
Grovefield Way

Update Hearing Statement

Prepared on behalf of Hinton Properties (Grovefield Way) Ltd

LPA Ref: 16/02208/FUL

PINS Ref: APP/B1605/W/18/3200395

Stephen Tucker

September 2019

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1.0 BACKGROUND AND SCOPE OF EVIDENCE

Background

- 1.1 This update hearing statement is submitted on behalf of Hinton Properties (Grovefield Way Ltd) in respect of design matters resulting from the redetermined appeal (Appeal A) against the refusal of a 'Hybrid application seeking detailed planning consent for 5,034 sq. m of commercial office space (Use Class B1), 502 sq. m day nursery (Use Class D1), 1,742 sq. m supermarket food retain unit (Use Class A1), a 204 sq. m coffee shop retail unit and drive through (Use Class A1 and A3) with associated parking and landscaping and infrastructure works.
- 1.2 This statement is an update to an earlier statement of evidence prepared for a conjoined appeal (Appeals A and B) held in December 2018 (PINS ref). The original conjoined appeal related partly to a decision by Cheltenham Borough Council (the 'Council') on 14th December 2017 to go against the recommendation of their Officers and refuse the Application (16/02208/FUL).
- 1.3 Three reasons for refusal were given. Reason 3 was of particular relevance to my earlier evidence and states:
- 'The proposed layout of the site results in a predominance of hard standing and retaining structures which result in a poor appearance and do not create an attractive streetscape or strong sense of place which responds to the character of this transitional location. The position of the buildings including the drive through coffee shop and supermarket close to the edges of the site give the layout a cramped and contrived appearance exasperated by exterior features such as the drive thru lane and external yards. The proposal is therefore harmful to the surrounding area by reason of its visual impact and also fails to create a high-quality business environment in this edge of town location. For these reasons the reasons the proposal is considered to be contrary to Policy SD4 of the Joint Core Strategy and CP7 of the Local Plan.'*
- 1.4 In the early part of 2018 a revised application (18/01004/FUL) was subsequently submitted to Cheltenham Borough Council in which the scheme was amended to substitute the Costa Coffee outlet at the front of the site with a new office block. On 18th October 2018 that application was also refused. There was one reason for refusal and only part of that RfR referred to design.
- 'The amount of the site given over to non B1 uses in combination with the prominent position they would occupy on the site would result in the dilution of the character and function of the site as an employment site and represent an inappropriate balance between B1 and non B1 uses.'*

- 1.5 This application was the subject of Appeal B.
- 1.6 Appeal B was allowed by Inspector Jackson in December 2018. Appeal B concerned the same site precisely - the only substantial differences related to a relatively small part of the site at its access from Grovefield Way. Planning consent now exists for the vast majority of the site and establishes clear parameters for the mix and location of uses, the layout and the architectural approach.
- 1.7 At the inquiry for Appeals A and B, it was accepted by the Council that the only material difference between Appeals A and B was in respect to the siting and appearance of the Costa Coffee. Given that Appeal B is an extant scheme which the Council did not oppose on design grounds, it follows that the only design issue to be addressed for this redetermined appeal is in respect to this Costa Coffee. In the event that the Council seek to resist the appeal owing to design issues for the entirety of the site, I reserve the right to produce further evidence to address this.

Scope of Evidence

- 1.8 Following a decision by the Secretary of State a consent order was approved by the Court which quashed the Inspectors decision on Appeal A. Any references to Appeal A in the Inspectors decision letter have now been quashed and hold no legal status.
- 1.9 In granting Appeal B, the Inspector fundamentally disagreed with Councils reasons for refusal, relative to the principle of mixed use on the site, the extent and location of those mixed uses, the masterplan layout, landscape design, streetscape and architectural design / character. He states that (Paragraph 22 of the Inspectors Report):
- 'the overall benefit of bringing forward a large mixed use scheme where there is currently no employment at all is persuasive'*
- 1.10 On architectural design he states that:
- 'the intention to carry across some design characteristics and materials into the **appeal schemes (plural) would give the whole area a consistent appearance.**'*
- 1.11 It is recognised that in determining the original appeal the inspector also acknowledged that both parties agreed in the SOCG that proposals would be of 'appropriate scale and character', an expression derived from paragraph (vi)(a) of the JCS and Policy CP7 of the Local Plan.
- 1.12 Unlike my earlier appeal statement (Appendix One) where I responded to design matters raised in RFR3 as they related to the site overall, the scope of my evidence in this update is much narrower.

- 1.13 There is direct reference in RFR3 to the buildings (both Aldi and Costa) and their ancillary facilities being too close to Grovefield Way. However, when one further considers RFR3 relative specifically to the Costa Coffee, it is rather difficult to separate out design matters related purely to this building and its immediate environs.
- 1.14 Furthermore, this update has sought to recognise the fundamental change in the context of the appeal site. The planning permission granted by Appeal B is now a relevant material consideration. In the next section I have tried to focus my response on RFR3 to the Costa Coffee building and its environs and update my arguments in the context of this material change in circumstance.
- 1.15 My evidence should be read alongside the evidence of James Griffin who addresses issues of planning policy and the overall planning balance that needs to be struck in reaching a decision.
- 1.16 In terms of my qualifications, methodology and site context and description I would refer to the opening sections of my earlier statement of case (Appendix One).

2.0 UPDATE RESPONSE TO REASON FOR REFUSAL 3 AND URBAN DESIGN EFFECTS

Introduction

- 2.1 Appeal B establishes an overall mix of uses across the site. The approved masterplan layout then establishes the extent and location of these uses across the site. In approving Appeal B, the Inspector has also set a pattern of architectural style and character across the site with buildings positioned to address the central access road, surrounded by landscape and sharing a common palette of materials/features. Allied to the existing BMW building there is now a very clear look and feel to the entire site.
- 2.2 In his decision to allow Appeal B, the Inspector found that the scheme was not harmful to the surrounding area because of its visual impact. Nor did the Inspector feel that the scheme failed to create a high quality business environment. He fundamentally disagreed with the Council's view that:
- 'The amount of the site given over to non B1 uses in combination with the prominent position they would occupy on the site would result in the dilution of the character and function of the site as an employment site and represent an inappropriate balance between B1 and non B1 uses.'*
- 2.3 His view being (Paragraph 22 of the Inspectors Report) that:
- 'the overall benefit of bringing forward a large mixed use scheme where there is currently no employment at all is persuasive'*
- 2.4 Indeed, the Inspector was positive in terms of the location of mixed use elements relative to the legibility of the site as a business park. The Inspector emphasised (paragraph 27 of the Inspectors Report) that the perceived character of both schemes would be of a business park when seen from the A40.
- 'It would serve the desired purpose of being a gateway development for motorists entering Cheltenham'.*
- 2.5 He went on to emphasise that 'the intention to carry across some design characteristics and materials into the appeal schemes (plural) would give the whole area a consistent appearance.
- 2.6 The inspector also acknowledged that in determining the original appeal, both parties agreed in the SOCG that proposals would be of an 'appropriate scale and character', an expression derived from paragraph (vi)(a) of the JCS and Policy CP7 of the Local Plan.

2.7 In short, the Inspector upheld an appeal on a masterplan overall which had a mix of uses, a rich blend of landscape and architectural style and which would provide a 'substantial boost' to employment within Cheltenham including a very significant number of B1 jobs. The question now is whether the design of the Costa Coffee building and immediate surroundings would give rise to a breach of the development plan.

Reasons for Refusal

2.8 As stated, the only direct reference in RFR3 to the impact of the Costa Coffee and its drive thru lane also makes reference to the now consented Aldi. It states that the presence of buildings close to the edges of the site (specifically the Costa and the Aldi buildings and their ancillary features) would result in the development having 'a cramped and contrived appearance'.

2.9 Although the Appeal Scheme was a hybrid application with certain aspects reserved for future consideration, considerable thought had gone in to creating a scheme that acknowledged the importance of the site and its setting. The scheme also sensitively responds to its location on the edge of the settlement and provides an appropriate transition from the neighbouring area to the centre of the business park.

2.10 This approach is also apparent from the landscape strategy. The landscape strategy and the philosophy behind the urban design approach are inextricably linked and collectively seek to provide a high quality environment.

2.11 The LPA Committee Report which is appended to the Council's Statement of Case (ref 16/02208) sets out in some detail the proactive approach that the Appellant had taken to try to resolve the Council's concerns.

2.12 Paragraph 6.5.7 states that:

Officers now consider that the most serious shortcomings in the layout have been overcome and that whilst the indicative layout within the outline application did embody more of the ideals of urban design, it was purely indicative at that stage and the LPA are not able to resist realistic alternative designs where they reach an acceptable standard. The majority of the buildings (except the supermarket) do now front the spine road and the quality of the landscaping, the layout of the car park and the quality of the public spaces have been significantly improved.

2.13 It then goes on to discuss individual buildings and at Paragraph 6.5.10 states that:

It is fair to say that the supermarket and coffee shop are of a relatively standardised design. However, it is clear that all of the buildings which form part of the 'full' application use a

similar architectural language and a similar palette of materials. This has also been designed to pick up on the language, material and colours utilised within the BMW building’.

2.14 Until paragraph 6.5.7 there is little mention of the Coffee shop in the Committee report. In this instance, the reference was in the context of a suite of buildings and a broad architectural style.

2.15 Notwithstanding the Officer’ observations, the scheme was refused for the following reason:

Reason 3: The proposed layout of the site results in a predominance of hardstanding and retaining structures which result a poor appearance and do not create an attractive streetscape or strong sense of place which responds to the character of this transitional location. The position of buildings including the 'Drive thru' coffee shop and supermarket, close to the edges of the site give the layout a cramped and contrived appearance exacerbated by exterior features such as the 'drive thru' lane and external yards. The proposal is therefore harmful to the surrounding area by reason of its visual impact and also fails to create a high quality business environment in this edge of town location. For these reasons the proposal is considered to be contrary to policy SD 4 of the Joint Core Strategy and CP7 of the Local Plan.

Urban Design Effects, the Design Policy Context and the principle of mixed use

2.16 The applicant and the local authority spent some 10 months working together to improve the design to a point where both parties were content with both the layout and the architecture of individual buildings. This process led to a series of evolutions to the design – including changes to the Costa Coffee building. This collaboration and its outcomes are recognised in the considered view (one presumes of the urban design officer and case officer) contained in Paragraph 6.5.15 of the December 2017 Committee Report.

‘Officers therefore are satisfied that the proposal (overall) is acceptable in terms of layout, the design of buildings and their size and height.’

2.17 As an independent design adviser commissioned for the purposes of this appeal, my professional view is that the appeal scheme is a well-considered proposal. There is clear evidence of an integrated urban design and landscape strategy – which is critical to produce good examples of this type of development.

2.18 There is consistency of architectural style and materiality across the entire site relating the look and feel of new buildings relative to the existing BMW building. The non-B1 uses are not standard in their appearance. Their architectural style and materiality is consistent across a range of buildings and uses. The LPA officers who were demanding a level of design quality here were successful in negotiating these improvements. These discussions encouraged the design team to improve the scheme – which they duly did.

2.19 The Inspector decision to grant planning permission to Appeal B, clearly shows that he supported this view, in all but the matters related to the Costa Coffee building and its drive thru lane.

2.20 In my original appeal statement (Appendix One) I reviewed the overall scheme (including the Costa) against the relevant national and local design policies. I do not intend to repeat that policy review here, however I think it is worth re-emphasising one key point from Section 12 of the NPPF – which is concerned with achieving well-designed places. Paragraph 130 notes that:

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

2.21 There is no specific design policy (national or local) that can be easily applied to this single coffee shop. Instead, the inspector referenced matters of legibility and sense of place both of which form objectives of local design policy CP7. However CP7 also makes clear the importance of relating to neighbouring uses. The combination of the recently consented Aldi and the existing BMW garage mean that this frontage is mixed use.

2.22 Importantly, paragraph 130 references the need to take into account such local design standards or style guides in plans or supplementary guidance, produced for the site.

2.23 At the Inquiry the Inspector himself noted the absence of any specific policy or guidance for the mix of uses or their location on business parks in either national and/or local policy. He states in paragraph 18 of his report:

'There is no JCS or LP policy that indicates whether business parks should be solely in office use or what proportion of non B1 uses might be acceptable.'

2.24 Neither is there any specific (statutory or non statutory) design guidance for this site. No development brief has ever been produced for this business park which states the mix of different uses that are allowed and where different uses are to be positioned within the site.

2.25 Indeed, the Inspector himself recognises the ongoing debate between the local authority and the LEP as to whether Non B1 uses should be allowed in business parks. A point he reinforces by referring to paragraph 118a of the NPPF where it emphasises the importance of considering the benefits of mixed use schemes. His decision to allow a mix of uses on the site in respect to Appeal B ultimately reinforces the point.

- 2.26 My final observation relative to paragraph 130 is that given that there is no clear design guidance or plan policies relative to the siting or design of a coffee shop in a business park (especially a business park within which the same Inspector has already accepted the principle of mixed use) the Inspector should not have continued to use design as a reason for refusal in Appeal A.
- 2.27 Clearly, the inspector had no fundamental issue with the principle of retail use on this site as indicated by his decision to allow Appeal B. Neither had he any misgivings about the location of retail use along the frontage to Grovefield Way. If there were an issue with principle (and accepting that the BMW showroom exists) then surely the Aldi and its parking take up a much more significant footprint of the site and visible section of frontage. Ergo the concern should not be in respect to the principle, nor the design per se, but the exact location and nature of that retail use.

Costa Coffee and its Environs

- 2.28 Technically therefore, it is the location of the Costa Coffee building (at a perceived gateway) and its particular design, that remain to be agreed or otherwise. The Inspector in his decision to grant planning permission for Appeal B has set the tone for the Grovefield way frontage. He had no issue in principle with that frontage being significantly retail in nature. He was well aware of the scale and impact of the existing BMW building when consenting the Aldi superstore underlining his view that the *BMW building dominates the street scene* (Paragraph 29 of the Inspectors Report):
- 2.29 I also identified the reality of the existing BMW building as a significant factor in the sites perception as a mixed use development rather than a purely business park, during my own site analysis. As I state in paragraph 4.1:

A large BMW car garage indents the Appeal Site boundary to the immediate north east. It comprises an access road (Corinthian Way), main and ancillary buildings and large areas of surface and underground parking together with associated landscaping. The main building is modern in style, with a flat roof and large sections of glazing, together with white cladding to the BMW section of the building and black cladding to the Mini section of the building. The ancillary buildings are of a matching style and comprise glazing and white cladding. The external surfacing surrounding the building is predominantly tarmac. The building is 5 storeys high and highly visible from the surrounding area.

- 2.30 Visitors are already driving past and entering through this frontage to get to the site of the proposed business park. Conversely, the Inspector accepted that both schemes presented an important business frontage to the A40.

- 2.31 In my opinion therefore, the remaining questions are simple; is a Coffee shop or restaurant use with drive thru, a reasonable use close to the access to a business park? And, if such a land use is proven to be a reasonable choice at such a location, then in this particular instance, does the design of this specific building do demonstrable harm to the sites legibility or character.
- 2.32 Business Parks have no uniform method of entry, either in commercial or policy terms. Business Parks exist in many different physical settings across the Cheltenham area and nationally. Some are more urban in nature, others are rural and many are set within well landscaped edge of town settings.
- 2.33 There is no established and specific design requirement in any policy (local or national) which says you cannot have a coffee shop/mixed use at the entrance to a business park. Indeed, my experience of master planning such facilities is that these developments include mixed uses (Appendix Two) I would also contend that these uses are either positioned at the centre of larger business park or at one or more of the access points into these parks. Indeed, it is more commonplace to have a mixed use operation including a shop, restaurant or coffee shop at the access point, than it is to have mixed use spread throughout the site.
- 2.34 Moreover, many older edge of town business park developments are single use in nature, resulting in large numbers of people leaving the site during the day, for a variety of reasons. I would contend that facilities like the Aldi and the Costa Coffee are a highly appropriate form of mixed use. These facilities can only help retain people in the site, increase pedestrian activity and ultimately improve the place as a location for business.
- 2.35 It is also worth noting that facilities such as Aldi and a Costa Coffee are undeniably more likely to generate more footfall than an office development. Thus, it is a sensible design solution to have these facilities near the front of the site, rather than requiring more people to traverse to the rear of the business park.
- 2.36 In the LPA Committee report, officers themselves refer to the Employment Land Review in this regard. Paragraph 6.6.6 highlights that in principle, '*non B1 uses can encourage the provision of office based businesses and ultimately make it a more desirable place*'.
- 2.37 The Inspector too references this point when he says (Paragraph 19 of the Inspectors Report) that:
- The appeal site is 870m from an Asda, 816 m from a Harvester restaurant, 782m from a local KFC. None of the Local facilities are in close proximity. Whilst not great distances, walking there and back in lunchtime would not be an attractive prospect for many.*
- 2.38 In my professional opinion and in the context of regularly masterplanning and reviewing other commercial and business schemes, the decision to place the Costa Coffee at access

into the site is by no means unusual. Furthermore, the decision to add a drive thru element is also common and a bonus in terms of business usage. If the design of the Costa was entirely out of keeping with buildings that surround it, then perhaps I would feel differently but it is not. It is instead one of a 'family of buildings' that sit along a frontage that will be clearly mixed use in nature.

The Grovefield Way Frontage

- 2.39 I have dealt extensively with RFR3 and the concerns over the cramped appearance of this edge (including both Aldi and Costa Coffee) in my statement of evidence (appendix 1). The largest single building on this frontage is of course, the BMW dealership which already exists. When one fully takes into account the relative platform levels and building heights of both the supermarket and the Costa Coffee and the levels of planting proposed around these buildings, I would contend that far from being 'cramped', the frontage is in fact relatively open and rich.
- 2.40 The package of visuals, (Appendix Three) included in Mr Davies earlier Proof, and section drawings, consider the views fully from a number of perspectives along Grovefield Road and clearly show an attractive and well designed edge. The location and orientation of all three non-B1 uses that can be seen from Grovefield Road have been given significant thought. Sections H-H No. 178-98 and J-J No. 178-99, show this very clearly. The CGI's (Appendix 3) show the Costa Coffee sharing a design language with the BMW building. The CGIs do not in my opinion show a congested frontage to Grovefield Road in any way.
- 2.41 To reinforce this point, I would again refer to the Council Committee Paper and specifically Paragraph 6.6.11:
- Whilst the distribution of the uses on the site has not significantly altered, the overall quality of the scheme in terms of how the buildings address the street, the spaces between them and the landscape approach has improved since the submission of the proposal (this will be discussed further below). This helps to ensure that the business park has an 'identity' which is apparent from the entrance to the site to its furthest extent. As such whilst the non- B1 uses still occupy the eastern-most part of the site it is now considered that they will not appear as a separate parcel of commercial uses but will be integrated into the language of the site.'*
- 2.42 I would then turn my attention to the matter of 'exterior features' and specifically the drive thru lane. Both these aspects were the focus of significant alteration and improvement on the back of earlier LPA consultation responses. The visual impact of the drive thru lane was lessened by the relocation of car parking spaces to facilitate an increased landscape buffer.

- 2.43 I have considered in detail the configuration of the drive thru lane of the coffee shop and note that there is no technical objection to it on highways grounds. I have also compared it to other drive through lanes nationally and again find nothing unusual in it. Post the design response to Officer concerns, it is now separated from the spine road by nearly 3 metres of planting and sits some 1.5m below the main access road itself. The access lane is a single carriageway width, which widens slightly at the point where the coffees are ordered and collected. There are also a small number of parking spaces associated with it.
- 2.44 Taking all these factors into account, and when one considers how development will actually look with the higher level planting above the drive thru lane fully matured (Appendix Three), then given the openness of that edge I do not see a ground level element on the scale of the drive thru lane exacerbating that vista to any significant extent.
- 2.45 Conversely, I would still argue that the coffee shop is in the optimum location from both an urban design and a sustainability perspective. It provides a counter balance to the prominent BMW dealership. It is a small, visible and active gatehouse that sits at the access point to the site.

Costa Coffee Design

- 2.46 It is clear from the illustrative material that has been submitted with the hybrid application that the Appeal Scheme adopts a palette of high quality, contemporary materials that will unify the scheme and provide an attractive environment. This is not standard fair.
- 2.47 All of the non-B1 uses, including the Aldi supermarket, the coffee outlet and the nursery are of a contemporary design. They are not of standardised design. With the exception of signage, Costa have not taken a standard approach on this site. Indeed, the view of the design team was that it would be inappropriate for these buildings to adopt a different architectural vocabulary to already approved neighbouring buildings and in the case of the BMW buildings, those constructed on site.
- 2.48 Without dwelling on this aspect further the Committee Paper clearly reflects the Officer's views at the time, that the:
- 'standard of design of the individual buildings is acceptable and appropriate for a modern business park'.*
- 2.49 It is worth repeating the LPA conclusion which went on to say that 'the buildings will appear as a family of buildings which is important in giving the site an identity as a high quality business park'.
- 2.50 The CGI at Appendix C shows the Costa Coffee outlet at the entrance to the site (proposed under application 16/02208).

- 2.51 The positioning of this single storey building at the entrance to the Appeal site works well from both a commercial and aesthetic point of view. In design terms the location of the building acts as a counter balance to the BMW dealership on the opposite side of the road and also provides a transition to the proposed two storey office buildings.
- 2.52 Policy CP7 of the Cheltenham Borough Council Local Plan Second Review (Adopted 2006) states that Development will only be permitted where it: (a) is of a high standard of architectural design; and (b) adequately reflects principles of urban design; and (c) complements and respects neighbouring development and the character of the locality and/or landscape (note 3).
- 2.53 It is clear from the illustrative material that has been submitted with the hybrid application that the Appeal Scheme adopts a palette of high quality, contemporary materials that will unify the scheme and provide an attractive environment. I would contend that in the context of the Inspector's decision on Appeal B, the layout and architecture of the Costa Coffee building directly addresses policy CP7 in three ways.
- 2.54 Firstly, the standard of architectural design (as recognised in the Council's Committee Report) is entirely appropriate for a modern business park. Secondly, there is a strong interaction between the architectural approach and the broader commercial positioning of the mixture of uses, urban design and landscape strategy. Thirdly, while the architecture is bespoke to this particular development, the unified architectural approach and materials palette results in a 'family of buildings'. Policy CP7 explicitly refers to the need to complement and respect neighbouring buildings. In this case the neighbouring buildings consist of an existing BMW building and those new buildings as were granted planning permission by the Inspector in December 2018.

Conclusion

- 2.55 While we all recognise the importance of high quality design in all development and acknowledge the need to take a stand on design quality no matter the land use or setting. The decision to refuse the Costa Coffee building in isolation is one of the harshest interpretations that I have seen relative to a single small building within a much larger masterplan area.
- 2.56 This is a building which I would argue, in terms of land use and location, is absolutely appropriate in its setting. Its setting having been significantly determined by the same Inspector's decision in December 2018.
- 2.57 On the very same Grovefield Way frontage we have an already constructed and hugely dominant retail use next door in the form of the BMW garage. On the other side of the access road we have the recently consented and again, much larger, Aldi supermarket. Both

buildings are unquestionably much more significant in terms of quantum, attract much more non B1 traffic and activity and are much more visible.

- 2.58 In terms of architectural design, the Costa Coffee building will sit comfortably at the access to and become a useful facility for, a successful mixed use, modern business park.

Appendix One

Proof of Evidence, Stephen Tucker

Grovefield Way

Proof of Evidence

Prepared on behalf of Hinton Properties (Grovefield Way) Ltd

LPA Ref: 16/02208/FUL

PINS Ref: APP/B1605/W/18/3214761

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1.0 QUALIFICATIONS AND EXPERIENCE

- 1.1 I am an Urban Designer and a Chartered Town Planner. I hold a BA(hons) and a Master's Degree in Urban Design. I am a member of the Urban Design Group. I have over 20 years' experience in masterplanning, town planning and townscape design and assessment.
- 1.2 I am a Partner with Barton Willmore, the UK's largest multi-disciplinary planning and design practice. The practice acts for the public and private sector and has an in-house team of urban designers, architects, town planners and landscape architects. We operate from 13 offices across the UK.
- 1.3 Prior to joining Barton Willmore I ran the Glasgow Office for Turley Associates. I now work extensively throughout the UK on a broad range of masterplanning, architectural design and environmental planning work.
- 1.4 My company is currently involved in projects that range from the master planning of major urban extensions of several thousand properties to redevelopment of inner-city brownfield sites. We work throughout the UK, in both the rural and urban environment. In the last year I have secured permissions for several business and employment parks across the UK and we are currently working on similar projects in Nottingham, Carnforth and in Birmingham.
- 1.5 I have given masterplanning, town planning and urban design advice on numerous schemes. I have also given landscape and urban design evidence at Local Plan Inquiries and a number of planning appeals. I was an Advisory Board Member of Architecture and Design Scotland between 2005 and 2010.
- 1.6 The evidence I have prepared, and which I provide for this appeal, is true and has been prepared in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true and professional opinions.

2.0 SCOPE OF EVIDENCE, BACKGROUND AND METHODOLOGY

2.1 This evidence is submitted on behalf of Hinton Properties (Grovefield Way Ltd) in respect of an appeal against the refusal of a 'Hybrid application seeking detailed planning for 5,034 sq. m of commercial office space (Use Class B1), 502 sq. m day nursery (Use Class D1), 1,742 sq. m supermarket food retain unit (Use Class A1), a 204 sq. m coffee shop retail unit and drive through (Use Class A1 and A3) with associated parking and landscaping and infrastructure works. Outline planning permission sought for the erection of 8,034 sq. m (Use Class B1) together with associated parking, landscaping and infrastructure works of commercial office space (use Class B1), together with associated car parking, landscaping, landscaping and infrastructure works, with all matters reserved (except for access)' ('Appeal A').

2.2 On 14th December 2017 Cheltenham Borough Council (the 'Council') decided to go against the recommendation of their Officers and refused the Application. Three reasons for refusal were given. Reason 3 is of relevance to my evidence and states:

'The proposed layout of the site results in a predominance of hard standing and retaining structures which result in a poor appearance and do not create an attractive streetscape or strong sense of place which responds to the character of this transitional location. The position of the buildings including the drive through coffee shop and supermarket close to the edges of the site give the layout a cramped and contrived appearance exasperated by exterior features such as the drive thru lane and external yards. The proposal is therefore harmful to the surrounding area by reason of its visual impact and also fails to create a high-quality business environment in this edge of town location. For these reasons the reasons the proposal is considered to be contrary to Policy SD4 of the Joint Core Strategy and CP7 of the Local Plan.'

2.3 In the early part of 2018 a revised application ('Appeal B') was subsequently submitted to Cheltenham Borough Council in which the scheme was amended to substitute the Costa Coffee outlet at the front of the site with new office blocks. On 18th October 2018 that application was refused. Design was not raised as a concern with Appeal B and thus my evidence does not deal with this appeal in any great detail.

2.4 My evidence should be read alongside the evidence of James Griffin who addresses issues of planning policy and the overall planning balance that needs to be struck in reaching a decision and Mr Davies who addresses landscape matters.

Methodology

2.5 To inform my assessments and in order to provide my advice, I have visited the Appeal Site and surrounding area and I have undertaken my own assessment of the effects of the proposed development.

- 2.6 I have studied the base line position, in terms of the nature, scale and disposition of neighbouring buildings. I have also looked at the materials that have been used, both on neighbouring buildings and within the existing business park. I have also considered the existing urban structure in terms of the disposition of development and its relationship to highways infrastructure etc. These factors have all helped to inform by assessment of the appropriateness of the scheme in urban design terms.
- 2.7 Photographs contained in Appendix B have been taken from public vantage points within the vicinity of the Appeal Site. Photographs were taken using a digital camera with a lens focal length approximating to 50mm, to give a similar depth of vision to the human eye. In some instances, images have been combined to create a panorama. Photographs were taken during periods of good visibility.

3.0 POLICY CONTEXT

National Planning Policy Framework ('NPPF')

3.1 National policy is set out in The National Planning Policy Framework ('NPPF') and those parts of particular relevance to my urban evidence are summarised below.

3.2 Section 12 of the NPPF is concerned with achieving well-designed places.

3.3 Paragraph 124 states that:

The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

3.4 Paragraph 127 states that Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

3.5 Paragraph 130 notes that:

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

Planning Practice Guidance

- 3.6 The NPPF is supported by the Planning Practice Guidance ('PPG') which contains guidance on the design of new developments with reference to the relevant policies contained in the NPPF.

The importance of good design

- 3.7 Paragraph: 001 Reference: 6-001-20140306 notes the importance of good design and states: Good quality design is an integral part of sustainable development. The National Planning Policy Framework recognises that design quality matters and that planning should drive up standards across all forms of development. As a core planning principle, plan-makers and decision takers should always seek to secure high quality design.

Achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations.

Good design responds in a practical and creative way to both the function and identity of a place. It puts land, water, drainage, energy, community, economic, infrastructure and other such resources to the best possible use – over the long as well as the short term.

- 3.8 Paragraph: 004 (Reference ID: 26-004-20140306) goes on to address how good design can guide planning and development proposals. It states that:

Development proposals should reflect the requirement for good design set out in national and local policy. Local planning authorities will assess the design quality of planning proposals against their Local Plan policies, national policies and other material considerations.

Local planning authorities are required to take design into consideration and should refuse permission for development of poor design. Local planning authorities should give great weight to outstanding or innovative designs which help to raise the standard of design more generally in the area. This could include the use of innovative construction materials and techniques. Planning permission should not be refused for buildings and infrastructure that promote high levels of sustainability because of concerns about incompatibility with an existing townscape,

if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).

Policy CP7 of the Cheltenham Borough Council Local Plan Second Review (Adopted 2006)

- 3.9 Policy CP7 of the Local Plan states that Development will only be permitted where it: (a) is of a high standard of architectural design; and (b) adequately reflects principles of urban design; and (c) complements and respects neighbouring development and the character of the locality and/or landscape (note 3). Extensions or alterations of existing buildings will be required to avoid: (d) causing harm to the architectural integrity of the building or group of buildings; and (e) the unacceptable erosion of open space around the existing building.
- 3.10 It goes on to note that the fact that a particular form or location of development is the most cost-effective option is not justification for an exception to CP7 (per Note 4).

Policy SD4 of the Joint Core Strategy (Adopted 2017)

- 3.11 The (JCS) is a partnership between Gloucester City Council, Cheltenham Borough Council and Tewkesbury Borough Council, supported by Gloucestershire County Council.
- 3.12 Policy SD4 is concerned with Sustainable Design and Construction and requires new development to follow best practice in terms of sustainability. It covers a range of topics including legibility, context amenity and public realm. Importantly the focus is on sustainable design, which is at the heart of the policy. These are all matters that can be dealt with at the detailed design phase and are typically covered by the requirements for building regulations, which ensure that sustainable developments are quite properly brought forward.
- 3.13 I note that the LPA does not have any specific design requirements or standards that address developments in a so called 'transitional' location.

4.0 SITE CONTEXT, SITE DESCRIPTION AND VISIBILITY

Site Context

- 4.1 The Appeal Site is bound to the north west by a band of woodland vegetation which runs along the southern edge of the A40 dual carriageway. A large BMW car garage indents the Appeal Site boundary to the immediate north east. It comprises an access road (Corinthian Way), main and ancillary buildings and large areas of surface and underground parking together with associated landscaping. The main building is modern in style, with a flat roof and large sections of glazing together with white cladding to the BMW section of the building and black cladding to the Mini section of the building. The ancillary buildings are of a matching style and comprise glazing and white cladding. The external surfacing surrounding the building is predominantly tarmac. The building is 5 storeys high and highly visible from the surrounding area.
- 4.2 To the south, the Appeal Site is bound by North Road West, which connects Grovefield Way in the east and Badgeworth Road in the west. A row of approximately ten semi-detached properties lie on the southern edge of North Road West, to the south of the eastern part of the Appeal Site. These properties are of traditional build, two storeys in height and comprise red brick and white/beige render construction with clay tile pitched roofs. The properties are generally set back from the road behind driveways and front gardens. The Redding's District and Community Centre is also located on the southern edge of North Road West, to the immediate west of the properties. It is a single storey, pitched roof building of red brick construction, set back behind the adjacent properties with a car park serving approximately 30 cars. A single agricultural field lies to the south of the western part of the Site, between the community centre and Badgeworth Road.
- 4.3 The Appeal Site is bound to the west by two detached properties on the northern edge of North Road West. Both properties are two storeys in height and of traditional red brick construction with slate pitched roofs, set back from the road behind an established hedgerow. Badgeworth Road runs along the western edge of these two properties.
- 4.4 To the east, the Appeal Site is bound by Grovefield Way and the BMW garage which indents the Appeal Site boundary to the north east. A residential estate lies to the east of Grovefield Way and comprises two storey dwellings orientated around a series of cul-de-sacs. The exterior of these properties are predominantly buff stone cladded with slate pitched roofs. A narrow band of established vegetation runs between the residential estate and Grovefield Way. To the north east of the residential estate is a retail park on the southern edge of Grovefield Way, including large warehouse buildings typically with white cladding to their exterior. There is also a large area of associated customer parking which is laid to tarmac. On the northern edge of

Grovefield Way is the Arle Court Park and Ride, located to the immediate east of the BMW garage.

Site Description

- 4.5 The Appeal Site comprises an irregular shaped parcel of land, which tapers towards its western boundary and is indented to its north eastern boundary by the BMW garage. The eastern part of the Appeal Site appears to be used as a site compound and includes areas of hardstanding, various construction materials and a porta cabin. A mound approximately 2-3m in height is located in the south eastern corner of the Appeal Site. A small attenuation basin is located close to the northern Appeal Site boundary. The remainder of the Appeal Site is open grassland.
- 4.6 The topography of the Appeal Site is relatively flat with a slight gradient sloping from a highpoint of approximately 40m Above Ordnance Datum (AOD) on the eastern boundary to a low point of approximately 31m AOD on the western boundary. The mound in the south east corner of the Appeal Site rises up to approximately 41.8m AOD and the attenuation basin adjacent to the northern boundary falls to approximately 30.68m AOD.
- 4.7 The eastern Appeal Site boundary is defined by a combination of black metal railings and Herras fencing, which appears to facilitate temporary access into the Appeal Site off Grovefield Way. A row of nine semi mature trees line the grass verge of Grovefield Way, just beyond the Appeal Site boundary fencing and include a mixture of sycamore, hornbeam, ash and cherry trees, approximately 6m in height. These are described in greater detail in the evidence of Mr Davies.
- 4.8 The southern Appeal Site boundary is defined by an outgrown hedgerow comprising predominantly ash, sycamore, hawthorn and elm species, approximately 8m in height. There is a short section of security fencing in the south western corner of the Appeal Site where there is a break in the boundary hedgerow.
- 4.9 The western Appeal Site boundary is defined by an outgrown hedgerow comprising predominantly hawthorn species together with several ash and willow trees. This vegetation separates the Appeal Site from the grounds of the adjacent detached property.
- 4.10 The western section of the northern Appeal Site boundary is defined by the narrow band of woodland which separates the Appeal Site from the adjacent A40 dual carriageway. The eastern section of the northern Appeal Site boundary is defined by Herras fencing which separates the Appeal Site from the adjacent BMW access road and car park.

Urban Grain

- 4.11 In terms of urban grain, there is no consistent pattern. There is no direct frontage onto the A40 as that road is separated from the Appeal Site by a dense belt of vegetation. The BMW dealership is however visible from the road.
- 4.12 The detached housing to the south of North Road West (eastern end) fronts on to the road with the properties served off private drives. Whereas as those to the east of Grovefield Way (Frampton Mews and Tiverton Way) back on to the road and are separated from it by a dense belt of vegetation.
- 4.13 The BMW dealership stands in isolation at the Appeal Site entrance and dominates local views. Other than occupying the road frontage there is little else to tie it to this location.

Visibility

- 4.14 Views of the Appeal Site are limited to its immediate surroundings by virtue of the surrounding built form and vegetation. The key views of the Appeal Site are summarised below and in the evidence of Mr Davies and illustrated on the Photographs at Appendix B.
- 4.15 Open views across the Appeal Site are possible from the adjacent BMW garage, including from the access road and car park areas as well as elevated views from the main building (Photographs 01 & 02).
- 4.16 Partial views of the Appeal Site are possible from the A40 to the immediate north, with the intervening vegetation filtering these views. The adjacent BMW garage is also visible in these views (Photograph 13).
- 4.17 Views of the Appeal Site from North Road West to the immediate south are predominantly screened by the southern boundary hedgerow, although occasional glimpsed views through this vegetation to the interior of the Appeal Site are possible (Photographs 08 & 10).
- 4.18 The majority of views from properties on the southern edge of North Road West are similarly screened by the southern boundary hedgerow, although occasional first floor views look over the boundary hedgerow towards the eastern part of the Appeal Site.
- 4.19 Partial views of the interior of the Appeal Site are also possible from the first floor windows of the detached property on the northern edge of Grovefield Way, immediately west of the Appeal Site.
- 4.20 Views from Grovefield Way to the immediate east look across the interior of the Appeal Site, with trees along the eastern boundary providing some partial filtering of views (Photographs 03, 04 & 05). The BMW garage screens the Appeal Site from view as Grovefield Way continues north east (Photographs 14 & 15).

- 4.21 Views from properties within the residential estate to the immediate east of Grovefield Way are generally screened by the intervening tree cover although occasional first floor views from properties on the western edge of Chalford Avenue look towards the eastern part of the Appeal Site (Photographs 05, 16 & 17).

5.0 RESPONSE TO THE REASON FOR REFUSAL AND URBAN DESIGN EFFECTS

The Proposed Development

- 5.1 Although the Appeal Scheme is a hybrid application with certain aspects reserved for future consideration, considerable thought has gone in to creating a scheme that acknowledges the importance of the site and its setting. The scheme also sensitively responds to its location on the edge of the settlement and provides an appropriate transition from the neighbouring area to the centre of the business park. These matters are addressed in greater detail below.
- 5.2 This approach is also apparent from the landscape strategy, which provides a coherent and attractive framework which links the exterior of the business park to the interior, via a well-structured soft landscaping scheme and a complementary hard works strategy. This is described in greater detail in the evidence of Mr Davies. It is however worth stating that the landscape strategy and the philosophy behind the urban design approach are inextricably linked and collectively seek to provide a high quality environment.
- 5.3 The LPA Committee Report which is appended to the Council's Statement of Case (ref 16/02208) sets out in some detail the proactive approach that the Appellant has taken to try to resolve the Council's concerns.
- 5.4 Paragraph 6.5.7 states that:

Offices now consider that the most serious shortcomings in the layout have been overcome and that whilst the indicative layout within the outline application did embody more of the ideals of urban design, it was purely indicative at that stage and the LPA are not able to resist realistic alternative designs where they reach an acceptable standard. The majority of the buildings (except the supermarket) do now front the spine road and the quality of the landscaping, the layout of the car park and the quality of the public spaces have been significantly improved.

- 5.5 It then goes on to discuss individual buildings and at Paragraph 6.5.10 states that:

It is fair to say that the supermarket and coffee shop are of a relatively standardised design. However, it is clear that all of the buildings which form part of the 'full' application use a similar architectural language and a similar palette of materials. This has also been designed to pick up on the language, material and colours utilised within the BMW building. The nursery building is relatively simple in design, however as mentioned above it has been improved since submission and again uses features such as grey framing and projecting eaves to continue the narrative of the group of buildings. The office buildings present largely glazed elevations to the spine road which adds a sense of vibrancy and activity to the site. The other elevations

are simpler with smaller windows and an undercroft area at ground floor. The buildings have been designed to be simple and flexible to allow for the requirements of different occupiers.

5.6 Notwithstanding the Officer's observations, the scheme was refused for the following reason:

Reason 3: The proposed layout of the site results in a predominance of hardstanding and retaining structures which result a poor appearance and do not create an attractive streetscape or strong sense of place which responds to the character of this transitional location. The position of buildings including the 'Drive thru' coffee shop and supermarket, close to the edges of the site give the layout a cramped and contrived appearance exacerbated by exterior features such as the 'drive thru' lane and external yards. The proposal is therefore harmful to the surrounding area by reason of its visual impact and also fails to create a high quality business environment in this edge of town location. For these reasons the proposal is considered to be contrary to policy SD 4 of the Joint Core Strategy and CP7 of the Local Plan.

Urban Design Effects

5.7 Before I deal with the individual elements of the reason for refusal, it is worth restating that the applicant and the local authority spent some 10 months working together to improve the design to a point where both parties were content with both the layout and the architecture. This was informed by presentations and discussion at the Architectural Panel and a series of in house consultations at Cheltenham Borough Council. This fact is reflected in the considered view (one presumes of the urban design officer and case officer) contained in Paragraph 6.5.15 of the December 2017 Committee Report.

'Officers therefore are satisfied that the proposal is acceptable in terms of layout, the design of buildings and their size and height.'

5.8 As an independent design adviser commissioned for the purposes of this appeal, my professional view is that the appeal scheme is a well-considered proposal. There is clear evidence of an integrated urban design and landscape strategy – which is critical to produce good examples of this type of development. There is also consistency of architectural style and materiality. The non-B1 uses are not standard in their appearance. Their architectural style and materiality is consistent across a range of buildings and uses. The LPA officers who were demanding a level of design quality here were successful in negotiating these improvements. These discussions encouraged the design team to improve the scheme – which they duly did.

5.9 I now respond to the particular criticisms cited in the Reason for Refusal that emerged from debate at Committee under the following headings.

The predominance of hardstanding and retaining structures would result a poor appearance and do not create an attractive streetscape or strong sense of place.

- 5.10 The attractiveness or not of streetscape and/or the evaluation of a strong (or otherwise) sense of place, has to be seen in the context of a developments' location and function. This land was granted planning permission in May 2007 as B1 industrial and has been subject to a series of applications since that time for reserved matters, ancillary infrastructure and more recently a mix of supporting/complementary uses alongside B1. While a masterplan was submitted as part of the 2012 outline application, officers admit that it was '*purely indicative*' in nature and that the LPA could not resist realistic alternative designs going forward. That said the applicants design team has worked with officers and evolved the design through consultation.
- 5.11 The site and/or the permission had no specific design guidance/design brief and/or design policy applied, over and above the standards normally expected for these types of land uses. Policy CP7 is a relatively high level design policy and is the only design policy referenced in the Committee Paper. No specific design conditions on either streetscape or sense of place were attached to the earlier extant permission, except for a reference to the indicative masterplan. That aside, throughout the determination process, the incumbent design team has sought to address concerns expressed from LPA consultees.
- 5.12 Streetscape was improved with the inclusion of public realm works and improvements to green spaces running parallel to the spine road, the extent of landscape and public realm around key buildings was increased, as were landscape buffers where appropriate. The orientation and design of buildings was also considered further to alleviate officer concerns.
- 5.13 This approach has resulted in a well-designed scheme relative to its location and purpose. Comparable recently approved nearby developments and others along this stretch of the A40, tend to have a less sophisticated approach to layout, the extent of hard standing and its visual impact and/or place making qualities. The nearby B&Q development and the ASDA Superstore are all dominated by hard standing with very limited attention given to landscape strategy or visual impact. The GCHQ complex presents very open views of large areas of hard standing and is entirely visible from the A40.
- 5.14 None of this is particularly surprising. The nature of these edge of town uses is that they appeal to car borne transportation and therefore must satisfy council policy relative to parking ratios etc. I would strongly advocate that the scheme subject to this appeal would seem to offer much more consideration in terms of landscape strategy, visual impact, mix of uses, public realm and building design than many comparable projects.
- 5.15 As Mr Davies explains in his evidence, the urban design approach is consistent and inspired by the landscape vision for the site. A strong high quality landscape edge along Grovefield Road provides the setting and introduction for a series of buildings of different scale on this western edge. These buildings and the landscape that sits around and between them provides an attractive and consistent edge treatment to Grovefield Road. The gateway through this

attractive edge treatment sits at the entry point to the main internal access road. But as can be seen from the various CGI's and sections from this viewpoint (see landscape proof Appendix 4 and section drawings), the main internal access road (and the gables of the buildings aligned to it) affords views of the longer distance woodland to the west of the site and along the A40.

- 5.16 Furthermore, the landscape strategy creates a clearly defined structure that utilises hard and soft landscape materials to unify the Appeal Scheme. The further breaks in level throughout the site as it runs west, enable the use of retention and planting to further reduce the visual impact of car parking throughout.
- 5.17 One final consideration that I believe has a further general bearing on the subject of 'sense of place' referenced in RFR 3, is the principle of a mixture of uses itself. Many historic edge of town developments are single use in nature, resulting in large numbers of people leaving the site during the day for a variety of reasons. I would contend that an appropriate mix of uses on site can only help retain people in the site, increase pedestrian activity and ultimately improve the place. In the LPA Committee report, officers themselves refer to the Employment Land Review in this regard. Paragraph 6.6.6 highlights that in principle, *'non B1 uses can encourage the provision of office based businesses and ultimately make it a more desirable place'*.
- 5.18 In my professional opinion and in the context of regularly masterplanning and reviewing other commercial and business schemes, this is not a commercial development that ignores design or visual impact.
- 5.19 The layout is undoubtedly efficient, however while there is appropriate car parking, the extent of hardstanding does not differ at all from what one would expect to see, and indeed does see in other nearby schemes. The overall landscape vision, the orientation of buildings along the main access road, the treatment of the Grovefield Road edge, the clever use of retaining walls and levels relative to planting and the design and orientation of the buildings, all help break up the impact of views of that hardstanding and of the private car.

The position of buildings including the 'Drive thru' coffee shop and supermarket, close to the edges of the site give the layout a cramped and contrived appearance exacerbated by exterior features such as the 'drive thru' lane and external yards.

- 5.20 To begin, I am unclear what is meant by the the expression 'contrived appearance' referenced in the RFR. I have, therefore, focussed my response on all other aspects of this RFR. In addition, the office buildings close to the main access road as it runs west through the site do not seem to be the focus of this part of the RFR and therefore I will focus my response upon the Non B1 buildings that sit closer to Grovefield Road.
- 5.21 I would again refer to the Council Committee Paper and specifically Paragraph 6.6.11:

Whilst the distribution of the uses on the site has not significantly altered, the overall quality of the scheme in terms of how the buildings address the street, the spaces between them and the landscape approach has improved since the submission of the proposal (this will be discussed further below). This helps to ensure that the business park has an 'identity' which is apparent from the entrance to the site to its furthest extent. As such whilst the non- B1 uses still occupy the eastern-most part of the site it is now considered that they will not appear as a separate parcel of commercial uses but will be integrated into the language of the site.'

- 5.22 The package of visuals, Appendix 4 of Mr Davies Proof and section drawings, consider the views fully from a number of perspectives along Grovefield Road and clearly show an attractive and well designed edge. I would draw your attention to the indicative masterplan for the extant permission, which showed significantly more development along this edge. Furthermore, the buildings that were proposed in the extant scheme are larger B1 footprints that have a significantly greater impact in terms of height and massing. Development is also significantly closer to the road edge.
- 5.23 When one fully takes into account the relative platform levels and building heights of both the supermarket and the Costa Coffee and the levels of planting proposed around these buildings, I would contend that far from being 'cramped', the frontage is in fact relatively open and rich.
- 5.24 The largest single building on this frontage is of course, the BMW dealership which already exists. I would further suggest that the revised approach helps enable the landscape strategy by encouraging strong views west through the site terminating in the woodland that sits at its western edge. The CGIs do not in my opinion show a congested frontage to Grovefield Road in any way.
- 5.25 The location and orientation of all three non-B1 uses that can be seen from Grovefield Road has been given significant thought. Sections H-H No. 178-98 and J-J No. 178-99, show this very clearly.
- 5.26 I would then turn my attention to the matter of 'exterior features' and specifically the drive thru lane and the external yards. Both these aspects were the focus of significant alteration and improvement on the back of earlier LPA consultation responses. The rear yard of the supermarket was relocated to enable a larger landscape buffer to the rear. Similarly, the visual impact of the drive thru lane was lessened by the relocation of car parking spaces to facilitate an increased landscape buffer.
- 5.27 I have considered in detail the configuration of the drive through lane of the coffee shop and note that there is no technical objection to it on highways grounds. I have also compared it to other drive through lanes nationally and again find nothing unusual in it. Post the design response to Officer concerns, it is now separated from the spine road by nearly 3 metres of

planting and sits some 1.5m below the main access road itself. The access lane is a single carriageway width, which widens slightly at the point where the coffees are ordered and collected. There are also a small number of parking spaces associated with it.

- 5.28 Taking all these factors into account, and when one considers how development will actually look with the higher level planting above the drive thru lane fully matured (see Appendix 4 of landscape Proof), then given the openness of that edge I do not see a ground level element on the scale of the drive thru lane exacerbating that vista to any significant extent.
- 5.29 Conversely, if the LPA view were to be upheld, then I would still argue that the coffee shop is in the optimum location from both an urban design and a sustainability perspective. It provides a counter balance to the prominent BMW dealership. It's a small and visible gateway building that sits at the gateway to the site. For external road users its location and its drive thru function, allow access without necessitating visitors entering into the business park beyond.

Supermarket and coffee shop are of a relatively standardised design.

- 5.30 Policy CP7 of the Local Plan states that Development will only be permitted where it: (a) is of a high standard of architectural design; and (b) adequately reflects principles of urban design; and (c) complements and respects neighbouring development and the character of the locality and/or landscape (note 3). It goes on say that the fact that a particular form or location of development is the most cost-effective option is not justification for an exception to CP7.
- 5.31 Taking each of these in turn I would comment as follows.
- 5.32 It is clear from the illustrative material that has been submitted with the hybrid application that the Appeal Scheme adopts a palette of high quality, contemporary materials that will unify the scheme and provide an attractive environment. This is not standard fair.
- 5.33 There is a clear structure to the development, which is based upon the linear development facing on to the internal access road. This provides legibility to the scheme and serves to largely conceal the parking associated with the Appeal Scheme. In the early part of the proof I have described in detail the nature and scale of neighbouring development and how this has influenced the disposition of development within the site.
- 5.34 The non-B1 uses, the Aldi supermarket, the coffee outlet and the nursery are of a contemporary design. They are not of standardised design. This approach is entirely consistent with the approach to the design of the business park as a whole and specifically to the design of the BMW building to the north. For clarity, both Aldi and Costa (in keeping with many of their competitors) have standard design approaches. Outwith signage, they have not taken this approach on this site. Indeed, the view of the design team was that it would be inappropriate

for these buildings to adopt a different architectural vocabulary to that already approved and in the case of the BMW buildings, constructed on site.

- 5.35 Without dwelling on this aspect further the Committee Paper clearly reflects the Officer's views at the time, that the:

'standard of design of the individual buildings is acceptable and appropriate for a modern business park'.

- 5.36 Indeed, their conclusion goes on to say that 'the buildings will appear as a family of buildings which is important in giving the site an identity as a high quality business park'. It is notable that there are no design issues with appeal B. The architectural style is to a significant extent set/or at least very heavily influenced by the extant permission. Indeed, this consistent architectural style further underpins my view that the Appeal scheme goes some way to helping create a strong sense of place. The materials deployed for the buildings will only help unify the development.

And finally - The proposal is therefore harmful to the surrounding area by reason of its visual impact and also fails to create a high quality business environment in this edge of town location.

- 5.37 This aspect is more fully considered in the evidence of Mr Davies however, from an urban design perspective, I have already noted that a comprehensive series of public and private viewpoints were considered. The Appeal Site is located adjacent to the existing settlement edge and views of the Appeal Site are therefore relatively localised. The existing BMW dealership to the immediate north east of the site is readily visible from the surrounding area.

- 5.38 In considering the impact of the proposed retail building on the neighbouring area it should be noted that the maximum storey height would not exceed 2 storeys. This is entirely appropriate given the heights of neighbouring properties to the south of North Road West and has been informed by our site assessment. It is also very important to keep the scale of development in context.

Visual Effects

- 5.39 The impact on local views are dealt with more fully in the evidence of Mr Davies. I have already noted that a comprehensive series of public and private viewpoints were considered in the evolution of the masterplan approach.
- 5.40 The Appeal Site is located adjacent to the existing settlement edge and views of the Appeal Site are therefore relatively localised. The existing BMW dealership to the immediate north east of the site is readily visible from the surrounding area.

Local Plan Policies

- 5.41 The reason for refusal is very specific in that it identifies the particular areas where harm is alleged to occur. It is claimed that the Appeal Scheme is contrary to Saved Policies SD4 of the Joint Core Strategy and CD7 of the Local Plan.

Office Development

- 5.42 In considering the impact of the proposed office building on the neighbouring area it should be noted that the maximum storey height would not exceed 2 storeys. This is entirely appropriate given the heights of neighbouring properties to the south of North Road West and has been informed by our site assessment. It is also very important to keep the scale of development in context.
- 5.43 The Office building is limited to a maximum height of 2 storeys. It also has to be remembered that the office would be surrounded by parking and landscaping.
- 5.44 It is clear from the CGI in Appendix C that the proposed office would be attractive, in keeping with the scale of neighbouring and entirely appropriate.
- 5.45 The CGI at Appendix D of this evidence illustrates how a 2-storey office building can be accommodated in the interior of the office park via a well-structured linear landscape scheme. This approach has the benefit of not only creating an attractive environment, but it also has the benefit of leading people into the office park.
- 5.46 The CGI at Appendix C shows the Costa Coffee outlet at the entrance to the site (proposed under application 16/02208).
- 5.47 The positioning of this single storey building at the entrance to the Appeal site works well from both a commercial and aesthetic point of view. In design terms the location of the building acts as a counter balance to the BMW dealership on the opposite side of the road and also provides a transition to the proposed two storey office buildings.
- 5.48 In commercial terms a Costa Coffee outlet provides a resource for occupiers of the office park and for residents and passing motorists. Such a facility is not uncommon on contemporary business parks.
- 5.49 Policy CP7 of the Cheltenham Borough Council Local Plan Second Review (Adopted 2006)
- 5.50 Policy CP7 of the Local Plan states that Development will only be permitted where it: (a) is of a high standard of architectural design; and (b) adequately reflects principles of urban design; and (c) complements and respects neighbouring development and the character of the locality and/or landscape (note 3).

5.51 It goes on say that the fact that a particular form or location of development is the most cost-effective option is not justification for an exception to CP7.

5.52 Taking each of these in turn I would add to my earlier comments as follows:

High standard of architectural design

5.53 It is clear from the illustrative material that has been submitted with the hybrid application that the Appeal Scheme adopts a palette of high quality, contemporary materials that will unify the scheme and provide an attractive environment. I would contend that this approach address policy CP7 in three ways.

5.54 Firstly, the standard of design is appropriate for a modern business park. Secondly, while the architecture is bespoke to this particular development the unified architectural approach and materials palette results in a 'family of buildings'. This is not a standardised approach. Thirdly, there is a strong interaction between the architectural approach and the broader urban design and landscape strategy.

5.55 Moreover, I struggle to understand how the extant permission and Appeal B can be said to be acceptable in design terms, whereas Appeal A is not. Indeed, given the relatively minor differences in the various proposals, it is difficult to see how one form of development can be considered contrary to the development plan whereas another is not.

Reflects the principles of Urban Design

5.56 On this last point there is a clear structure to the development, which is based upon a strong frontage onto Grovefield Road and then linear development facing on to the internal access road. I have described the former in detail earlier in this section as it was the focus of the RFR.

5.57 Regarding the latter point. The spine of development and public realm that then runs west through the scheme toward the existing planting on the A40, provides a particularly high quality street feel at the heart of the development. The separation of the pedestrian and vehicular traffic along that street only add to the sense that a pedestrian could use and enjoy this environment. The street provides a legibility to the scheme and the long distance views of woodland bring a key aspect of the landscape strategy to life. The breaks in level and linear nature of the buildings further serve to help conceal the parking associated with the Appeal Scheme.

Complements neighbouring development

5.58 In the early part of the proof I have described in detail the nature and scale of neighbouring development and how this has influenced the disposition of development within the site.

- 5.59 Policy SD4 of the Joint Core Strategy (Adopted 2017)
- 5.60 The (JCS) is a partnership between Gloucester City Council, Cheltenham Borough Council and Tewkesbury Borough Council, supported by Gloucestershire County Council.
- 5.61 Policy SD4 is concerned with Sustainable Design and Construction and requires new development to follow best practice in terms of sustainability. It covers a range of topics including legibility, context, amenity and public realm. Importantly the focus is on sustainable design, which is at the heart of the policy.

Legibility

- 5.62 I have already explained the scheme has been structured to create an attractive and legible environment through the alignment and location of buildings fronting on to the internal spine road.

Context

- 5.63 Similarly, I have described how the scale, location and siting of the proposed buildings have been informed by a detailed assessment of the local context, informed by an ongoing discussion with officers.

Sustainable Design

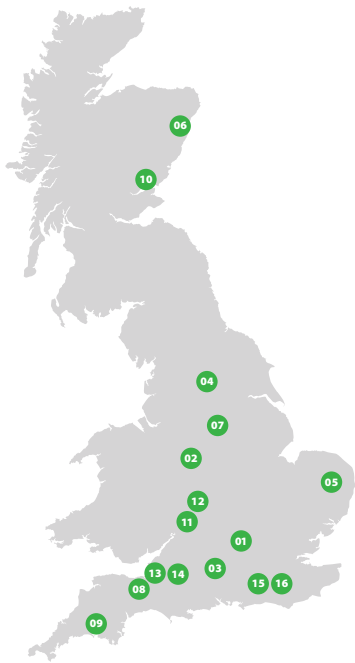
- 5.64 Clearly the mix of uses gives rise to sustainable design. Similarly, the location of the site is in a sustainable location.

Conclusion

- 5.65 My overall conclusion is that the Appeal scheme is a well-considered scheme and that considerable thought has gone into creating a high-quality development which responds sensitively to its site and setting. I therefore see no reason why planning permission should not be granted on design grounds.

Appendix Two

Schedule of Business Parks



1. Suttons Business Park, Reading
2. Beacon Business Park, Stafford
3. Andover Business Park, Andover
4. Thorpe Park, Leeds
5. Broadland Business Park, Norwich
6. Westpark Business Park, Aberdeen
7. Castlewood Business Park, Sutton-in-Ashfield
8. Westpark 26, Wellington
9. Plymouth International Business Park, Plymouth
10. West Gourdie Industrial Estate, Dundee
11. Gloucester Business Park, Gloucester
12. Tewkesbury Business Park, Tewkesbury
13. Highbridge Business Park, Highbridge
14. Hawke Ridge Business Park, Westbury
15. Billingshurst Business Park, Billingshurst
16. Ashdown Business Park, Maresfield

01 Suttons Business Park, Reading

- Aldi (A1)
- Costa Coffee (A3)
- B class uses include Pretty Green (B1), Moog Components Group (B2) and Brakes Logistic (B8)



02 Beacon Business Park, Stafford

- Costa Coffee, The Knott and Plough (Marston's pub) (A3)
- B class uses include B1, as well as Wacker Neuson (B8)



03 Andover Business Park, Andover

- Costa Coffee Drive-Thru, Marston's Inn (A3)
- Travelodge (C3)
- B class uses include Stannah (B1) and Co-operative (B8)



04 Thorpe Park, Leeds

- Large scale retail and leisure park including
- TK Maxx, Marks & Spencer, Fatface (A1)
- Thorpe Park Hotel and Spa (C3)
- Costa Coffee, Gino D'Acampo, Greggs (A3)
- B use classes include Concept recruitment Group (B1)

Under construction on Google Maps

05 Broadland Business Park, Norwich

- Sainsbury's (A1)
- Waterside Café, Brewers Fayre bar and restaurant, Greene King pub and restaurant, Costa Coffee Drive-Thru (A3)
- Bannatyne's Health Club, Busy Bees children's nursery (Sui Generis)
- B class uses include Royal Bank of Scotland (B1) and Bertrams (B8)



06 Westpark Business Park, Aberdeen

- Starbucks (A3)
- B class uses include ALS Oil & Gas (B1) with future B uses planned.



07 Castlewood Business Park, Sutton-in-Ashfield

- Costa Coffee Drive-Thru, Greggs (A3)
- B class uses include B1, as well as Parker Knoll (B8) and Bombardier (B2)



08 Westpark 26, Wellington

- Budgens, Shell (A1)
- Subway (A3)
- Travelodge (C3)
- B class uses include B1, as well as Paramount Embroidery (B2) and WJ South West (B8)



09 Plymouth International Business Park, Plymouth

- McDonalds, Fishbone restaurant (A3)
- Future Inn (C3)
- B class uses including HSBC (B1) and Optimus Performance Marketing (B2)



10 West Gourdie Industrial Estate, Dundee

- BP (A1)
- Subway (A3)
- Travelodge (C3)
- B class uses include Dundee Cold Stores (B8) and Digimax Precision Engineering (B2)



11 Gloucester Business Park, Gloucester

- Tesco Extra (A1)
- Brewers Fayre (A3)
- Premier Inn (C1)
- Costa Coffee (C3)
- David Lloyd gym (Sui Generis)
- B class uses include B1, as well as G-TEK Europew Manufacturing (B2) and Direct Wines (B8)



12 Tewkesbury Business Park, Tewkesbury

- Brewers Fayre, Greggs (A3)
- Travelodge (C3)
- B class uses include B1, as well as S Elastometers (B8) and G4S Technology UK (B2)



13 Highbridge Business Park, Highbridge

- ALDI (A1)
- Travelodge (C3)
- B class uses include David Salisbury (B1) and Portakabin (B8)



14 Hawke-Ridge Business Park, Westbury

- Not yet built. Planning permission granted on 26th September, 2014 for 1 convenience unit and 3 retail units at the front of the park. Permission is also secured for a range of B-class uses.



15 Billingshurst Business Park, Billingshurst

- Not yet built. Planning permission granted on 16th April 2019 for a petrol filling station, retail units and a drive through coffee unit. Permission is also secured for a range of B-class uses.

Not yet built

16 Ashdown Business Park, Maresfield

- Not yet built. Planning permission granted on 20th November 2014 for a Costa Coffee, Premier Inn and John Lewis. Permission is also secured for a range of B-class uses.

Not yet built

Appendix Three

Proof of Evidence (including appendices 01-04), Mike Davies

**Planning Inspectorate Reference:
APP/B1605/200395**

**Local Authority Reference:
16/02208/FUL**

**Proof of Evidence of
Michael Davies**

**On behalf of:
Hinton Properties (Grovefield Way)
Ltd**

**Town and Country Planning Act 1990
Town and Country Planning (Inquiries
Procedure) (England) Rules 2000/1624**

**Appeal against refusal of planning
permission for development of land
at Northwest Road and Grovefield
Way, Cheltenham**

**Final Version
10.12.17**

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This document has been produced by Davies Landscape Architects (DLA) for the sole purpose of the Appeal concerning Land Off Grovefield Way, Cheltenham

PI Ref: APP/P1605/200395

Document Title: Landscape and Visual Proof of Evidence

Document Reference: 1873/POE/RPT/02

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1 Introduction

Reason for the Appeal

- 1.1 This Proof of Evidence has been prepared by Michael Davies, Managing Director at Davies Landscape Architects Ltd (“DLA”) on behalf of Hinton Properties (Grovefield Way) Limited (HPGWL) (“the Appellant”).
- 1.2 This Proof of Evidence has been prepared in support of a planning appeal made by the Appellant under Section 78 of the Town and Country Planning Act 1990 and in accordance with the Town and Country Planning (Inquiries Procedure) (England) Rules 2000/1624.
- 1.3 This conjoined appeal is submitted in response to the refusal by Cheltenham Borough Council (“CBC”) of two hybrid planning applications (local authority references 16/02208/FUL and 18/01004/FUL)
- 1.4 The first application 16/02208/FUL, refused on 17th January 2018 sought permission for:
“Hybrid application seeking detailed planning permission for a 5,034 sq.m of commercial office space (Use Class B1), 502 sq.m day nursery (Use Class D1), 1,742 sq.m supermarket food retail unit (Class A1), a 204 sq.m coffee shop retail unit and drive-thru (Use Classes A1 and A3), with associated parking, landscaping and infrastructure works. Outline planning permission sought for the erection of 8,034 sq.m of commercial office space (Use Class B1), together with associated car parking, landscaping and infrastructure works, with all matters reserved (except access). ”
- 1.5 The second application 18/01004/FUL was a follow up to the first application to replace the coffee shop retail unit and drive-thru with additional commercial office space forming part of the detailed application.

Hybrid application seeking detailed planning permission for 5,914 sq.m of commercial office space (Use Class B1), 502 sq.m day nursery (Use Class D1), 1,742 sq.m food retail unit (Use Class A1), with associate parking, landscaping and infrastructure works. Outline planning permission sought for the erection of 8,034 sq.m of commercial office space (Use Class B1), together with associated car parking, landscaping and infrastructure works, with all matters reserved - except access (resubmission).

Experience and Qualifications

- 1.6 I am Michael Davies, Managing Director of DLA which I founded in 2006. I hold a Bachelor of Arts Degree with Honours and Diploma in Landscape Architecture from the University of Gloucester. I was elected a Chartered Member of the Landscape Institute (“CMLI”) in 1991.

- 1.7 I have worked as a Landscape Architect in the private sector since 1989 on a wide range of projects across the residential, commercial, leisure, education and waste sectors.
- 1.8 Of relevance is my experience with large and small scale commercial and retail schemes which form a regular part of my firm's core business and expertise. At the time of preparing my evidence for this appeal we are working on several mixed commercial schemes, including:
- Billingshurst Business Park - B1 and B2 uses including a petrol filling station and integral café;
 - Bourn Business Park, Cambridgeshire – Primarily office development with some light industrial uses;
 - Canford Magna Business Park, North Poole –mix of office and light industrial units
 - Renishaw, Gloucestershire – high quality office above a multi storey car park;
 - Business Hub, RAU, Cirencester – high quality office campus in parkland landscape;
 - Oldlands Farm Business Park, Bognor Regis – offices and light industrial units uses with retail enabling development and food outlet; and
 - Sutton Business Park, Reading – mixed offices and light industrial units.
- 1.9 My firm has also been involved with the development of Corinthian Park Grovefield Way since the submission of reserved matters (12/01086/REM) following the grant of Outline Permission (05/00799/OUT), which was won at appeal in May 2007. Our scope of works was to prepare hard and soft landscape details for the remainder of the business park based on the same principles submitted for the first phase of reserved matters (Ref 09/00720/REM) permitted in Dec 2009.
- 1.10 The reserved matters application (12/01086/REM) was subsequently approved by CBC in August 2013.
- 1.11 Further applications followed in 2013/14 for a BMW flagship dealership, which opened in 2017 on the northern part of the site. An update to the 2005 masterplan (05/00799/OUT), was subsequently undertaken by the Cooper Partnership and Peter Brett Associates (14/01323/OUT) permitted in December 2014.
- 1.12 DLA were appointed by HPGWL in 2016 to prepare a hybrid application for the first appeal scheme comprising full details for: B1 commercial office space; an Aldi Food store; Happy Days nursery and a Costa drive-thru coffee shop in the south east half of the business park. The remainder of the business park to the southwest and northwest for B1 office uses was in outline.

- 1.13 The second follow up application was submitted by HPGWL in May 2018 to replace the Costa Coffee at the entrance to the business park with an office building but was refused in August 2018, despite a firm officer recommendation for the revised scheme.
- 1.14 The second application was refused on a single Reason for Refusal (RFR) based on the reduction of B1 commercial office;
-” The amount of the site given over to non-B1 uses in combination with the prominent position they would occupy on the site would result in a dilution of the character and function of the site as an employment site and represent in inappropriate balance between B1 and non-B1 uses”.
- 1.15 While I refer to this second application, my evidence focuses on the putative reasons for refusal (RFR3) of the first application as there is no landscape related RFR in the second appeal.

Scope of Evidence

My proof of evidence addresses the visual effects of the proposed development on the visual amenity of the area. My evidence on landscape and visual matters will show that:

- The design rationale fully accords with the established landscape principles of the approved outline planning applications (05/00799/OUT) (14/01323/OUT) and reserved matters applications (09/00720/REM) and (12/01086/REM); and
- The proposed development would not cause any significant harm visual to visual amenity.

- 1.16 My evidence should be read alongside that of Mr Griffin who addresses planning policy matters and Mr Tuckerf who addresses urban design matters.

Declaration

- 1.17 The evidence which I have prepared and provided for this appeal reference APP/B1605/200395 in this proof of evidence is true and has been prepared and is given in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true and professional opinions.

2 Response to Reasons for Refusal

- 2.1 CBC in its refusal decision has raised concerns about the visual impact of the proposals and in the third RFR which states:

‘The proposed layout of the site results in a predominance of hardstanding and retaining structures which result a poor appearance and do not create an attractive streetscape or

strong sense of place which responds to the character of this transitional location. The position of buildings including the 'Drive thru' coffee shop and supermarket, close to the edges of the site give the layout a cramped and contrived appearance exacerbated by exterior features such as the 'drive thru' lane and external yards. The proposal is therefore harmful to the surrounding area by reason of its visual impact and also fails to create a high-quality business environment in this edge of town location. For these reasons the proposal is considered to be contrary to policy SD4 of the Joint Core Strategy and CP7 of the Local Plan'.

2.2 My evidence has drawn upon:

- Site visits made during full and bare leaf conditions;
- Plans and documents submitted in support of the refused applications;
- The case officer report to committee;

The extant outline planning permission and the associated 2012 reserved matters documentation on which it was based and are a material consideration in understanding the rationale behind the landscape proposals;

- Updated photomontages from Grovefield Way; and
- Recent site visits and updated site context photographs.

Response to other matters raised in consultation

2.3 The officer report to committee identifies a number of issues and concerns from consultees and other representations, which included some landscape and visual matters, which I will also address in my evidence.

Scope & Structure of My Evidence

2.4 The Council's SOC, (chapter 5 bullet 15-17) does not elaborate any further on their reasoning behind the third RFR, and has instead, broken down RFR as three separate components (15-17):

15. The proposed layout of the site results in a predominance of hardstanding and retaining structures which result a poor appearance and do not create an attractive streetscape or strong sense of place which responds to the character of this transitional location.

16. The position of buildings including the 'Drive thru' coffee shop and supermarket, close to the edges of the site give the layout a cramped and contrived appearance exacerbated by exterior features such as the 'drive thru' lane and external yards.

17. The proposal is therefore harmful to the surrounding area by reason of its visual impact and also fails to create a high-quality business environment in this edge of town location. For these reasons the proposal is considered to be contrary to policy SD 4 of the Joint Core Strategy and CP7 of the Local Plan.

2.5 The purpose of my evidence is to show that the proposals have been 'landscape led' in line with the established design principles of the extant scheme and previously approved reserved matters applications and would not cause any significant harm to the landscape or visual amenity of the immediate or wider area.

2.6 I also concur with the officer report that initial serious concerns raised during consultation, including concerns about landscape and visual impact have been fully addressed through an iterative and collaborative process.

2.7 For the purposes of this appeal I will also respond appropriately to some of the landscape related criticisms raised by the Ward Councillor and other representations.

2.8 The structure of my evidence is as follows.

2.9 In **Section 3**, I will describe the application background:

- Background and review of the 2007 appeal decision;
- A summary of the key landscape related policies relevant to the appeal;
- A summary of the officer report to committee and the landscape changes made during the consultation process; and
- Other representations.

2.10 In **Section 4**, I will describe the landscape baseline with respect to site context, character and the influence of the Appeal Site on local visual amenity.

2.11 In **Section 5**, I will summarise the Development Description:

- The landscape strategy; and
- The effects visual amenity.

2.12 In **Section 6**, I will respond to RFR 3 in respect of policies SD4 of the JCS and CP7 of the local plan.

2.13 In **Section 7**, I set out the conclusions to my evidence.

3 Background, Policy and Officer Report

Background

- 3.1 DLA has been involved with the Corinthian Park project since 2012, having been appointed by the landowner to prepare hard and soft landscape drawings for a reserved matters submission (12/01086/REM) which were subsequently permitted.
- 3.2 I have visited the site and surroundings on numerous occasions across the seasons since 2012 and have a good grasp of the site and its wider context. I also sat on the design panel that reviewed the BMW proposals, a process which resulted in positive design changes.
- 3.3 The principle of development on the site is well established since the granting of outline permission won at appeal in 2007. This was supported by a Landscape and Visual Appraisal (LVA) (2006) prepared by the Cooper Partnership setting out the key principles of mitigation to minimise landscape and visual harm on what was a partially enclosed Green Belt site free of buildings.
- 3.4 The principal landscape and visual harms caused through development of a greenfield site were tested through the appeal process and the impacts on character and appearance formed one of the three main issues of the 2007 appeal.
- 3.5 It has not been necessary to undertake any further landscape and visual impacts assessments as subsequent reserved matters; extant outline permission and both appeal schemes have been undertaken within the parameters and principles of the 2007 appeal scheme.

2007 Appeal Decision App/B1605/A/06/2015866/NWF

- 3.6 The inspector's decision found that the site was more urban fringe than had been portrayed by the Council and at paragraph 27 states that...*'Accordingly I am satisfied that, subject to detailed design and layout, and providing that a suitable landscaping scheme, especially along the southern boundary, is included with any detailed proposals, new B1 buildings here need not be unnecessarily intrusive in the landscape'*.
- 3.7 At paragraph 28 he concluded ...*'the scheme would not have a materially harmful impact on the character or appearance of the area or the landscape setting of the town'*.

Landscape Policy Background

- 3.8 The policy background relevant to the appeal is identified in the draft Statement of Common Ground (SOCG) and as such I do not repeat it fully here but draw on those policies that are cited in the RFR 3 or those sections relevant to my evidence.

- 3.9 Mr Griffin will explain the status and weight to be given to various policies of the development plan comprising the Joint Core Strategy (JCS) adopted in November 2017; the saved policies of the Cheltenham Borough Local Plan replacing those of the saved policies of the 2006 Local Plan and the emerging Cheltenham Plan which was sent to the Secretary of State for inspection in October 2018.

National Planning Policy Framework (NPPF)

- 3.10 Section 12, paragraph 127 outlines the importance of good architecture, layout and landscaping in creating visually attractive design. *'Layouts should positively respond and improve the local character and history of the built environment and landscape. The overriding policy sets out the need to establish a strong sense of place, through good urban design, creating places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'*

- 3.11 The planning Practice Guidance which underpins the NPPF provides further guidance on the design, landscape and the natural environment and should consider:

- Local character (including landscape setting);
- Safe, connected and efficient streets;
- A network of greenspaces (including parks) and public places;
- Crime prevention;
- Security measures;
- Access and inclusion;
- Efficient use of natural resources; and
- Cohesive and vibrant neighbourhoods.

- 3.12 These are all matters that have been fully embraced in the preparation of the extant illustrative masterplan and the appeal schemes.

Cheltenham Borough Local Plan 2006 Local Plan - Saved Policies

Policy CP7 – Design

- a. POLICY CP 7 DESIGN Objective O2

Development will only be permitted where it:

- (a) is of a high standard of architectural design; and
- (b) adequately reflects principles of urban design; and

(c) complements and respects neighbouring development and the character of the locality and/or landscape (note 3)

Note 4 The fact that a particular form or location of development is the most cost-effective option is not justification for an exception to CP 7.

Joint Core Strategy

Policy SD4 – General Standards of Development

3.13 Relevant to my evidence is Bullet iv - Public Realm and Landscape 'New development should ensure that the design of landscaped areas, open space and public realm are of high quality, provide a clear structure and constitute an integral and cohesive element within the design. The contribution of public realm designs, at all scales, to facilitate the preferential use of sustainable transport modes should be maximised'.

3.14 The explanation clauses to this policy set out what makes good design including the design and quality of the public realm and principles of architectural design which Mr Tucker addresses in his evidence.

3.15 Of relevance to the footnotes contained in Table SD4C:

Scale

(Final bullet)

- height (its effect on shading, **views**, skylines and street proportion). (my bold emphasis)

Landscape

- The integration of buildings and landscape

Officer Report to Committee

3.16 The officer report (OR) to committee provides a detailed narrative on the key policy issues, key concerns and consultee responses, which are fully evaluated in chapter 6. Of relevance to my evidence are the consultee responses from the Urban Design and Tree Officer.

3.17 It is noted that there were initial concerns raised in the first round of feedback from consultees, which prompted a resubmission of drawings and a repeat of the consultation process resulting in two responses from the tree officer.

3.18 Paragraph 6.5.6 describes the key changes that were made to the application including amendments to the landscape:

Second Bullet

- *'In relation to the coffee shop an increased patio area has been added and the landscaping has been increased. The drive thru lane is in the same location, however some of the parking spaces have been relocated **to allow the landscape buffer to be increased to create a better sense of arrival into the site**'. (My bold emphasis)*

Third Bullet

- *'In relation to the supermarket, it is still in the same location, **however the rear yard has been relocated in order to allow an increased landscape buffer at the rear. Views of the supermarket across the site have been softened by the increasing of the landscaping with a pedestrian route through having been designed**'. (my bold emphasis).*

3.19 For additional clarity, I have tabulated the changes that were made against the urban design and tree officer responses.

Table 1 – Responses to Urban Design and Tree Officer Comments

Urban Design Comments Date:28 th September 2017	DLA Response
Soft landscape	
Planting layout details appear random & there is no evidence of a planting strategy to demonstrate any logic to the detail information. Please submit a planting strategy drawing.	Strategy drawing not prepared as the planting proposals reflect the species and groupings of the approved RM landscape 12/01086/REM.
Management plan	
Please submit a landscape management plan.	Management plan submitted as part of the application and updated in Nov 2017 in response to further tree officer comments.
Retained and existing vegetation	
Please submit a drawing clearly indicating existing vegetation and proposed planting arrangements	Landscape proposals identify retained and proposed vegetation.
Hard landscape	
Please submit a drainage and water management plan incorporating sustainable design. Please modify hard landscape proposal to facilitate pedestrian/cyclist access and reinforce a sense of place.	Prepared by others and submitted Cycle path moved from estate roadside and integrated into landscape.

Contradictory/unclear information	
Unmatched legend/unexplained symbol in planting Proposal and illustrative masterplan	Amended legend and re-issued
Spelling error with planting schedule	Amended and reissued
East elevation of Office 1 didn't reflect the proposed design.	Architect / urban design consultant to comment.
Tree Officer's Comments Date:13th September 2017	Response
<p>The proposed Aldi supermarket is to be adjacent to North Road west and opposite several private dwellings. The proposed Planting proposals drawing (no 07-sheet 2 of 3) of 23/6/17 shows boundary treatment planting of hedgerow species with several lime and pine oak and alder trees within metres of the side of this building. It is anticipated that if these trees are allowed to mature, they will be considered too close to this building and there will likely be pressure from the owners to remove them. Similarly, in winter months, such trees (other than the canopy of the pine) will not offer sufficient screening to the residents of these properties. It may be better to choose evergreen species along this area. Holm oak (<i>Quercus robur</i>) is one such broadleaved evergreen which grows fast even in poor conditions and will also tolerate harsh pruning (away from the side of Aldi). It may be prudent to change the proposed <i>Tilia cordata</i> (lime) for shade tolerant hornbeam to grow adjacent as well as a high proportion of native holly within the hedgerow planting mix.</p>	Planting amended in accordance to tree officer comments and re issued
<p>It is noted that there are many ash trees within this hedgerow along North Road West. Given that ash die-back has now reached Cheltenham, most ash trees are anticipated to have died within the next decade. As such new planting proposals along the whole of the boundary with North Road west should be reconsidered and significant numbers of proposed new alternative species should be proscribed. Alder trees may grow well and be suitable to this location.</p>	Planting amended in accordance with tree officer comments and re-issued.

<p>The hedge line along North Road west is species rich and of significant ecological value but requires maintenance. Details of all pruning/thinning should be agreed. This should also take account of the need to create space for new planting mix as recommended as well as proposed new trees.</p>	<p>Management plan updated to include the southern boundary hedgerow as requested by the tree officer and report re-issued</p>
<p>There are also several 'stand-alone' young ash trees along Grovefield Way which are shown as being retained. Such trees should now be removed and replaced. The planting of eg Japanese hornbeam (<i>Carpinus japonica</i>) may look well against the 'Acer X freemanii' Autumn Blaze' in the autumn.</p>	<p>These trees are outside the applicant's ownership boundary and thought to lie in highway owned land. Proposals could therefore include the replacement of these trees subject to a S106 agreement.</p>
<p>It is noted that there are many ash trees adjacent to but outside this site boundary adjacent to the A40. Unless new trees are planted now, this dual carriageway could be substantially denuded of trees and views into the site from the A40 will be most apparent. Similarly, noise from the A40 traffic will be perceived to be more noticeable within the site. The absorption of airborne particulates will decrease if such an existing boundary treatment all but disappears. Agreement should be made with the County Council (the owner) to replant and this area.</p>	<p>Ash trees are adjacent to the A40 and fall outside the application/appeal area.</p>
<p>Root trainers must be inserted into all tree pits where such tree pits are within or adjacent to hard surfacing. Whilst such root directors have been described within car parking areas, there are many shallow rooted trees (alder, birch etc) recommended in other hard landscaped areas.</p>	<p>A note regarding the implementation of root barriers has been added t within the legend and drawings re-issued.</p>
<p>There are no planting details evident for the western most part of this site (ie the Elm Farm side of the site). It is assumed that this is an oversight.</p>	<p>Area is outside the full planning application area and forms part of the outline scheme. Details will be submitted as part of reserved matters application when the building design and layout are known.</p>
<p>T's 26+27 (a blackthorn and a crab apple are situated outside the site and within the garden of Elm farm. It is also noted that there is a proposed parking area designated. Whilst the parking bays themselves are outside the Root Protection Area of these trees and</p>	<p>As above</p>

<p>given that the land slopes away in this corner of the site, it is important that land levels are not increased to the boundary. Any such levelling must finish outside the 4.7 metres RPA of the adjacent apple.</p>	
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- 3.20 The OR 6.6, describes the impacts on neighbouring properties and their amenity, recognising that there is an extant outline permission for B1 development. The officer recognised that the mix and distribution of uses in the appeal scheme is different to the extant permission and sets out the physical separation of the nearest buildings as being:
- Coffee shop – 44m;
 - Supermarket – 36m;
 - Nursery – 88m;
 - Office 1 – 82m; and
 - Office 2 – 103m.
- 3.21 My own assessment concurs with these findings as illustrated in my drawings at Appendix 2 of my proof.
- 3.22 The OR at 6.6.6 concluded that the closest relationship is with the proposed location of the supermarket, but its reduced floor levels when combined with the landscape buffers would not cause a significantly harmful effect in terms of loss of light, privacy or overbearing impact. This relationship is clearly illustrated on DLA cross sections J & K (DLA.1755. L.13 Rev A).
- 3.23 While I offer no expert opinion on lighting impacts, it is worth noting that at a light spillage plan was undertaken by professional lighting consultants and the OR 6.6.10 describes the light spill as being... *'minimal with a level of 0 at all neighbouring properties with a level of 1 clipping the front gardens of 9 & 10 Grovefield Way'*.
- 3.24 The OR 6.6.11, considers that subject to appropriate conditions the impact on neighbour amenity would be acceptable.
- 3.25 The OR 6.9 describes the tree impact of the proposals in respect of Policy GE5 and it is confirmed by the tree officer that the majority of trees are low category and will be retained in any event.
- 3.26 The OR 6.9.4 considers that.... *'the soft landscaping proposals are generally considered to be of a high quality, (my bold emphasis) however there are certain areas where inappropriate species are proposed, and/or further details are required in relation to*

maintenance and planting as outlined in the comments above. It is considered that these matters can be dealt with appropriately through conditions’.

3.27 It should be noted that further amendments were made to the DLA maintenance and management plan in November 2017 but were not subject re-consultation as the officer was satisfied that these could be conditioned.

Ward Councillor Response (21st sept 2017).

3.28 The ward councillor commented that the landscape scheme had been improved but that... *‘More tree screening is required along the whole boundary of the site especially with Grovefield Way and Shakespeare Cottages to mitigate the light pollution to neighbouring buildings and road users’.*

Representations

3.29 The officer summarised the key themes of objectors including:

- Impacts on neighbouring properties; and
- Unacceptable visual appearance.

3.30 Chapter 7.5 & 7.6 states that ...*‘it must be concluded that there are no over-riding concerns in terms of the uses proposed or in the technical considerations which warrant the refusal of the application’, concluding with a recommendation to permit the application’.*

3.31 The conclusion from this iterative process and on-going dialogue was that ... *‘Officers now consider that the most serious shortcomings in the layout have been overcome’, (6.5.7).*

3.32 In chapter 7 it is acknowledged that while controversial, a decision must be made on planning merits bearing in mind the relevant policies and the fall-back position of the extant outline consent for B1 development. Subsequently the conclusion is a recommendation to permit the scheme.

4 The Landscape Baseline – Site Context, Character and Visual Amenity

4.1 The Appeal Site lies entirely within Cheltenham Borough in the county of Gloucestershire.

Statutory Designations

4.2 The Appeal Site has been removed from the green belt as part of the JCS and carries no other statutory landscape designations or protection policies.

Biodiversity

- 4.3 The Appeal Site is not subject to any statutory nature conservation designations, and did not attract any objections from Natural England.

Site Context

Topography

- 4.4 The topography slopes from 40m AOD at the site entrance to 32.5m AOD adjacent to the west and north boundaries. Grovefield Way rises from the site entrance towards the southeast boundary of the Appeal Site at 41.5m gradually falling to 32.5m AOD on the southwest boundary.

Access

- 4.5 The main transport links to the site are from Grovefield Way to the east and North Road West to the south.

Public Rights of Way (PRoW)

- 4.6 There are no PRoW that cross the site.
- 4.7 Highway footpaths lie either side of Grovefield Way and the road itself forms part of the Sustrans Cycle Route 41 that links with and follows North Rd West before heading north onto the Badgeworth Road. North Road West also forms part of the Cheltenham Circular Walk with much of the route on the road as there is only a short single highway footpath outside Shakespeare Cottages which terminates at the Community Centre

Settlement and Built Character

- 4.8 The Appeal Site lies on the edge of the urban fringe and much of the residential area lacks any distinctive qualities and does not share any of the key characteristics associated with the more historic buildings in the town centre.

Views

- 4.9 The Appeal Site forms part of the urban fringe of west Cheltenham and is indistinguishable from it, in long elevated views from the Cotswold Area of Outstanding Beauty (AONB), Crickley Hill and Churchdown Hill (Ref Cooper Partnership LVA 2006).

Site Character

- 4.10 The north west quarter of the site is occupied by the BMW dealership and associated car parks. It is marked by broad grass verge edged black metal railings bordering Grovefield

Way and more ornamental planting adjacent to the estate road and. It contains a large and open car park area interspersed by occasional trees

- 4.11 The remainder of the Appeal Site has been soil stripped in anticipation of further development and is an ordinary, urban fringe landscape with no extraordinary landscape or visual qualities. As such there are no significant environmental constraints that lie within the site.
- 4.12 An unmanaged species rich hedgerow lies to the south boundary bordering North Road West approximately 8-9m in height comprising common mixed native species, including elm.
- 4.13 The west boundary is also unmanaged of the same height but contains more ash and willow species.
- 4.14 The north boundary of the Appeal Site borders the A40 embankment treed embankment marked by a Heras fence.

Visual and Sensory Perceptions

- 4.15 The Appeal Site has fundamentally lost its appearance as an operating agricultural unit and has corresponding low sensitivity to change.
- 4.16 The Golden Valley bypass and Grovefield Way are notable audible detractors in the immediate vicinity and North Road West to the south is a busy rural lane.

The Visual Context

- 4.17 Generally, the Appeal Site is only available to significant views from the immediate surroundings due to a combination of: the raised vegetated embankment of the A40 corridor; mature hedgerows to the south and west; and the existing urban fringe to the east.

Views from the North

- 4.18 A mature, dense belt of trees and scrub run along the northern north boundary of the Appeal Site and BMW, heavily restricting the potential for open views from the north. There are opportunities for heavily filtered transient and framed views from vehicles normally travelling at high speeds on the A40. The elevated and vegetated A40 corridor prevent any significant views further north.

Views from the East

- 4.19 The eastern boundary of the Appeal Site is defined by Grovefield Way which, has a pedestrian route to the west and pedestrian/cycle way to the east. Some existing open

views are afforded opposite the Appeal Site, with intervening vegetation and BMW screening the Appeal Site in approaches from the north and south.

4.20 Further east of Grovefield Way, lies a number of residential properties located along Chalford Avenue, separated by a semi mature tree belt and timber palisade garden fences and walls that extend for most of Grovefield Way opposite the Appeal Site. This helps to largely screen the site from the gardens in the summer months with increased filtered views in the winter scene.

4.21 There is a small gap in the tree belt which allows a glimpsed gable end view towards the site from the first-floor window of No6 Chalford Avenue. A single framed view is also afforded from the western extent of North Road East as it approaches Grovefield Way. This is filtered by intervening vegetation and will become further screened during full leaf.

4.22 Views further east are screened by existing development.

Views from the South

4.23 Views from the south are restricted to a small number of properties on the eastern extent of North Road West, numbers 1-10 and The Reddings Community Centre. These semi-detached properties are set back approximately 20m from the road edge and are afforded seasonal glimpses into the site, filtered by a mature hedge with intermittent trees along the southern boundary of the Appeal Site. Filtered views are also afforded from the road itself, which is identified as a small section of the Cheltenham Circular Walk.

4.24 Views further south are screened by intervening vegetation, existing development and undulating topography.

Views from the West

4.25 A single detached property 'Elm Farm' lies adjacent to the western boundary of the site. The boundary itself is made up of a mature tree belt, however there is opportunity for filtered ground floor and open first floor views into the site from the property and converted garages in the winter scene. Further west along North Road West lies 'Tuberville' which has the potential for heavily filtered views towards the site. The A40 runs in a southwest direction, cutting off the potential for any further views to the west.

5 Development Description

- 5.1 A full description of the development has been described in the proof of Mr Griffin and in the officer report.

Summary of Landscape Strategy

- 5.2 The landscape strategy of both appeal schemes has been strongly influenced by the extant outline permission which followed the same principles as the permitted reserved matters application (12/01086) REM, which my firm prepared on behalf of the landowner. In broad terms the extant consent and RM's strategy:

- retains and reinforces the sensitive hedgerow to the south and southwest bordering North Road West as suggested by the 2007 appeal inspector;
- maintains a broadly open landscape adjacent to Grovefield Way interspersed by a gabion retaining wall and occasional trees. The site entrance is treated in a similar manner;
- shows buildings facing onto the estate road set back from ornamental planting and a feature rill to the north of the road;
- marks changes in ground level with Costwold stone faced retaining walls;

- 5.3 There are two large office buildings fronting onto Grovefield Way which would have been prominent in from Grovefield Way and would have effectively blocked views across the remaining site when opposite.

Appeal Scheme Landscape Strategy

- 5.4 The BMW flagship building will remain the most physically dominant building on the approaches to the Appeal Site from either direction on Grovefield Way. The introduction of a supermarket, nursery and coffee shop have prompted a change in the landscape strategy to the east, whereby a significant gap of 59m is created between the Costa Coffee shop and Aldi store. This affords the opportunity for more a more open aspect in views from Grovefield Way, looking across the business park towards hedgerows and trees on the west and south boundaries. This is in contrast to a truncated view formed by the two office buildings shown in the extant scheme.

- 5.5 Significant tree planting, including mixed evergreen tree species, (as requested by the tree officer), are proposed along the south boundary to reinforce the existing hedgerow forming a significant and defensible buffer with the remaining green belt and the small enclave of housing at Shakespeare Cottages. This is clearly demonstrated in my cross sections J and K (Appendix 2). While the depth of landscape on the south boundary varies it will

appropriately serve its function as a screen to the Aldi store and associated car park areas as well as acting as a wildlife corridor.

5.6 The Costa Coffee and Aldi store are set a lower ground levels than the surrounding roads and this helps to diminish their scale and filter views of the buildings in a shorter period.

5.7 The rill feature has been flipped from the north to the south of the estate road creating an area of high visual interest and texture through the combination of stone retaining walls, cobbles, gravel and stone paving set within swathes of ornamental planting with year-round interest and texture. This is very much in tune with the approved 2012 reserved matters scheme.

Impacts on Visual Amenity

5.8 The initial concerns raised by officers in the first round of consultation are described in OR 6.4.5.

- It was considered that the initial drawings did not adequately demonstrate the change in levels across the site and how the buildings relate to one another, existing properties and the BMW building.
- In relation to the coffee shop there was concerns that there was a lack of landscaping around this building and that the parking spaces and drive thru lane were overly prominent. In combination with the retaining structures it was considered that this created a stark appearance and created a poor entrance to the site.
- In relation to the supermarket it was again considered that there was a lack of landscaping around this building particularly between the rear of the building and North Road West. The building and car parking did not appear to respond to the change in levels adequately. There was also a general concern regarding the positioning of this building on this site with the car park in front which resulted in a lack of presence on the spine road and a visual dominance to the car park.

5.9 My analysis of the officer's report from 3.14, shows that these concerns were overcome by a combination of changes to the site layout, re-arrangement of car parking and landscaping, which saw the reintroduction of the building frontage and sinuous landscape treatment adjacent to the estate road, creating a stronger sense of place.

5.10 While my evidence focuses on the RFR 3 of the refused application 16/02208/FUL, the follow up application 18/01004/FUL is also a material consideration to my evidence as it was only refused on the principle of introducing additional uses classes to the B1 uses. There are no urban design or landscape reasons for refusal.

- 5.11 The principal change to this second refused application is the replacement of the Costa Coffee shop with a B1 office building. Minor changes to the landscape strategy include an additional depth of buffer planting to the southeast corner, bordering Aldi, made possible by an agreed reduction in required car parking and marginally more landscape adjacent to Grovefield Way opposite the car park to Office 5.
- 5.12 This leads me to conclude that RFR3 is centred around the Costa Coffee shop as there are no other material changes in the second follow up application.

Visual Effects

Views from the North

- 5.13 As recognised in the 2007 appeal decision, those glimpses of the site that are available from the A40 are confined to motorists travelling at speed, where occasional glimpses currently focus on the BMW flagship building and the Appeal Site lies in the background and much less conspicuous. The smaller scale office buildings to the west will remain heavily filtered even in the winter's scene reinforced by reinforcement planting. When seen, offices 1 -2 and the proposed nursery will effectively screen the carpark areas further south and break up views towards the Aldi supermarket to the southeast.

Views from the East

- 5.14 The Aldi car park to the east is set at lower level than Grovefield Way and will be screened/heavily filtered from upper storey windows of surrounding houses and highway footpaths by the proposed buffer planting. Views of the east gable of the supermarket will be heavily filtered and screened after a period of 5-7 years when planting reaches 7-8m height. Occasional framed views looking over the site will be available south of the Costa Coffee shop where planting is narrower.

Views from the South

- 5.15 Views from Shakespeare Cottages will be screened by a combination of the existing hedgerow reinforced by mixed native and evergreen planting that will quickly reduce views of an inactive elevation at the rear of the store, which screens views of the Aldi carpark.
- 5.16 Further west, additional native buffer planting will screen views from passing motorists pedestrians and cyclists using the road which doubles as Cycle Route 41 and the Cheltenham Circular Walk.

Views from the West

- 5.17 Views from the cottages to the west of the Appeal Site will be screened by a combination of the existing hedgerow reinforced by mixed native and evergreen planting that will quickly reduce any views over the car park areas.

6 Response to the Reasons for Refusal 3

- 6.1 The background to my evidence describes an ongoing dialogue and iterative design process with officers resulting in a positive recommendation to permit the scheme.
- 6.2 I have also described the material differences between the two appeal schemes subject of this appeal (16/02208/FUL and 18/01004/FUL); the latter application being refused on a single use related RFR with no landscape and urban design issues raised.
- 6.3 I have concluded that the Councils RFR3 centres around the Costa Coffee shop and its impact on visual amenity compared to its replacement with Office 5 located at the entrance to the site.
- 6.4 I agree with the Council and officers that the site entrance is an important location, but it is clear from evidence on site that the gateway and arrival to the appeal business park is marked by BMW, which establishes itself at the top of the physical and visual hierarchy. While single storey compared with the two-storey office 5, the proposed coffee shop is designed to form part a family of buildings using a similar design language and palate of materials, which in turn are influenced by the BMW flagship.
- 6.5 The finished floor levels are also an important consideration in how buildings are perceived and will mean that a continuous ridge or eaves line will not be achieved leaving BMW as the tallest building in the building hierarchy, approximately 5-8m higher than the remaining buildings.
- 6.6 I concur with the OR 6.5.11, which states that...*'In the view of officers the standard of design of the individual buildings is acceptable and appropriate for a modern business park. It is considered that the buildings will appear as a family of buildings which is important in giving the site an identity as a high-quality business park'*.
- 6.7 At OR 6.6.11 it is stated that ...*'as such whilst the non-B1 uses still occupy the eastern-most part of the site it is now considered that they will not appear as a separate parcel of commercial uses but will be integrated into the language of the site. This helps to ensure that the business park has an 'identity' which is apparent from the entrance to the site to its furthest extent'*.
- 6.8 Furthermore, buildings are set within a high-quality landscape, acknowledged by officers and in Mr Tucker's evidence and fully complies with an established landscape rationale approved in previous reserved matters submissions.
- 6.9 CGI images were submitted with the application showing the high-quality design of buildings. Two photomontages have subsequently been prepared to assist this appeal and to also illustrate any visual differences between the two appeal schemes.

- 6.10 It is evident that while there are differences in scale between the Costa Coffee shop and office, both buildings speak the same architectural language and in combination with the landscape proposals, appropriately mark the entrance to the business park. Both buildings are visually subservient to BMW, but I do not accept that the Costa Coffee shop is visually harmful in any way to the local street scene or wider context.
- 6.11 The proposals in both appeals complement and respect neighbouring development and the character of the locality and/or landscape as required by CBC Local Plan policy CP7.
- 6.12 In terms of the JCS, policy SD4, both appeal schemes offer a more open aspect across the business park in comparison to the extant illustrative masterplan when viewed from Grovefield Way to the east, made available by a 59m gap between Costa Coffee/Office 5 and the supermarket. The landscape integrates with the buildings utilising established and approved landscape design principles.
- 6.13 I concur with officers and Mr Tucker that the landscape design is of a high quality and fully complies with bullet iv of this policy taking in account the footnotes of Table SD4C.
- 6.14 Mr Tucker will address other urban design aspects of this policy in his evidence.

Residential Amenity

- 6.15 Irrespective of these additional landscape treatments, the landscape to the south of Aldi opposite Shakespeare Cottages, which face the inactive rear elevation is substantial and would mitigate views towards the building and car park in an estimated 5-7-year period. A full lux lighting assessment was undertaken by the appellant, which demonstrated that there would be no significant harmful effects caused by lighting on those properties bordering Grovefield Way or Shakespeare Cottages. The building itself screens the main car park areas and I concur with officers that there is no material harm to visual amenity.

7 Conclusions

- 7.1 My proof of evidence has addressed the effect of the proposed development on visual amenity of the area.
- 7.2 While a conjoined appeal, my evidence focuses on the RFR3 of the refused application 16/02208/FUL. I have also described the principal differences between the two appeal schemes to show that the main reason for RFR3 lies with the design and landscape associated with Costa Coffee.
- 7.3 I have determined that the Appeal Site is not widely influential within the wider landscape and there are limited opportunities to view the whole business park from a single location.
- 7.4 The site has been soil stripped and all its remaining landscape features lie towards the site boundaries.

- 7.5 BMW is a powerful presence, forming the gateway to the business park and will remain as the landmark building being significantly taller than the remaining buildings.
- 7.6 The Appeal Site is removed from greenbelt in the JCS and the principle of development is well established through a complex history of planning applications, including the approval of reserved matters that include hard and soft landscape details.
- 7.7 No obtrusive overlooking or loss of privacy is predicted from any properties and I fully concur with officers, that residential amenity would not be harmed.
- 7.8 The buildings, including the single storey Costa Coffee, follow a similar architectural language influenced by BMW and are set within a high-quality landscape observing the same principles of landscape design that have been approved through previous reserved matters submissions.
- 7.9 The topography slopes, such that ridges, and eaves of buildings will be seen in different planes and the Costa Coffee provides an appropriate visual counter balance to BMW.
- 7.10 The photomontages commissioned for this appeal show that the gap between both Costa Coffee and the supermarket, allow more open views across the southern part of the business park. Associated car parks are sited at lower levels and are screened by the proposed planting adjacent to Grovefield Way allowing framed views into and across the site.
- 7.11 Both appeal schemes show a high-quality landscape and public realm that integrate the buildings into the landscape creating a distinctive sense of place and high-quality business environment.
- 7.12 In conclusion, I have not found any landscape or visual grounds that would prevent planning permission being granted and respectfully request that the Appeal is allowed.

Proof of Evidence of Michael Davies
On behalf of Hinton Properties (Grovefield Way) Limited

Town and Country Planning Act 1990
Town and Country Planning (Inquiries Procedure) (England) Rules 2000/1624

Appeal against refusal of planning permission for development of land at Northwest Road and Grovefield Way, Cheltenham

Appendix 01 - 04

November 2018

Planning Inspectorate Reference: APP/B1605/200395

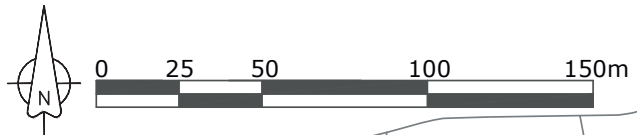
Local Authority reference: 16/02208/FUL

Appendix 1

Site Photographs



01 Photo Locations



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Proof of Evidence	
ON BEHALF OF: Hinton Properties (Grovefield Way Ltd.)	PROJECT: Land at Northwest Road & Grovefield Way
PRODUCED BY: DAVIESLANDSCAPE ARCHITECTS <small>SUITE F1, STROUD HOUSE, RUSSELL STREET, STROUD, GLS 3AN T: 01453 763380 E: INFO@D-LA.CO.UK W: WWW.D-LA.CO.UK</small>	DRAWING TITLE: Photo Location Plan



01: View towards site from approach on Grovefield Way to the northeast



02: View into towards site from footpath / cycleway opposite site entrance



03: View towards site from footpath / cycleway adjacent to North East Road



04: View west from junction of North East Road and Northbank Close



05: View north along Grovefield Way from eastern extent of North Road West



05: View south along Grovefield Way from eastern extent of North Road West



06: View into site from footpath along Grovefield Way



06: View into site from footpath along Grovefield Way



07: View south towards properties on North Road West



08: Available view towards site from properties along North Road West



09: View west along North Road West towards southern boundary of site



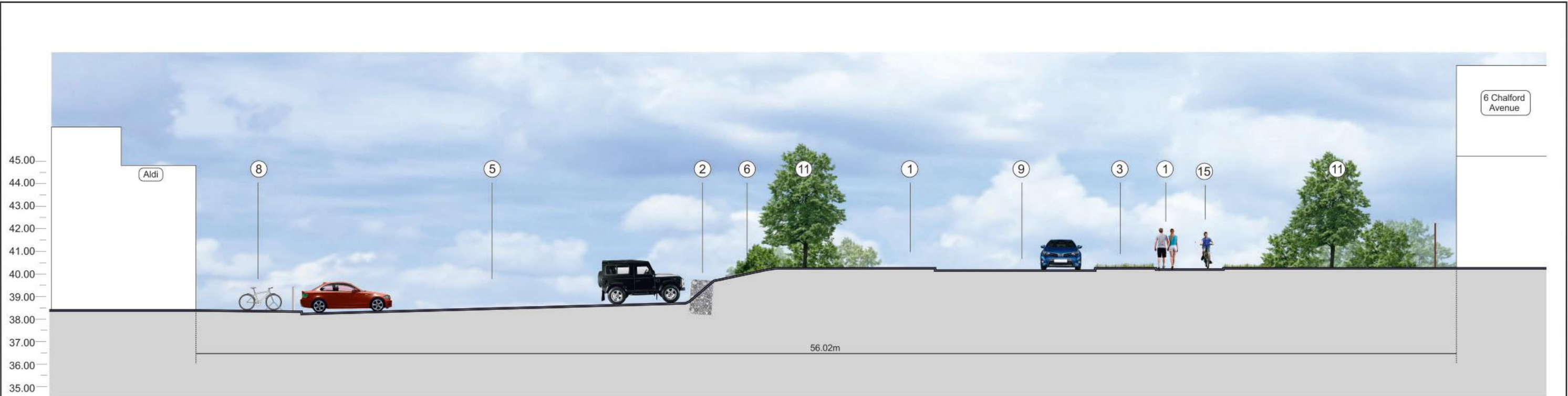
09: View east along North Road West towards southern boundary of site



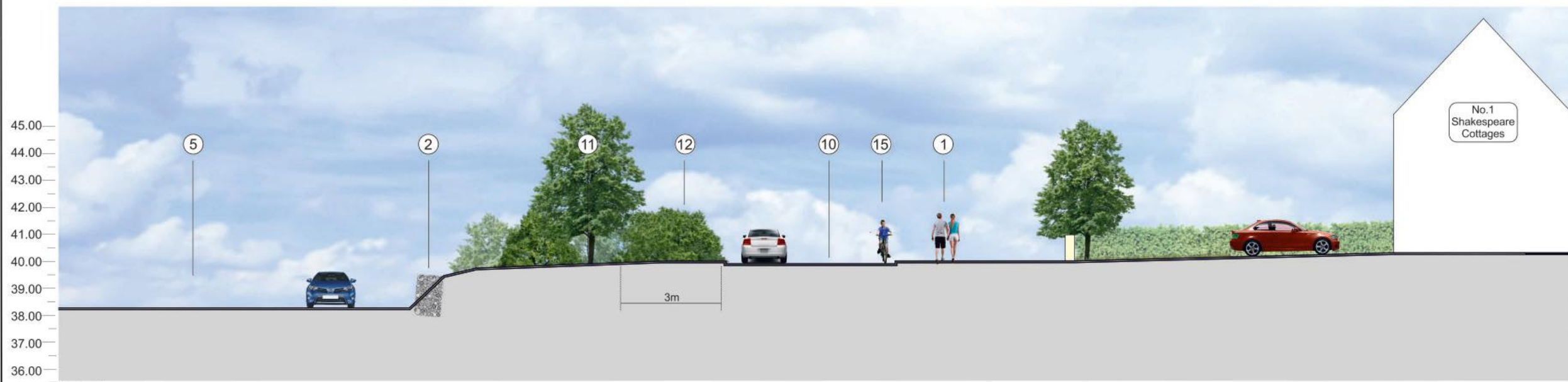
10: View into western corner of site from western extent of North Road West

Appendix 2

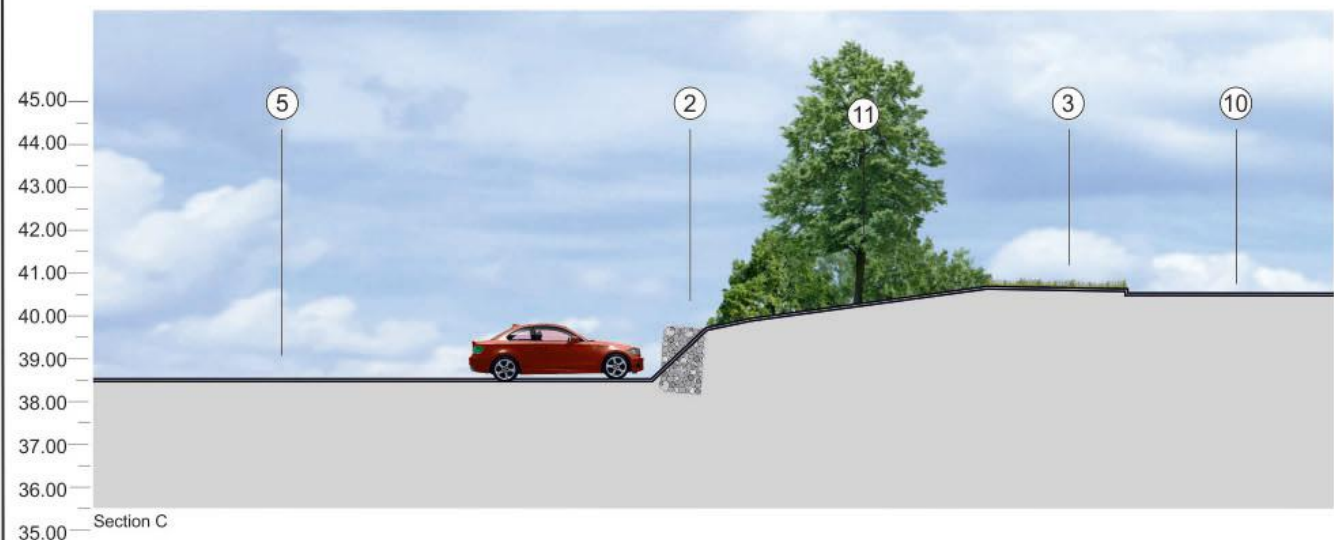
Site Sections



Section A



Section B



Section C

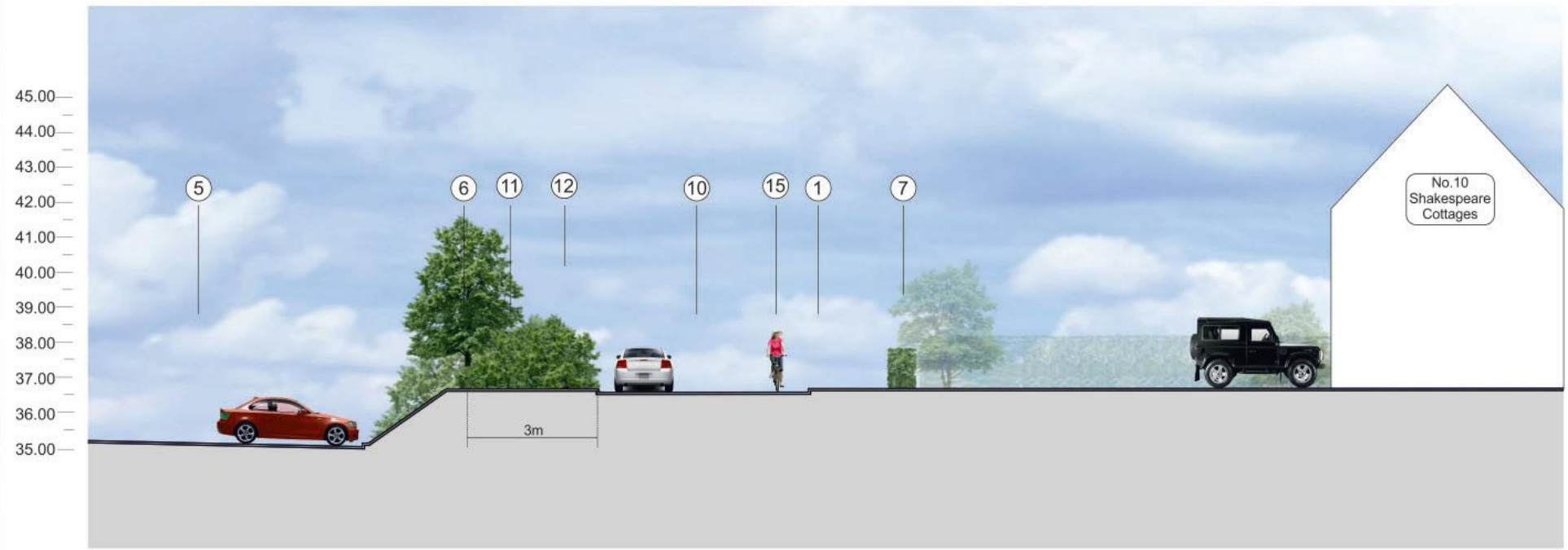


Section Location Plan NTS

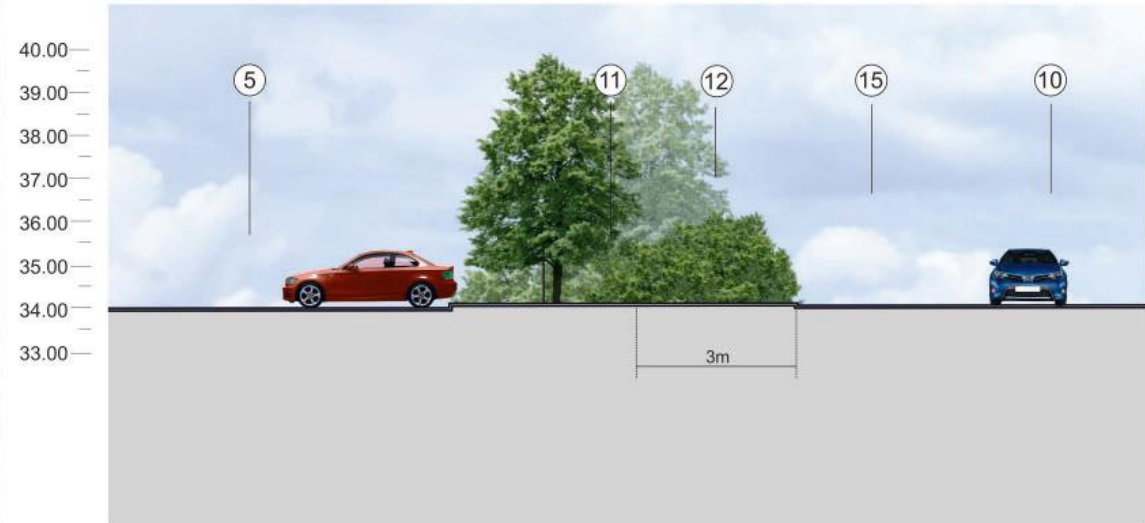
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- ② Gabion Wall
- ③ Verge
- ④ Pavement
- ⑤ Car Park
- ⑥ Proposed Planting
- ⑦ Hedge
- ⑧ Sheffield Cycle Stands
- ⑨ Grovefield Way
- ⑩ North Road West
- ⑪ Existing Vegetation
- ⑫ Existing Hedge
- ⑬ Existing Wall
- ⑭ Costa Drive 'Thru'
- ⑮ Cycle Route 41



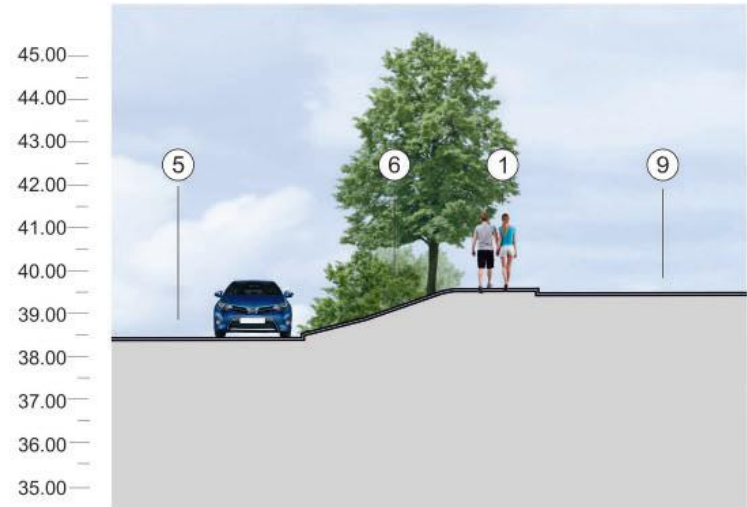
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REPORT REFERENCE: Appendix 02	



Section A



Section B



Section C



Section D

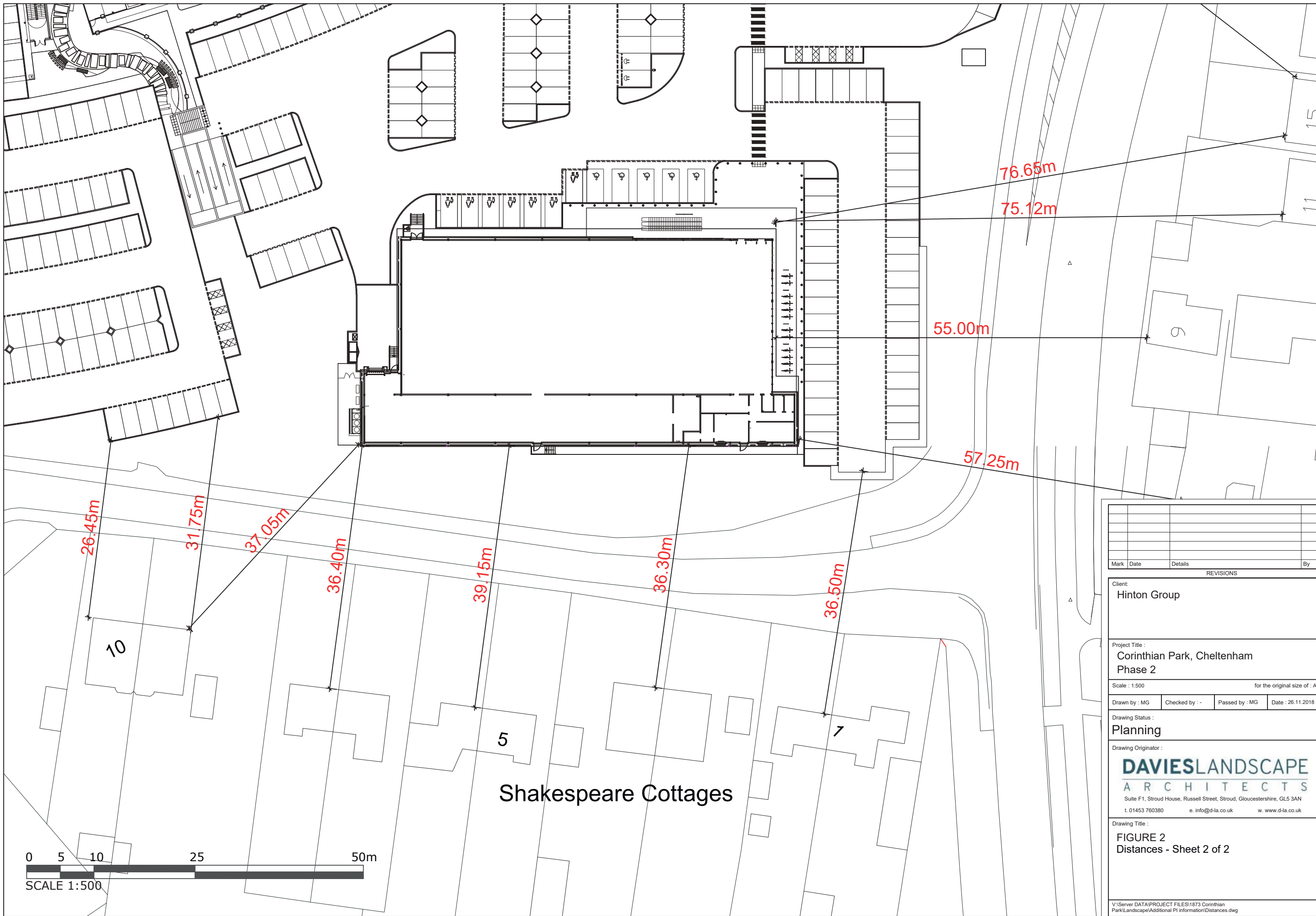
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- ⑧ Sheffield Cycle Stands
- ⑨ Grovefield Way
- ⑩ North Road West
- ⑪ Existing Vegetation
- ⑫ Existing Hedge
- ⑬ Existing Wall
- ⑭ Costa Drive 'Thru'
- ⑮ Cycle Route 41



Proof of Evidence	PROJECT:
On behalf of: Hinton Properties (Grovefield Way Ltd)	Corinthian Park, Cheltenham
Produced by: DAVIESLANDSCAPE ARCHITECTS	DRAWING TITLE: Additional Landscape Sections 2
<small>Suite F1, Stroud House, Russell Street, Stroud, Gloucestershire, GL5 3NH T: 01453 760380 E: info@d-ls.co.uk W: www.d-ls.co.uk</small>	<small>DATE: November 2018 SCALE: 1:125 @ A2 1:250 @ A4</small>
REPORT REFERENCE: Appendix 02	

Appendix 3

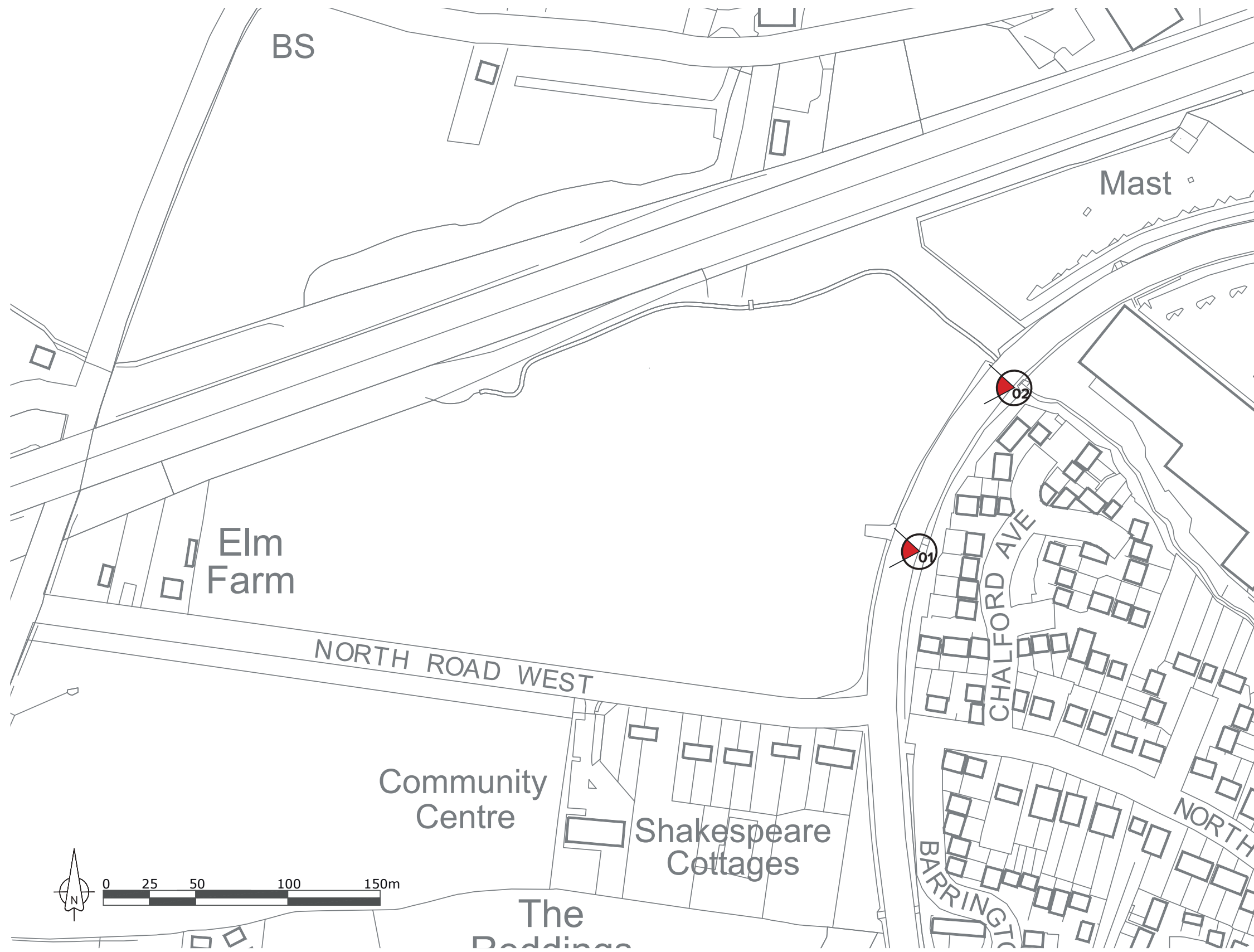
Receptor Distances



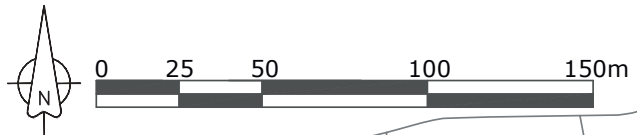
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Drawing Status : Planning			
Drawing Originator : DAVIESLANDSCAPE ARCHITECTS			
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Drawing Title : FIGURE 2 Distances - Sheet 2 of 2			
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Appendix 4

Computer Generated Images



01 CGI Locations



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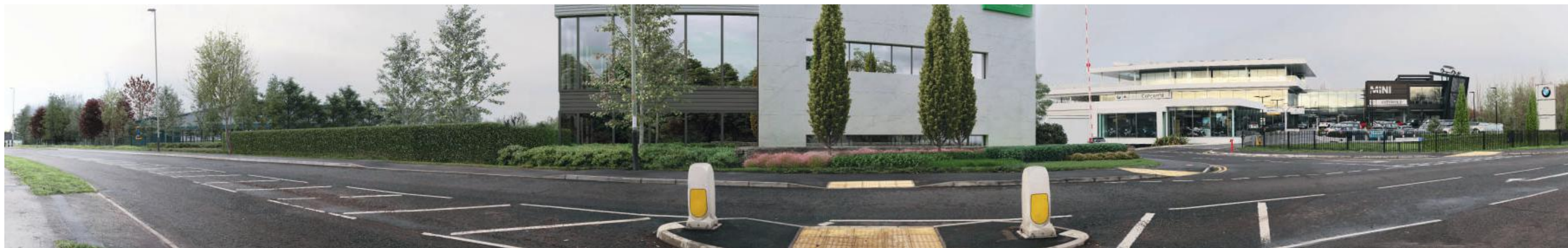
Proof of Evidence	
ON BEHALF OF: Hinton Properties (Grovefield Way Ltd.)	PROJECT: Land at Northwest Road & Grovefield Way
PRODUCED BY: DAVIESLANDSCAPE ARCHITECTS <small>SUITE F1, STROUD HOUSE, RUSSELL STREET, STROUD, GLS 3AN T: 01453 763380 E: INFO@D-LA.CO.UK W: WWW.D-LA.CO.UK</small>	DRAWING TITLE: CGI Location Plan



O1: Existing view into site from footpath adjacent to Grovefield Way



Proposed CGI of Costa Coffee from footpath adjacent to Grovefield Way



Proposed CGI of office 5 from footpath adjacent to Grovefield Way



02: Existing view towards site from approach on Grovefield Way to the northeast



Proposed CGI of Costa Coffee from approach on Grovefield Way to the northeast



Proposed CGI of office 5 from approach on Grovefield Way to the northeast



DAVIESLANDSCAPE
A R C H I T E C T S