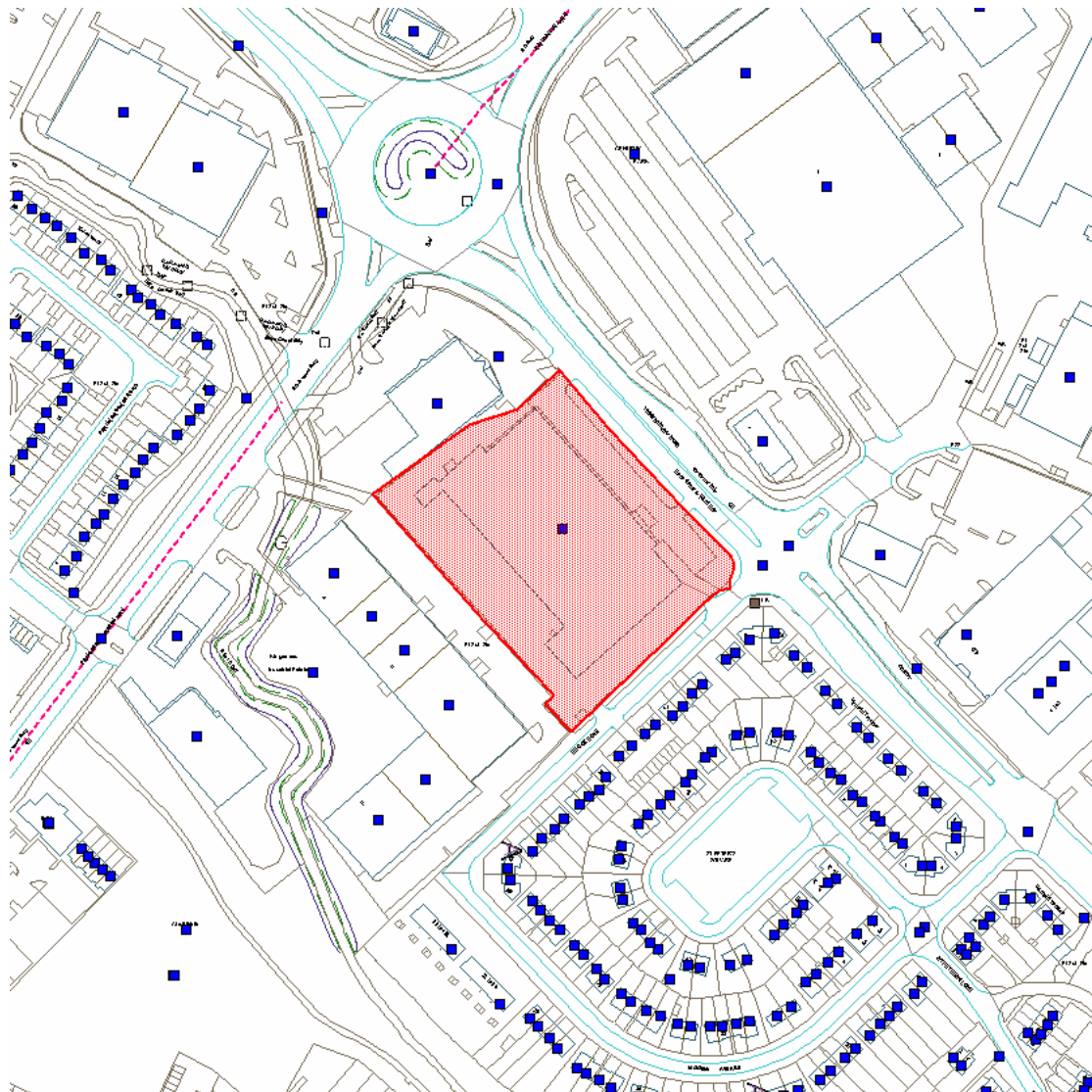


APPLICATION NO: 13/00111/FUL	OFFICER: Mr Ian Crohill
DATE REGISTERED: 24th January 2013	DATE OF EXPIRY: 25th April 2013
WARD: St Peters	PARISH: None
APPLICANT:	Travis Perkins (Properties) Limited
AGENT:	Quod
LOCATION:	Former Bonella Works, Tewkesbury Road, Cheltenham
PROPOSAL:	Erection of builders' merchant's premises (sui generis) for the display, sales and storage of building, timber and plumbing supplies, plant and tool hire, including outside display and storage, with associated servicing arrangements, car parking, landscaping and associated works

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is known as the former Bonella Works which was a manufacturing facility that has been vacant for over 5 years. The site fronts the Tewkesbury Road and is in an established commercial location with a recently completed retail park opposite and a car dealership (about to be refurbished) on its North West side. To the south west there is an existing business park and to the south east (are residential properties fronting Brook Road.
- 1.2 The application has been submitted for complete redevelopment of the site to facilitate the relocation of Travis Perkins, an established builders' merchants operation, from their existing site in Gloucester Road. All the jobs from the existing Travis Perkins operation will be retained if the relocation takes place.
- 1.3 The proposal includes within it provision to cover all the various functions of a builders merchant – storage/covered loading, administration, trade counter and display area. A two storey high building is shown to be built facing onto Tewkesbury Road. That building would include offices, the showroom, trade counter, staff facilities and internal storage. The external storage areas, main parking area and circulation areas are shown to be located to the rear of this building.
- 1.4 Access to the complex is to be gained via two of the existing four access points into the site and one of the existing access points onto Tewkesbury Road is to be reconfigured to allow for pedestrian access only. All traffic circulation within the site will controlled with access and egress being provided off Brook Road and egress only for HGV's onto Tewkesbury Road.
- 1.5 In addition to the submitted plans the application has been accompanied by a planning statement, a design and access statement, a transport statement (inc. travel plan), a renewable energy and sustainable construction statement, a flood risk assessment, a statement of community involvement and a tree survey and constraints plan. All these document are available to be viewed on line and rather than reproduce large sections of the in this report, Members are urged to look at them so that a full understanding of the proposal can be gained.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Gas Pipelines
Landfill Sites boundary

Relevant Planning History:

10/01633/PREAPP CLO

New Motor retail dealership

11/01478/PREAPP CLO

Redevelopment of the former Bonella works

00/00309/FUL 26th April 2000 PER

Erect fence and gates along boundary wall/entrances along Tewkesbury Road frontage

11/01487/DEMCON 12th January 2012 NPRIOR

Existing building to be demolished

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living
CP 7 Design
NE 4 Contaminated land
EM 1 Employment uses
UI 3 Sustainable Drainage Systems
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Flooding and sustainable drainage systems (2003)
Planning obligations: transport (2004)

National Planning Policy Framework 2012

4. CONSULTATIONS

Cheltenham Civic Society

8th February 2013

We quite liked the design for this utilitarian building. Given our concern to enhance the Tewkesbury Road approach to Cheltenham whenever possible we think it important that trees should be retained and enhanced on the Tewkesbury Road frontage.

Tree Officer

22nd March 2013

Following the submission of the updated and amended Proposed Site Layout which now falls in line with the recently TPO'd trees on site, the Tree Section has no objections providing that the certain specified conditions are attached to any permission granted.

The Tree Section would have preferred to see the tree related conditions up front, so it must be stressed to the developers that these conditions must be discharged prior to commencement of any on site works, including demolition.

Architects Panel

12th March 2013

The massing and scale appear acceptable and the inclusion of the first floor offices adds interest to the frontage.

The external appearance is acceptable for what is essentially a large industrial shed.

The design appears logical and competent with key factors such as the improved street frontage and interest to the street frontage screening the large warehouse behind.

Recommendation; Approve.

GCC Highways Planning Liaison

14th February 2013

Pre-application discussions have previously taken place between the Highway Authority and Icen Projects Ltd with regard to the proposed layout and transport issues relating to the redevelopment of the former Bonella Works at Tewkesbury Road to a Travis Perkins builder's merchants.

The proposal is to erect one building plus the associated access/egress, servicing, car parking and landscaping to form a new builder's merchants on the former Bonella Works site. The site is located along Tewkesbury Road and access to the site is from Tewkesbury Road (A4109) and Brook Road (Class 4 highway). There are currently four access points into the site, two off Tewkesbury Road and two off Brook Road. As part of the proposal this is to be changed so that the main vehicular access into the site is off Brook Road (second access off Brook Road to be closed off) and a HGV exit only is to be located along Tewkesbury Road (left-turn only). The existing second access off Tewkesbury Road is to be changed to a pedestrian access only.

Transport Statement

A Transport Statement, dated December 2012, has been submitted as part of the planning application. The Statement has been reviewed by the Highway Authority and the information in it considered as part of the assessment of the application.

Sustainability - The site is considered to be within easy access of existing bus services which serve both Cheltenham Town and the wider area. It is also served by good pedestrian and cycle links from the surrounding residential areas. In addition to this the site is located 2.4km from Cheltenham Railway Station so the use of journeys by train and then cycle (multi-modal trip) by staff is an option with trains running from Cheltenham to Gloucester, Bristol and Worcester on a regular basis.

Trip Generation - TRICS data has been provided as part of the Transport Statement so that a comparison between the existing use and the proposed use can be made. The site is currently vacant but has an existing B2 use, therefore trip rates have been based on similar sites with the same use class in order to determine the amount of traffic this site would have generated when it was occupied or could potentially generate if it were to remain as a B2 use. To establish what traffic the proposed builder's merchants could generate, the existing Travis Perkins site in Gloucester Road, Cheltenham has been assessed.

When comparing the extant use to that of that proposed use the difference in traffic generation is minimal, an increase in 3 two-way vehicular movements in the AM peak, which equates to one movement every twenty minutes. This increase on this part of the highway network is not considered to be significant and consequently modelling of the nearby junctions was not considered to be necessary and therefore was not requested. In terms of traffic generation the proposal is considered acceptable by the Highway Authority.

Travel Plan

A staff travel plan has been developed and the implementation of the plan is to be the responsibility of the Occupier/Employer, Travis Perkins. The plan also aims to highlight wider travel choices for journeys to the site by customers.

Parking

35 car parking spaces plus 2 disabled spaces are to be provided within the site. The number of spaces proposed is considered, by the Highway Authority, to be sufficient for the size and type of development proposed.

Cycle parking

14 cycle parking spaces are proposed to serve the development. This figure accords with the requirements set out in the Cheltenham Local Plan and is therefore considered acceptable.

Vehicle Tracking

Vehicle tracking has been provided that demonstrates that a HGV can safely access the development from Brook Road, manoeuvre through the internal layout of the proposed site and egress the development onto Tewkesbury Road. However, to achieve this the footway along Brook Road will be required to be narrowed slightly around the access radii. I have recommended a condition to cover these works.

Conclusion

In conclusion in terms of impact on the highway network, highway safety and good layout and design the development accords with current government guidance, National Planning Policy Framework, and I recommend that planning permission be granted subject to certain specified conditions being attached to any permission granted.

Contaminated Land Officer

1st February 2013

Suggest standard contaminated land planning condition be imposed on any permission granted

5. PUBLICITY AND REPRESENTATIONS

- 5.1 A total of 22 letters were sent out notifying near neighbours of the receipt of the application and in addition adverts were placed on site and in the local press. One letter referring to details of the cycle parking/storage proposed has been received.

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The main considerations relevant to this application relate to the consideration of the overall business package in respect of relocation of the applicants existing operations; the design and layout; any possible impact on neighbouring property; access and highway issues and sustainability.

6.2 Relocation of builders' merchants

6.2.1 The application site has been vacant for more than 5 years despite active and ongoing marketing. If planning permission is granted for the currently proposed redevelopment scheme, it would enable Travis Perkins to relocate from their existing site in Gloucester Road. The applicants have stated categorically that all jobs from the existing Travis Perkins branch will be retained.

6.2.2 The application proposes development that would constitute a form of sustainable economic development that would impact positively on the local economy and importantly retain local jobs. Such benefits meet the very thrust of the objectives behind the relatively recently published National Planning Policy Framework which contains a clear presumption in favour of sustainable development.

6.2.3 There is a direct link to planning application 13/00106/FUL that relates to Travis Perkins existing premises in Gloucester Road and a proposal to redevelop the whole site for residential purposes. The applications are inextricably linked and it is clear that both applications would need to secure planning permission for development of either site to occur.

6.2.4 The applicants consider that their existing site is now, unfortunately, not fit for purpose; the buildings are too large for modern day requirements and the site is too large

(2.52ha). Both those factors combine to make their current operation inefficient. The Tewkesbury Road site is 58% smaller and the proposed built floorspace is to be 54% less than at the applicant's current premises on Gloucester Road. The applicants state that such a reduction in size is a direct consequence of a purpose built builders merchant facility and will result in huge gains in site efficiency.

6.2.5 In terms of planning policy the redevelopment of a site that has been vacant for many years for commercial purposes is appropriate and to be welcomed.

6.3 Design and layout

6.3.1 In terms of massing scale and footprint the application proposals represent a significant reduction when compared with the existing building that is due to be demolished. Building is marginally (but not significantly) higher than the existing and with regard to external appearance, accepting the somewhat utilitarian nature of the use, it is simple clean and crisp and is considered to be of a high quality design that has the support of both the Civic Society and the Architects Panel.

6.3.2 The location of the proposed building along the Tewkesbury Road frontage provides a strong built form and visual presence thereby maintaining the existing urban grain on the south side of the road. The building will mask the open storage/display areas associated with a builders merchants and the separation distance between the proposed building and the houses in Brook Road has been increased from that existing allowing for any potential amenity impact to be reduced.

6.4 Impact on neighbouring property

6.4.1 As stated above the proposal provides reduced visual impact to the Brook Road frontage; the building remains at 2 storeys high and when viewed in the context of an established, vacant and what could be described as a semi-derelict site the proposal is considered to be acceptable.

It is of note that no letters of representation (other than one related directly to details of the cycle storage) have been received; it is considered that the proposed development should have no greater impact than the existing use would have if it were to be reinstated.

6.4.2 It should also be noted that the proposal in combination with that for the redevelopment of the applicant's current site at Gloucester Road has been the subject of a Community Involvement exercise. The results of that exercise have been submitted with the application as a statement covering the matter.

6.5 Access and highway issues

6.5.1 The comments of the Highway Authority are laid out in the consultation section above. It should be noted that the conclusions reached are that in terms of impact on the highway network, highway safety and good layout and design the development would accord with current government guidance and in particular with the National Planning Policy Framework. The Highway Officer recommends that planning permission should be granted (subject to conditions contained in the recommendation below).

6.6 Sustainability

6.7 A renewable energy statement has been submitted with the application that confirms that the proposed development will be constructed to be compliant with Building Regulations L. the proposed development accords with policies CP1 And CP£ of the Local

7. CONCLUSION AND RECOMMENDATION

It is considered that the proposal is clearly acceptable in principle and accords with relevant Local Plan Policies and the principles contained in the National Planning Policy Framework. In terms of a total package the redevelopment of the Bonnella Works, a commercial site that has been vacant for some years, as a relocation site for Travis Perkins combined with the development of the Gloucester Road for housing, the proposal would appear to be one that has a definite attraction in terms of development within the town.

It is recommended that permission be granted subject to the conditions listed below and the applicant entering into a section 106 Agreement linking the two permissions (13/00106/FUL – Residential development Gloucester Road and 13/00111/FUL current application) to ensure that the relocation does in fact take place and that the site on Gloucester Road is not simply implemented in isolation.

It should be noted that the demolition of the existing building does not form part of this proposal as prior approval for demolition has already been by way of a Prior Notification for Demolition, dated 12 January 2012.

8. CONDITIONS / INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
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 development hereby permitted shall be carried out in accordance with drawing numbers 21218-08A; 2128-05C; 2128-06E and 2128-50A received 23 January 2013 and 2128-07G received 20 March 2013.
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 Prior to the commencement of development, samples of the proposed facing materials (all composite cladding panels, metal fascia material, facing brickwork, windows and doors and the projecting frameless glazing) and composite roof panels shall be submitted to and approved in writing by the Local Planning Authority, and the materials used in the development shall be in accordance with the samples so approved.
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.
- 4 No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:
 1. Provide for the parking of vehicles of site operatives and visitors;
 2. Provide for the loading and unloading of plant and materials;
 3. Provide for the storage of plant and materials used in constructing the development;
 4. Provide for wheel washing facilities;
 5. Specify the intended hours of construction operations;
 6. Measures to control the emission of dust and dirt during construction

Reason: To reduce the potential impact on the public highway.

- 5 The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan (drawing no.2128/07 Rev.G) and those facilities shall be maintained for the duration of the development.
Reason: To ensure that adequate cycle parking is provided on-site, in line with the Government's declared aims at reducing the reliance on the private motor vehicle.
- 6 The building hereby permitted shall not be occupied until the vehicular parking and turning and loading/unloading facilities have been provided in accordance with the submitted plan (drawing No. 2128/07G), and those facilities shall be maintained available for those purposes for the duration of the development.
Reason: To reduce potential highway impact by ensuring that adequate parking and manoeuvring and loading/unloading facilities are available within the site.
- 7 No works shall commence on site until full engineering details of the vehicular accesses off both Tewkesbury Road and Brook Road including the footway narrowing on Brook Road and the closing off of the existing accesses have been submitted to and approved in writing by the Local Planning Authority. These works shall then be completed in all respects in accordance with those details before the development is brought into use and shall be maintained as such thereafter.
Reason: To ensure that safe and suitable means of access/egress is provided.
- 8 Prior to the commencement of any works on site an Arboricultural Method Statement (AMS) to BS 5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. The AMS shall detail the no-dig construction for parking area, footpaths and roads that fall within the root protection area of TPO'd trees; foundation details for properties near to TPO'd trees on and adjacent to the site; storage of materials and siting of temporary structures for contractors and any access facilitations pruning. The development shall be implemented strictly in accordance with the details so approved.
Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.
- 9 Tree protective fencing shall be installed in accordance with the specifications set out within BS 5837:2012. The fencing shall be erected, inspected and approved in writing by the Local Planning Authority prior to the commencement of any works on site (including demolition and site clearance) and shall remain in place until the completion of the construction process.
Reason: In the interests of local amenity, in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.
- 10 Prior to the commencement of any works on site a Tree Protection Plan (TPP) to BS5837:2005 shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall detail the methods of tree/hedge protection and clearly detail the positioning and specifications for the erection of tree protective fencing. The development shall be implemented strictly in accordance with the details so approved.
Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.
- 11 No fires shall be lit within 5m of the Root Protection Area(s) and materials that will contaminate the soil such as cement or diesel must not be discharged within 10m of the tree stem. Existing ground levels shall remain the same within the Root Protection Area(s) and no building materials or surplus soil shall be stored therein. No trenches for services or drains shall be sited within the crown spread of any trees to be retained.
Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

- 12 All service runs shall fall outside the Root Protection Area(s) unless otherwise agreed in writing by the Local Planning Authority. Any such works shall be in accordance The National Joint Utilities Group; Volume 4 (2007).
Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.
- 13 All paths, parking areas and other forms of hard landscaping that fall within the Root Protection Area(s) shall be constructed using a no-dig method. Prior to the commencement of development, full details of the proposed no-dig method shall be submitted to and approved in writing by the Local Planning Authority and the development shall be implemented strictly in accordance with the details so approved.
Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.
- 14 The landscaping proposal shall be carried out no later than the first planting season following the date when the development is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. The scheme shall specify species, density, planting size, layout, protection, aftercare and maintenance. The size of the trees shall be at least a Selected Standard as per BS 3936-1:1992. The trees shall be maintained for 5 years after planting and should they be removed, die, be severely damaged or become seriously diseased within this period they shall be replaced with another tree as originally required to be planted.
Reason: To preserve the visual amenities of the locality in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.
- 15 The development hereby approved shall not commence on site until the following condition has been complied with and satisfactorily agreed, in writing, by the Local Planning Authority.

i) Site characterisation

A site investigation and risk assessment should 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 is subject to the approval in writing of the Local Planning Authority. The report must 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.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'

ii) Submission of a remediation scheme

Where remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use should be produced and will be subject to the approval, in writing, by the Local Planning Authority prior to implementation. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must 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.

iii) Implementation of approved remediation scheme

Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of the development, other than that required to carry out remediation. Following completion of measures identified in any approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval, in writing, by the Local Planning Authority.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination until section iv) has been complied with in relation to that contamination.

iv) Reporting of unexpected contamination

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 immediately in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with section i) and a remediation scheme submitted in accordance with section ii). Following completion of measures identified in the approved remediation scheme, a verification report must be produced in accordance with section iii).

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 Local Plan Policy NE4 relating to development on contaminated land.

- 16 Prior to the commencement of development, the surface water drainage system shall be designed in accordance with the principles of Sustainable Drainage Systems (SUDS). This shall include a maintenance strategy and full details (including calculations) shall be submitted to and approved by the Local Planning Authority. Prior to the first occupation of any part of the development, the surface water drainage system shall be completed in all respects in accordance with the details approved and shall be retained as such thereafter.

Reason: To ensure the surface water drainage system does not contribute to flooding or pollution of the watercourse in accordance with Local Plan Policy UI3 relating to sustainable drainage systems.

- 17 Deliveries of materials to the builders merchants hereby approved shall only take place on weekdays (Mondays to Fridays inclusive) and shall not take place at any time at the weekend.

Reason. To safeguard the amenities of occupiers of nearby residential properties in the locality in accordance with Local Plan Policy CP4 relating to safe and sustainable living

INFORMATIVES

- 1 The proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority, is not in conflict with the following policies:

a) The proposal achieves a high standard of design which will complement and respect neighbouring development and the character of the locality - Policy CP7 (Design)

- b) The proposed development will not cause and unacceptable harm to the amenity of adjoining land users - Policy CP4 (Safe and sustainable living)
- c) The proposed development will not compromise highway safety - Policy TP1 (Development and highway safety)

The planning permission is subject to a legal agreement linking the proposal to the redevelopment of the existing Gloucester Road builders' merchants' premises (approved under ref: 13/00106/FUL)

- 2 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 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.