

**REVISED ADOPTED CHELTENHAM URBAN DESIGN FRAMEWORK  
SUPPLEMENTARY PLANNING DOCUMENT TECHNICAL APPENDIX – ROYAL  
WELL DEVELOPMENT BRIEF 2013 REVISIONS**

**STATEMENT OF MAIN ISSUES RAISED THROUGH PUBLIC CONSULTATION**

**FEBRUARY 2013**

## **1.0 Introduction**

- 1.1 Under the Planning and Compulsory Purchase Act 2004<sup>1</sup> a local planning authority shall not adopt a Supplementary Planning Document (SPD) until:
- Representations made in respect of the draft SPD have been considered;
  - A statement is prepared setting out a summary of the main issues raised in these representations and how these main issues have been addressed in the SPD which it is intended to adopt
- 1.2 This document sets out the main issues raised through public consultation on the draft revised Cheltenham Urban Design Framework Supplementary Planning Document Technical Appendix – Royal Well Development Brief 2013 Revisions. It also sets out how these issues were addressed in revising the SPD for adoption.
- 1.3 Consultation on the revised Development Brief took place between 22<sup>nd</sup> October 2012 and 3<sup>rd</sup> December 2012. Responses to this consultation and the correspondingly amended Development Brief were considered by Cabinet on 15<sup>th</sup> January 2013. The Cabinet report and minutes of the meeting are attached at Annex 1.
- 1.4 In total of six responses were received by the deadline, these made eight different comments in total on the draft Revisions Development Brief and none on the Sustainability Appraisal Report. The complete set of comments and responses is contained in the response report attached at Annex 2. They resulted in one change a requirement that the quality and quantum of bus stop/interchange provision is agreed with appropriate stakeholders and that facilities are commensurate with the nature of that provision.
- 1.5 The proposed amendment went to Cabinet with the following recommendation from the Cabinet Member for Built Environment:
- “That Cabinet recommends to Council the adoption for planning purposes of the schedule of revisions to the Royal Well Development Brief part of the Cheltenham Civic Pride Urban Design Framework Supplementary Planning Document as set out at Appendix 2 to this report.”
- 1.6 Following the approval of Cabinet, the final version of the SPD and Development Brief went to Council on 8<sup>th</sup> February 2013 with a recommendation to adopt the documents. The Council report and the minutes of the meeting are attached at Annex 3. Council adopted the documents on the 8<sup>th</sup> February 2013 and they now form an adopted part of Cheltenham’s Local Development Framework.

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<sup>1</sup> Regulation 18(4)(b) of the Town & Country Planning (Local Development) (England) Regulations 2004 (as amended).

## **Annex 1**

**Cabinet Report 15<sup>th</sup> January 2013**  
**(extracts – main report and appended schedule of changes)**

# **Cheltenham Borough Council**

**Cabinet – 15<sup>th</sup> January 2013**

## **Adoption of Amendments to Cheltenham Civic Pride Urban Design Framework**

### **Technical Appendix Royal Well Development Brief**

<b>Accountable member</b>	<b>Councillor Andrew McKinley</b>
<b>Accountable officer</b>	<b>Wilf Tomaney – Townscape Manager</b>
<b>Ward(s) affected</b>	<b>Lansdown</b>
<b>Key Decision</b>	<b>No</b>
<b>Executive summary</b>	<p>Cabinet is being asked to recommend to Council that it adopts a set of revisions to the Royal Well Development Brief (the Brief).</p> <p>The Brief is a technical appendix to the Cheltenham Civic Pride Urban Design Framework Supplementary Planning Document (the SPD). The Revisions are listed at Appendix 2. They arise from a need to correct inconsistencies between the Brief and the parent SPD in order to clarify the planning position should the site progressing to market.</p> <p>The draft Revisions were approved for consultation at Cabinet on 25<sup>th</sup> September 2012 and have since been through a statutory consultation process. There were six responses received by the deadline, making eight different comments, not all of which related to the draft changes. Of 4 objections only 1 related to a change; the remaining 4 were no comment/no objection. They are listed at Appendix 3, with suggested responses.</p>
<b>Recommendations</b>	<b>That Cabinet recommends to Council the adoption for planning purposes of the schedule of revisions to the Royal Well Development Brief part of the Cheltenham Civic Pride Urban Design Framework Supplementary Planning Document as set out at Appendix 2 to this</b>

	<b>report.</b>
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<b>Financial implications</b>	<p>No direct financial implications in terms of the schedule of revisions to the Royal Well Development Brief as set at Appendix 2 as the basis for public consultation.</p> <p><b>Contact officer: Paul Jones, paul.jones@cheltenham.gov.uk, 01242 775154</b></p>
<b>Legal implications</b>	<p>The Council is acting in its capacity of Local Planning Authority and only planning considerations must be taken into account. The SPD will provide the advice to potential developers as to how the Local Planning Authority would generally see the site being developed</p> <p><b>Contact officer: Gary Spencer, gary.spencer@teWKesbury.gov.uk, 01684 272699</b></p>
<b>HR implications (including learning and organisational development)</b>	<p>No direct HR implications arising as a result of the content of this report</p> <p><b>Contact officer: Julie McCarthy, julie.mccarthy@cheltenham.gov.uk, 01242 264355</b></p>
<b>Key risks</b>	<p>If the Royal Well Brief remains unaltered, it will result in lack of clarity in the planning policy environment and uncertainty on the part of the market affecting key objectives around the delivery of Civic Pride and management of the Council's assets.</p>
<b>Corporate and community plan Implications</b>	<p>The Royal Well Development Brief is part of the suite of Technical Appendices attached to the Civic Pride SPD. The Council's Corporate Plan commits the Council to "making progress" on Civic Pride sites as part of its Environmental objective outcomes. It is considered that the proposed revisions clarify the potential contradiction between the SPD and the Brief and make clear the Council's planning objectives as its asset management arm begins to seek alternative uses for the Municipal Offices.</p>

<b>Environmental and climate change implications</b>	<p>No direct implications. However, the indications are that the traffic management elements of the Civic Pride project will have carbon emission savings. Any new building resulting from development as part of the Brief will be expected to meet high standards of sustainable design and development.</p>
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## 1. Background

**1.1** On 28th July 2008 the Royal Well Development Brief (the Brief) – which includes the Municipal Offices - was adopted by the Council as a technical appendix to the Civic Pride Urban Design Framework Supplementary Planning Document (SPD) within the Local Development Plan (LDF).

**1.2** In September, Cabinet approved consultation on nine specific wording changes covering three main areas:

**1.2.1** the type of uses deemed to be acceptable;

**1.2.2** the role of the Municipal Offices Heritage Assessment September 2010 in the design and decision-making process; and

**1.2.3** the nature of bus interchange provision and the work emerging from the Local Sustainable Transport Fund.

**1.3** As discussed in September, the changes are necessary for a number of reasons:

**1.3.1** There is an inconsistency between the Brief and the SPD in the description of acceptable uses.

The SPD in listing suitable uses on the site uses phrasing which is not exclusive, in that it offers an example list of suitable uses but does not exclude other suitable uses. The example list mentions retail as an option.

By contrast, the Brief lists a range of uses which “will be provided”. The phrasing here is exclusive i.e. it appears not to allow any uses other than those listed. Contrary to the SPD,

the Brief's list does not include "retail".

**1.3.2** The introduction of the National Planning Policy Framework (NPPF) in March 2012, introduced a "non-exclusive" approach to town centre uses – its range of suitable town centre uses includes retail, leisure, commercial, office, tourism, cultural, community and residential. The SPD is broadly consistent with the NPPF; the Brief's approach is less consistent.

**1.3.3** The economic slump and other factors have led to questions as to whether the Brief, as adopted, can effectively be delivered. The Cheltenham Development Task Force has particular concerns at the lack of clarity around the inclusion of retail or otherwise as a suitable use for the Royal Well site – and specifically for the Municipal Offices. It considers it important that retail is not excluded as an option.

**1.3.4** Since the adoption of the SPD and Brief, a Heritage Assessment has been completed for the Municipal Offices (September 2010). This will be an important consideration both in preparing and assessing proposals for the site. It is referred to in the SPD as "currently being commissioned" but is absent from the Brief. The Brief is the document which establishes the detail on which proposals will be assessed and the lack of any mention of the Heritage Assessment is considered a serious omission.

**1.3.5** The Brief sets out a specific requirement for 6 bus stops on the Royal Well site. The SPD is more circumspect, indicating that further analysis needs to be undertaken to establish exactly what is needed. In fact, the emergence of revised North Place brief identified Warwick Place as an alternative for some of this provision and work on the Local Sustainable Transport Fund and its Cheltenham transport plan means consideration of the precise residual bus requirement in the Royal Well area is on-going. As such, the Brief can now be less specific; the SPD can remain as it is.

**1.4** Thus the aim of the draft revisions was very specifically to focus on nine wording changes to the Brief only (there are no changes to the SPD) the main aims of which are:

**1.4.1** To make the wording around use less exclusive - enabling consideration of options which

include retail, or indeed other appropriate town centre uses not listed. This reflects the altered policy environment of the NPPF, recognises the altered state of the market and establishes a consistency between the SPD and the Brief;

**1.4.2** To clarify the existence and role of the Municipal Offices Heritage Assessment September 2010;

**1.4.3** To allow solutions to the bus interchange and traffic management issue to emerge in a more pragmatic manner, reflecting the shifting circumstances.

**1.5** As part of the adoption of the altered Brief it would be wise to update matters of fact (e.g. the status of the planning policy framework etc.). Any such changes are minor alterations and do not need to be consulted on.

**1.6** Since September Cabinet, the Draft Revisions have been through a public consultation process – detailed in section 5, below. The process conforms to the requirements of the Cheltenham Borough Council Statement of Community Involvement (adopted October 2006) and the *Town and Country Planning (Local Planning) (England) Regulations*, which between them set out the consultation requirements of the Borough and the Government in respect of SPD adoption.

## **2. Reasons for recommendations**

**2.1** The recommendation is necessary because only full Council can formally adopt or alter an SPD.

**2.2** The recommendation refers to Appendix 2 which lists the proposed revisions. Officers are suggesting one alteration to the revisions set out in draft in September – a requirement that the quality and quantum of bus stop/interchange provision is agreed with appropriate stakeholders and that facilities are commensurate with the nature of that provision.

## **3. Alternative options considered**

**3.1** Officers considered a more wide-ranging update of the Brief and the SPD. This was rejected because experience with the North Place/Portland Street Development Brief, where both Brief and SPD were the subjects of a substantial redraft, suggested that the process was both confusing for the public, cumbersome and long-winded. It was felt that it should be avoided if



possible.

- 3.2** Officers considered making no alterations to either Brief or SPD. This was rejected because there were contradictions between the two, with the SPD more closely reflecting what is required. Officers considered that had the site not included a substantial and important Council owned building it would have been possible to deal with proposals without making changes to the Brief – using the emergence of the NPPF and other changes identified to justify the approach. However, given the importance of the Municipal Offices to the delivery of the Brief, it was felt that the changes should be made and publicised in the interests of openness.

## **4. Consultation and feedback**

- 4.1** Consultation lasted from 22<sup>nd</sup> October to 3<sup>rd</sup> December. It included:

**4.1.1** A press release

**4.1.2** Consultation documents available on-line and at the Municipal Offices, all libraries and neighbourhood resource centres

**4.1.3** A public notice in the Echo

**4.1.4** Letters to all on the LDF consultation list (in excess of 1,000 people) and to statutory undertakers

**4.1.5** An invite to meet officers and discuss the draft revisions in the Municipal Offices. This was attended by 8 members of the public, Councillor Thornton and three officers. A reporter from the Echo was present throughout – though there was no subsequent story directly related to the Brief.

- 4.2** In total of six responses were received by the deadline, these made eight different comments in total. There were four comments seeking alterations (i.e. objecting) to the Brief's approach the Royal Well/Municipal Offices. However only one of these related to proposed changes which were available for comment; the remaining 3 addressed issues outside the changes and as such are not valid. The remaining 4 responses were effectively "no comment". Additionally, English

Heritage (EH) submitted a “no comment” outside the consultation timeframe; this has been included in the analysis for information only because EH is a statutory body with an important brief in this area.

- 4.3** Whilst this is a small number of responses, the consultation was on technical matters of detail; many of the broader issues were established in the 2008 SPD and Brief and were not open for comment.
- 4.4** A schedule of written comments and officers’ suggested response to each is at Appendix 3. The one valid objection has given rise to a suggested further revision – which officers consider adds more clarity a requirement that the quality and quantum of bus stop/interchange provision is agreed with appropriate stakeholders and that facilities are commensurate with the nature of that provision. It ties in with comments made by others.
- 4.5** The public meeting was small but there was a lively debate. The main questions relevant to the consultation were around the suitability of retail uses in the Municipal Offices. Other issues raised were not part of the consultation, including the suitability of hotel use in the Municipal Offices and a discussion of appropriate architectural style.

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

- 5.1** The delivery of Civic Pride (and consequently, the SPD and Brief) is an outcome emerging from the Council’s Corporate Plan objectives. As such it is a subject to regular review.

<b>Report author</b>	<b>Contact officer: Wilf Tomaney, <a href="mailto:wilf.tomaney@cheltenham.gov.uk">wilf.tomaney@cheltenham.gov.uk</a>, 01242 264145</b>
<b>Appendices</b>	1. Risk Assessment 2. Schedule of Proposed Revisions 3. Schedule of comments received and suggested response
<b>Background information</b>	1.

## Schedule of changes to the Royal Well Development Brief

## Appendix 2

Civic Pride Urban Design Framework – technical appendix – Royal Well Development Brief, Revisions January 2013

Change No.	Original Text	Text Change	Reasoned Justification
i	Pg. 4, 1.7, (Main Objectives) "c. Creates a lively mixed-use, residential and commercial hub which will activate..."	Underlined text inserted "C. Creates a lively mixed-use, residential and commercial hub which <u>could include retail, office and or hotel uses and will activate...</u> "	The insertion of this text is intended to increase the readability of the document by stating early on some potential uses for the site. These uses are also listed later in the development brief in section (3.2e) "Development Principles, Land Use". And are given a more detailed reasoned justification in section (v) on page two of this document.
ii	Pg. 9, 2.9, (Constraints) "c. Vehicular Circulation needs to be considered within a wider town centre context."	Underlined text inserted "C. Vehicular Circulation needs to be considered within a wider town centre context <u>as part of the network changes arising from the Gloucestershire County Council successful Local Sustainable Transport Fund Bid in 2012.</u> "	Any potential new development of the site will need to take into account the implications of public transport network changes arising from the successful bid. This is an area of recent local change which it is important that prospective site developers be aware of.
iii	Pg. 9, 2.9, (Constraints) "f. 6 bays for bus/coach interchange..."	Deleted: "f. 6 bays for bus/coach interchange..." Replaced with: "f. Bus bays for bus/coach interchange must be sited on this part of the bus spine. <u>Bus bays will be provided of sufficient number and type to meet the emerging requirements of the Cheltenham Transport Plan and those of the bus and coach operators; the quality and range of associated facilities will be consistent with the nature of the facility provided. Details will be agreed with the Highway Authority and appropriate stakeholders.</u> "	We feel that given the potential implications of the successful bid, the brief should not be so prescriptive as to the number of bays to be included. This flexibility will be useful in matching the provision to the requirements of any proposed scheme. Following detailed transport modelling work there has been an examination of opportunities to relocate Royal Well bus bays, currently serving the national coaches and rural services to the town. These bays, when relocated, will cater for services with a stopping time of no longer than 20 minutes. It is proposed that these bays are located at the southern end of the North Place/Portland St site, and will be in addition to the stops located along the proposed "bus spine" which will cater for the urban services. During Consultation on draft revisions comments were made regarding the quality of both the bus-waiting to be provided and any associated facilities. Further changes reflect these concerns.

iv	Pg. 12, 3.2, (Land Use) “The following uses will be provided”	Deleted: “will be provided” Replaced with: <u>“could be considered”</u>	The removal of the words “will be provided” and replacement with the words “could be considered” is more consistent with the principles in National Planning Policy Framework paragraph 14 to adopt the golden thread of a “presumption in favour of sustainable development” and “positively seeking opportunities to meet the development needs of the area”. We felt that the language in this part of the brief was overly prescriptive and did not properly allow for alternative sustainable proposals.
v	Pg. 12, 3.2, (Land Use) “e. Commercial Development (Use Class B1)”	Deleted: “e. Commercial Development (Use Class B1)” Replaced with: <u>“Commercial development including retail and/or office space”</u>	Evidence from the North Place & Portland Street development brief (another technical appendix of the Civic Pride Urban Design Framework Supplementary Planning Document) has indicated that less tightly defined outcomes could provide the impetus to investor interest, particularly in light of the current market conditions and government austerity programme. The opportunity for speculative office build is perceived as particularly challenging in the current market; however the Borough Council does not wish to rule it out if it is deliverable. Consequently, the Brief introduces opportunities for a wider range of commercial development on the site (e.g. office, retail etc.) along with a range of other potential uses. This approach is also consistent with National Planning Policy Framework paragraphs 21 and 23 which require planning policies to be flexible and promote competitive town centre environments.
vi	Pg. 12, 3.3, (Design Principles) “d. Sustainable movement choices will be maximised by the delivery of bespoke townwide bus infrastructure – the spine and 6 bus pull-in bays...”	Deleted: “bespoke townwide bus infrastructure – the spine and 6 bus pull-in bays...” Replaced with: <u>“the local sustainable transport bid with a bus spine and bus pull in bays”</u>	This text was changed so as to be consistent with changes (ii) and (iii) on page 1 of this document.
vii	Pg 16, 3.3 (Design Principle C – Design Quality) “g.i. it respects historic character of the main building and enables its historic form to be understood...”	Underlined text inserted: “...it respects and enhances the historic character of the main building in a manner consistent with the Municipal Offices Heritage Assessment September 2010 and enables its historic form to be understood...”	This text is altered because the Heritage Assessment has been prepared since the original brief was adopted and will be an important part of designing and assessing proposals for the Municipal Offices building. Designers and developers need to be clear on its existence and importance in the process.

viii	Pg. 17 (Design Principle D Movement) “e.... There will be provision for six pull – in bays.”	Deleted: “There will be provision for six pull – in bays.” Replaced with: <u>Bus bays will be provided of sufficient number and type to meet the emerging requirements of the Cheltenham Transport Plan and those of the bus and coach operators; the quality and range of associated facilities will be consistent with the nature of the facility provided. Details will be agreed with the Highway Authority and appropriate stakeholders.</u> “	This text was changed so as to be consistent with changes (ii) and (iii) on page 1 of this document.
ix	Pg 19 (Planning and Related Applications) “...planning applications must be ...accompanied by...”	Add the following to the list of accompanying documents: “ <u>A description of the proposals assessed against the Municipal Offices Heritage Assessment September 2010</u> ”	This text is altered because the Heritage Assessment has been prepared since the original brief was adopted and will be an important part of designing and assessing proposals for the Municipal Offices building. Designers and developers need to be able to clearly explain how they have addressed the Plan in their proposals.

## EXTRACT FROM CABINET MINUTES 15<sup>TH</sup> JANUARY 2013

[Amendments to Cheltenham Civic Pride Urban Design Framework Technical Appendix Royal Well Development Brief](#) PDF 116 KB

[View the background to item 11.](#)

[View the decision for item 11.](#)

Report of the Cabinet Member Built Environment

### **Additional documents:**

[2013 01 15 CAB Royal Well Development Brief App3 , item 11.](#) PDF 71 KB

### **Minutes:**

The Cabinet Member Built Environment introduced the report which sought technical revisions to the Royal Well Development Brief. The Brief is a technical appendix to the Cheltenham Civic Pride Urban Design Framework Supplementary Planning Document. The revisions, listed in Appendix 2, arose from the need to correct inconsistencies between the Brief and the parent SPD in order to clarify the planning position when progressing the site to market.

The Cabinet Member explained that the aim of the draft revisions was to focus on wording changes to the Brief. The main aims of this were to make the wording around use less exclusive, reflecting the altered policy environment of the National Planning Policy Framework and the altered state of the market. It also established a consistency between the SPD and the Brief; and clarified the existence and role of the Municipal Offices Heritage Assessment September 2010; and allowed solutions to the bus interchange and traffic management issue to emerge in a more pragmatic manner.

### **RESOLVED**

**To recommend to Council the adoption for planning purposes of the schedule of revisions to the Royal Well Development Brief part of the Cheltenham Civic Pride Urban Design Framework Supplementary Planning Document as set out at Appendix 2 to this report.**

## **Annex 2**

### **Development Brief and SA Response Reports**

## Appendix 3 Royal Well Development Brief: Schedule of Comments Received 22nd October - 3rd December 2012

Document Part Name					Change iii
Ref	Name	Organisation	Comment	Officer Response	Change
7	Mike Lambden	National Express	The proposed change of the words on Page 9, 2.9 (f) sound fine in principle. However the word 'sufficient' is very open to interpretation and what a developer may regard as sufficient may not be the same as what transport providers would regard as 'sufficient' It is also not just the number of bays but also ensuring that they are adequate for all types of bus and coach, fully accessible to meet the requirements of Disability legislation and are safe to use for both the public and transport operators.	Agreed.	Change Alter the revised wording of para 2.8 f and of Design Principle D paragraph e. to read  "Bus bays will be provided of sufficient number and type to meet the emerging requirements of the Cheltenham Transport Plan and those of the bus and coach operators; the quality and range of associated facilities will be consistent with the nature of the facility provided. Details will be agreed with the Highway



Ref	Name	Organisation	Comment	Officer Response	Change
					<u>Authority and appropriate stakeholders.</u>

## Document Part Name

## General Comments

Ref	Name	Organisation	Comment	Officer Response	Change
1	Barbara Morgan	Network Rail	Upon the review of this document, Network Rail has no comments to make.	Noted.	No Change
2	Mr M Jones		Royal Well: The present use and layout for country bus/coach arrivals is excellent because (a) they can arrive and depart easily from all directions without causing congestion to existing traffic flow.(b) the fine trees, Royal Crescent itself and the open space provide an attractive location for visitors to admire our Regency architecture whilst waiting for buses to arrive/depart. (c) Its central location is near the Promenade--another advantage for visitors to the town. (d) the existing toilets are adequate and well situated. I would add that my comments are based on my frequent use of the bus station over many years and will, I hope, receive your serious consideration.	Noted. The Brief adopted in 2008 established the principle of altering the layout of the current Royal Well area. The draft revisions do not relate to the principle of the layout, but to the number of bus bays which need to be provided after development. Therefore the comment therefore outside the scope of the consultation. Notwithstanding this, the brief does not establish a detailed layout. Thus, regarding point (a) it is anticipated that the strategic changes to the highway network will improve access and reduce congestion. Regarding points (b) & (c), the intention is that there will be an improved setting to the area and easier pedestrian access to the	Change Alter the revised wording of para 2.8 f and of Design Principle D paragraph e. to read "Bus bays will be provided of sufficient number and type to meet the emerging requirements of the <u>Cheltenham Transport Plan</u> and those of the bus and coach operators: <u>the quality and range of associated facilities will be consistent with the nature of the facility</u>

Ref	Name	Organisation	Comment	Officer Response	Change
3	Diana Brown		<p>I urge the Task Force committee members to respect the current use of these prestigious buildings as a fitting 'home' for the Cheltenham Borough Council and its allied departments. The leaders of this fine town should be aware of the appropriateness of this centrally situated site which is well regarded by the townspeople and visitors alike. The general public's perception of the importance of our elected leaders' role in the town is directly proportional to the important site in which they function. The proximity of the often flower bedecked building to the Long Gardens and War Memorial is a major factor in our civic pride. If we allow this area to be taken over and run by commercial bodies, either for hotel, shops or flats, we will inevitably see a degeneration of the overall aspect of The Promenade ie. a loss of the unique juxtaposition of popular quality shops with calm oases of walking and sitting areas and unimpeded views of an unspoilt Regency terrace. I have spoken to many Cheltenham residents who are not up-to-date with current proposals and ,without exception, they have voiced identical concerns about the about the possible changes of use of the Municipal Buildings. Please do not allow this to happen without thorough public consultations and in-depth discussions with architects and Heritage bodies.</p>	<p>town. Regarding point (d) there will be a need to provide appropriate waiting facilities and an appropriate alteration can be incorporated here.</p> <p>Noted.</p> <p>The Brief adopted in 2008 established the principle of alternative uses for the Municipal Offices if the Borough Council was to relocate. The current consultation does not seek to alter this but relates to the nature of possible alternative uses. Both hotel and residential uses formed part of the 2008 document, and are not proposed to be altered here. The introduction of an opportunity for retail is consistent with the more inclusive approach of the recently adopted National Planning Policy Framework.</p> <p>There is protection for the heritage aspects of the present Municipal Offices buildings through its Historic Assessment, consideration of which is now proposed to be specifically written into the Brief under other changes to the document.</p> <p>There are no changes proposed to the character of the Long Gardens and it is suggested that improved open space is established in Royal Well.</p>	<p>provided. Details will be agreed with the Highway Authority and appropriate stakeholders.</p> <p>No Change</p>



Ref	Name	Organisation	Comment	Officer Response	Change
4	Neil Chapman (Highways Agency)	Highways Agency	The Highways Agency has no further comments to make on the above consultation.	Noted.	No Change
5	Mike Lambden	National Express	We have had detailed discussions about the proposed Bus Node in North Place and in principle are in agreement with moving our services there if this is built as currently planned. However this is 'chicken and egg' because if any delay, or significant changes, occur to the North Place scheme it may not meet our requirements or may raise safety issues. We are aware that the plans are currently going through the formal consultation process and that there have been a large number of comments from local residents about the overall scheme. Any amendments could possibly affect what has been discussed for the current bus node design. Therefore we believe that the bus and coach requirements at Royal Well cannot be considered in isolation.	Noted. This Brief cannot consider the implications of the proposals for development at North Place. However, the reason for the draft changes regarding the bus node is to allow any proposal to address and accommodate the fluid situation around the requirements for any provision and it is appropriate to alter the text in order that a range of circumstances can be considered.	Change Alter the revised wording of para 2.8 f and of Design Principle D paragraph e. to read <u>"Bus bays will be provided of sufficient number and type to meet the emerging requirements of the Cheltenham Transport Plan and those of the bus and coach operators: the quality and range of associated facilities will be consistent with the nature of the facility provided. Details will be agreed with the Highway Authority and appropriate stakeholders."</u>
6	Jamie R. Melvin	Natural England	The consultation which we have been offered the opportunity to comment on is of a low risk/priority for Natural England and so we will not be offering representations at this time. The lack of further	Noted. The draft changes do not specifically address the natural environment. The proposals are likely to offer opportunities	No Change

Ref	Name	Organisation	Comment	Officer Response	Change
			comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may be able to make comments that will help the Local Planning Authority (LPA) to fully take account of the environmental value of areas affected by this plan in the decision making process.	to improve the green environment of Royal Weill and other planning policy offers appropriate levels of protection in this area. The involvement of a variety of stakeholders in proposals as they develop in detail and become a planning application will further offer opportunities for flora and fauna to be considered.	
8	Caroline Power (English Heritage)	English Heritage	English Heritage have no wish to comment on the above document.	Noted.	No change.
9	Mr M Jones		Municipal Offices:- I think the present use of these fine buildings should be retained as the cost of relocation and general upheaval would be colossal and also because their present central location is ideal, affording easy access by bus or car besides the important 'prestige factor'.	The Brief adopted in 2008 established the principle of alternative uses for the Municipal Offices if the Borough Council was to relocate. The current consultation does not seek to alter this but relates to the nature of possible alternative uses. It is not the purpose of the Brief to set criteria for the assessment of alternative locations for the Borough Council's main office and the planning process cannot consider the cost and upheaval of any move to the Council. But, notwithstanding that, a search for alternatives is likely to consider issues such as easy access and the appropriate prestige of any new location.	No Change

Report run at 19 Dec 2012 17:16:20. Total records: 9.

## **Annex 3**

**Council Report 13 December 2010  
(extract – main report)**

**Cheltenham Borough Council**  
**Council – 8<sup>th</sup> February 2013**  
**Adoption of Amendments to Cheltenham Civic Pride Urban Design Framework**  
**Technical Appendix Royal Well Development Brief**

<b>Accountable member</b>	<b>Councillor Andrew McKinley</b>
<b>Accountable officer</b>	<b>Wilf Tomaney – Townscape Manager</b>
<b>Ward(s) affected</b>	<b>Lansdown</b>
<b>Key Decision</b>	<b>No</b>
<b>Executive summary</b>	<p>Council is recommended to adopt a set of revisions to the Royal Well Development Brief (the Brief). Cabinet agreed the recommendation at its meeting on 15<sup>th</sup> January 2013. Supplementary Planning Documents (or alterations thereto) can only be adopted by a resolution of full Council.</p> <p>The Brief is a technical appendix to the Cheltenham Civic Pride Urban Design Framework Supplementary Planning Document (the SPD). The Revisions are listed at Appendix 2. They arise from a need to correct inconsistencies between the Brief and the parent SPD in order to clarify the planning position should the site progressing to market.</p> <p>The draft Revisions were approved for consultation at Cabinet on 25<sup>th</sup> September 2012 and have since been through a statutory consultation process. There were six responses received by the deadline, making eight different comments, not all of which related to the draft changes. Of 4 objections only 1 related to a change; the remaining 4 were no comment/no objection. They are listed at Appendix 3, with suggested responses.</p>
<b>Recommendations</b>	<b>That Council adopts for planning purposes of the schedule of revisions to the Royal Well Development Brief part of the Cheltenham Civic Pride Urban Design Framework Supplementary Planning</b>

	<b>Document as set out at Appendix 2 to this report.</b>
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<b>Financial implications</b>	<p>No direct financial implications in terms of the schedule of revisions to the Royal Well Development Brief as set at Appendix 2 as the basis for public consultation.</p> <p><b>Contact officer: Paul Jones, paul.jones@cheltenham.gov.uk, 01242 775154</b></p>
<b>Legal implications</b>	<p>The Council is acting in its capacity of Local Planning Authority and only planning considerations must be taken into account. The SPD will provide the advice to potential developers as to how the Local Planning Authority would generally see the site being developed</p> <p><b>Contact officer: Gary Spencer, gary.spencer@teWKesbury.gov.uk, 01684 272699</b></p>
<b>HR implications (including learning and organisational development)</b>	<p>No direct HR implications arising as a result of the content of this report</p> <p><b>Contact officer: Julie McCarthy, julie.mccarthy@cheltenham.gov.uk, 01242 264355</b></p>
<b>Key risks</b>	<p>If the Royal Well Brief remains unaltered, it will result in lack of clarity in the planning policy environment and uncertainty on the part of the market affecting key objectives around the delivery of Civic Pride and management of the Council's assets.</p>
<b>Corporate and community plan Implications</b>	<p>The Royal Well Development Brief is part of the suite of Technical Appendices attached to the Civic Pride SPD. The Council's Corporate Plan commits the Council to "making progress" on Civic Pride sites as part of its Environmental objective outcomes. It is considered that the proposed revisions clarify the potential contradiction between the SPD and the Brief and make clear the Council's planning objectives as its asset management arm begins to seek alternative uses for the Municipal Offices.</p>

<b>Environmental and climate change implications</b>	No direct implications. However, the indications are that the traffic management elements of the Civic Pride project will have carbon emission savings. Any new building resulting from development as part of the Brief will be expected to meet high standards of sustainable design and development.
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## 1. Background

**1.1** At its meeting on 15<sup>th</sup> January 2013, Cabinet agreed to recommend to Council the adoption of a schedule of revisions to the Royal Well Development Brief, part of the Cheltenham Civic Pride Urban Design Framework Supplementary Planning Document. The schedule of revisions is at Appendix 2 to this report; the background to the revisions is set out below.

**1.2** On 28th July 2008 the Royal Well Development Brief (the Brief) – which includes the Municipal Offices - was adopted by the Council as a technical appendix to the Civic Pride Urban Design Framework Supplementary Planning Document (SPD) within the Local Development Plan (LDF).

**1.3** In September, Cabinet approved consultation on nine specific wording changes covering three main areas:

**1.3.1** the type of uses deemed to be acceptable;

**1.3.2** the role of the Municipal Offices Heritage Assessment September 2010 in the design and decision-making process; and

**1.3.3** the nature of bus interchange provision and the work emerging from the Local Sustainable Transport Fund.

**1.4** As discussed in September, the changes are necessary for a number of reasons:

**1.4.1** There is an inconsistency between the Brief and the SPD in the description of acceptable uses.

The SPD in listing suitable uses on the site uses phrasing which is not exclusive, in that it



offers an example list of suitable uses but does not exclude other suitable uses. The example list mentions retail as an option.

By contrast, the Brief lists a range of uses which “will be provided”. The phrasing here is exclusive i.e. it appears not to allow any uses other than those listed. Contrary to the SPD, the Brief’s list does not include “retail”.

**1.4.2** The introduction of the National Planning Policy Framework (NPPF) in March 2012, introduced a “non-exclusive” approach to town centre uses – its range of suitable town centre uses includes retail, leisure, commercial, office, tourism, cultural, community and residential. The SPD is broadly consistent with the NPPF; the Brief’s approach is less consistent.

**1.4.3** The economic slump and other factors have led to questions as to whether the Brief, as adopted, can effectively be delivered. The Cheltenham Development Task Force has particular concerns at the lack of clarity around the inclusion of retail or otherwise as a suitable use for the Royal Well site – and specifically for the Municipal Offices. It considers it important that retail is not excluded as an option.

**1.4.4** Since the adoption of the SPD and Brief, a Heritage Assessment has been completed for the Municipal Offices (September 2010). This will be an important consideration both in preparing and assessing proposals for the site. It is referred to in the SPD as “currently being commissioned” but is absent from the Brief. The Brief is the document which establishes the detail on which proposals will be assessed and the lack of any mention of the Heritage Assessment is considered a serious omission.

**1.4.5** The Brief sets out a specific requirement for 6 bus stops on the Royal Well site. The SPD is more circumspect, indicating that further analysis needs to be undertaken to establish exactly what is needed. In fact, the emergence of revised North Place brief identified Warwick Place as an alternative for some of this provision and work on the Local Sustainable Transport Fund and its Cheltenham transport plan means consideration of the precise residual bus requirement in the Royal Well area is on-going. As such, the Brief can now be less specific; the SPD can remain as it is.

**1.5** Thus the aim of the draft revisions was very specifically to focus on nine wording changes to the Brief only (there are no changes to the SPD) the main aims of which are:

**1.5.1** To make the wording around use less exclusive - enabling consideration of options which include retail, or indeed other appropriate town centre uses not listed. This reflects the altered policy environment of the NPPF, recognises the altered state of the market and establishes a consistency between the SPD and the Brief;

**1.5.2** To clarify the existence and role of the Municipal Offices Heritage Assessment September 2010;

**1.5.3** To allow solutions to the bus interchange and traffic management issue to emerge in a more pragmatic manner, reflecting the shifting circumstances.

**1.6** As part of the adoption of the altered Brief it would be wise to update matters of fact (e.g. the status of the planning policy framework etc.). Any such changes are minor alterations and do not need to be consulted on.

**1.7** Since September Cabinet, the Draft Revisions have been through a public consultation process – detailed in section 5, below. The process conforms to the requirements of the Cheltenham Borough Council Statement of Community Involvement (adopted October 2006) and the *Town and Country Planning (Local Planning) (England) Regulations*, which between them set out the consultation requirements of the Borough and the Government in respect of SPD adoption.

## **2. Reasons for recommendations**

**2.1** The recommendation is necessary because only full Council can formally adopt or alter an SPD.

**2.2** The recommendation refers to Appendix 2 which lists the proposed revisions. Cabinet is suggesting one alteration to the revisions set out in draft in September – a requirement that the quality and quantum of bus stop/interchange provision is agreed with appropriate stakeholders and that facilities are commensurate with the nature of that provision.

## **3. Alternative options considered**

- 3.1** Officers considered a more wide-ranging update of the Brief and the SPD. This was rejected because experience with the North Place/Portland Street Development Brief, where both Brief and SPD were the subjects of a substantial redraft, suggested that the process was both confusing for the public, cumbersome and long-winded. It was felt that it should be avoided if possible.
- 3.2** Officers considered making no alterations to either Brief or SPD. This was rejected because there were contradictions between the two, with the SPD more closely reflecting what is required. Officers considered that had the site not included a substantial and important Council owned building it would have been possible to deal with proposals without making changes to the Brief – using the emergence of the NPPF and other changes identified to justify the approach. However, given the importance of the Municipal Offices to the delivery of the Brief, it was felt that the changes should be made and publicised in the interests of openness.

## **4. Consultation and feedback**

- 4.1** Consultation lasted from 22<sup>nd</sup> October to 3<sup>rd</sup> December. It included:
- 4.1.1** A press release
  - 4.1.2** Consultation documents available on-line and at the Municipal Offices, all libraries and neighbourhood resource centres
  - 4.1.3** A public notice in the Echo
  - 4.1.4** Letters to all on the LDF consultation list (in excess of 1,000 people) and to statutory undertakers
  - 4.1.5** An invite to meet officers and discuss the draft revisions in the Municipal Offices. This was attended by 8 members of the public, Councillor Thornton and three officers. A reporter from the Echo was present throughout – though there was no subsequent story directly related to the Brief.
- 4.2** In total of six responses were received by the deadline, these made eight different comments in

total. There were four comments seeking alterations (i.e. objecting) to the Brief's approach on the Royal Well/Municipal Offices. However only one of these related to the proposed changes which were available for comment; the remaining 3 addressed issues outside the changes and as such are not valid. The remaining 4 responses were effectively "no comment". Additionally, English Heritage (EH) submitted a "no comment" outside the consultation timeframe; this has been included in the analysis for information only because EH is a statutory body with an important brief in this area.

**4.3** Whilst this is a small number of responses, the consultation was on technical matters of detail; many of the broader issues were established in the 2008 SPD and Brief and were not open for comment.

**4.4** A schedule of written comments and officers' suggested response to each is at Appendix 3. The one valid objection has given rise to a suggested further revision – which officers consider adds more clarity a requirement that the quality and quantum of bus stop/interchange provision is agreed with appropriate stakeholders and that facilities are commensurate with the nature of that provision. It ties in with comments made by others.

**4.5** The public meeting was small but there was a lively debate. The main questions relevant to the consultation were around the suitability of retail uses in the Municipal Offices. Other issues raised were not part of the consultation, including the suitability of hotel use in the Municipal Offices and a discussion of appropriate architectural style.

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

**5.1** The delivery of Civic Pride (and consequently, the SPD and Brief) is an outcome emerging from the Council's Corporate Plan objectives. As such it is a subject to regular review.

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<b>Appendices</b>	<div>4. Risk Assessment</div> <div>5. Schedule of Proposed Revisions</div> <div>6. Schedule of comments received and suggested response</div>
<b>Background information</b>	<div>2.</div>

## EXTRACT FROM COUNCIL MINUTES 8TH FEBRUARY 2013

### [Adoption of Amendments to Cheltenham Civic Pride Urban Design Framework Technical Appendix Royal Well Development Brief](#) PDF 108 KB

[View the background to item 9.](#)

Report of the Cabinet Member Built Environment

#### **Additional documents:**

[2013 02 08 COU 9 Appendix 3 , item 9.](#)  PDF 69 KB

#### **Minutes:**

The Cabinet Member Built Environment introduced what was largely a technical matter following a set of revisions to a document with which any Planning Committee members would be reasonably familiar with. Cabinet had agreed the draft revisions for consultation on the 25 September 2012, eight comments had been received (as set out at Appendix 3) and the amendments were approved by Cabinet at their meeting on the 15 January 2013.

There had been nine specific wording changes which covered three main areas; (A) the type of uses deemed to be acceptable; (B) the role of the Municipal Offices Heritage Assessment September 2010 in the design and decision-making process; and (C) the nature of bus interchange provision and the work emerging from the Local Sustainable Transport Fund. B and C aimed at bringing the document up to date and A addressed an inconsistency between the Brief and the SPD in the description of acceptable uses, the wording was less prescriptive, suggesting what might be acceptable and offering more flexibility in line with the requirements of the National Planning Policy Framework which called for councils to encourage development.

There were no questions or comments.

Upon a vote it was

**RESOLVED (with 1 abstention) that for planning purposes the schedule of revisions to the Royal Well Development Brief, part of the Cheltenham Civic Pride Urban design Framework Supplementary Planning Document as set out at Appendix 2, be approved.**