

**Cheltenham Civic Pride Urban Design
Framework
Supplementary Planning Document**

Cheltenham Borough Council

**Technical Appendix:
Royal Well Development Brief**

Consultation Draft

Draft Revisions 2012

22nd October – 3rd December 2012

1. Preface

- 1.1 On 28th July 2008 the Royal Well Development Brief (the Brief) was adopted by Cheltenham Borough Council as a technical appendix to the Civic Pride Urban Design Framework Supplementary Planning Document (SPD) within the Local Development Plan (LDF).
- 1.2 On 25th September 2012, the Council's Cabinet agreed that it would be helpful if a number of revisions were made to the Brief and that the revisions contained in this document should be published for public comment, prior to any changes being formally adopted.

2. Consultation

- 2.1 In order to incorporate the changes into the statutory planning framework, the 2008 version of the Royal Well Development Brief is being revised and formally readopted. No changes are necessary to the SPD.
- 2.2 Because of the limited scope of the changes, comments will only be considered valid if they relate specifically to the changes made to the Brief – which are in the following paragraphs:

- i. Page 4 - Paragraph 1.7 c (Main Objectives)
- ii. Page 9 - Paragraph 2.9 c (Constraints)
- iii. Page. 9 - Paragraph 2.9 f (Constraints)
- iv. Page 12 - Paragraph 3.2 (Land Use)
- v. Page 12 - Paragraph 3.2 e (Land Use)
- vi. Page 12 - Paragraph 3.3 D (Design Principles).
- vii. Page 16 - Design Principle C (Design Quality) paragraph g i
- viii. Page 17 - Design Principle D (Movement) paragraph e
- ix. Page 19 - Planning and Related Applications – additional sub-paragraph

- 2.3 Comments on the Draft Revisions to the Brief will **only** be accepted during the formal deposit period which runs from **Monday 22nd October 2012** until 5:00pm on **Monday 3rd December 2012**. During this period, copies of all the formal documents associated with the Draft Revisions to the Brief will be available to view on the Council's website www.cheltenham.gov.uk/civicpride and at the deposit locations listed at the end of this letter. These documents are:
- o the Royal Well Development Brief Consultation Draft 2012 Revisions; and
 - o the Statement of Compliance with the Statement of Community Involvement.

In order to aid clarity, the following will also be available:

- o the Cheltenham Civic Pride Urban Design Framework SPD 2010 Revisions
 - o the Technical Appendix Royal Well Development Brief 2008 adopted version
 - o the Municipal Offices Historic Assessment September 2010 (available to view only at the Municipal Offices or on the website www.cheltenham.gov.uk/civicpride)
 - o Civic Pride - Supplementary Planning Documents, North Place and Royal Well Development Briefs Sustainability Appraisal Report Adopted 28th July 2008
- 2.4 Comments, either in support or objection to the Draft Revisions to the Brief, can be made using one of the following three ways:
- o Online using the Council's website www.cheltenham.gov.uk/civicpride
 - o In writing to: Strategic Land Use Team,
Cheltenham Borough Council,
Municipal Offices,
Promenade,
Cheltenham,
Gloucestershire, GL50 9SA.
 - o By email to ldf@cheltenham.gov.uk
- 2.5 There is an opportunity for those interested to discuss the Revisions with Council officers at an informal meeting between 6:00 pm & 8:00 pm the Municipal Offices on 6th November.
- 2.6 Comments should specify the grounds on which they are made and should be received by the Council by **5:00 pm on Monday 3rd December 2012**.
- 2.7 The Sustainability Appraisal prepared in respect of the 2008 SPD remains unaltered as the SPD is unchanged and Revisions to the Brief are limited introducing, no new policies or proposals.

3. Background

- 3.1 Civic Pride is a project which aims to bolster Cheltenham's town centre economy by improving some of its streets and public spaces. Its planning stage was completed in 2008 when the Civic Pride SPD (the SPD) was formally adopted to provide an overview of the whole project, as a covering document along with a suite of documents (the Technical Appendices) providing the detail on various themes. The Royal Well Development Brief – which covers an area including the Municipal Offices and the bus station - is one of the Technical Appendices.
- 3.2 In 2010 there was a partial revision to the SPD which reflected revisions to another of the Technical Appendices; they did not impact on Royal Well.
- 3.3 In recent months the Council has re-examined the Brief and found that there are some inconsistencies between it and the adopted SPD. It considers that these inconsistencies could confuse the planning position. Consequently the Council is consulting on revised wording to the Brief which more accurately reflects that of the adopted SPD. No revisions are proposed to the SPD itself. The revisions seek to clarify:
- a the situation regarding land use at the Municipal Offices;
 - b the importance of a Historic Assessment to any proposals for the Municipal Offices; and
 - c arrangements for buses in Royal Well.
- 3.4 The practical effect of these changes is likely to be minimal. This is because the uses to be included in the Brief reflect those in the SPD, because the SPD has already been subject to Sustainability Appraisal and because the changes do not introduce new policies or proposals. As such it is more of a 'correction', but in order to follow due process the Council is undertaking this consultation procedure with the public and statutory consultees. The consultation only concerns the amendments laid out in schedule appended to this document not any other part of the Brief or SPD.

4. Reasons for the Revisions

- 4.1 Specifically the revisions to the Brief are necessary because :
- a There is an inconsistency between the Brief and the SPD in the description of acceptable uses. The SPD states at Para 3.45 that the Royal Well area as a whole would be suited to a range of uses, which includes retail, but the list not exclusive, in that listing is offered as an example of suitable uses. However the Brief (at its Para 3.2) lists the range of uses which "will be provided". The phrasing here is is exclusive i.e. it appears not to allow any uses other than those listed; here retail is excluded. It is considered that inconsistency should be corrected.
 - b In March 2012 the Government introduced its policy on planning, the National Planning Policy Framework (NPPF). The policies of the Cheltenham Borough Council Local Plan Saved Policies and therefore the Royal Well Development Brief must be accorded weight based on their consistency with the NPPF. In terms of the Royal Well site, this means decision making should be consistent with the NPPF's "non-exclusive" approach to town centre uses (the NPPF (Para 23) sets out a range of suitable town centre uses including retail, leisure, commercial, office, tourism, cultural, community and residential). The SPD is broadly consistent with the NPPF; the Brief's approach is less consistent.
 - c The economic slump and other factors have led to questions as to whether the Brief, as adopted, can effectively be delivered. This is a conclusion which has been reached by the Cheltenham Development Task Force which was set up by the Council and its partners to drive forward the Civic Pride programme and bring key regeneration sites forward for Cheltenham. It has particular concerns that the lack of clarity around the inclusion of retail or otherwise as a suitable use for the Royal Well site – and specifically for the Municipal Offices; it considers it important that retail is not excluded as an option. In proposing revisions to the Brief, the Council's Cabinet supported this contention.
 - d Since the adoption of the SPD and Brief, a Historic Assessment has been completed for the Municipal Offices (September 2010). This will be an important consideration both in preparing and assessing proposals for the site. It is referred to in the SPD as "currently being commissioned" but is absent from the Brief. The Brief is the document which establishes the

detail on which proposals will be assessed and the lack of any mention of the Historic Assessment is considered a serious omission.

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

5. Scope of the Revisions

- 5.1 The Council has not sought to fully revise and update the Brief and its evidence base and is committed to retaining the principles within it and delivering its vision.
- 5.2 Accordingly the schedule appended to this document proposes a total of nine alterations to the Brief only which deal either with the retail issue, the Municipal Offices Historic Assessment September 2010 or the bus stop issue. **No other parts of the Brief are proposed for revision and comments will only be considered valid where they relate to these nine alterations.** As such the Council is remaining committed to the vision and safeguards of the original Brief and indeed the Civic Pride suite of documents. These clearly establish the Council's commitment to deliver high quality places and buildings within the site's historic context. Any of uses ultimately proposed throughout the area covered by the Brief will be assessed against these commitments.
- 5.3 The wording of the SPD is not being altered.
- 5.4 The aims of the Revisions are therefore:
 - a To make the wording around use less exclusive - enabling options which include retail, or indeed other appropriate town centre uses not listed, to be considered, reflecting the altered policy environment of the NPPF, recognising the altered state of the market and establishing a consistency between the SPD and the Brief;
 - b To clarify the existence and role of the Municipal Offices Historic Assessment September 2010;
 - c To allow solutions to the bus interchange issue to emerge in a more pragmatic manner, reflecting the shifting circumstances.

Schedule of Draft Revisions to the Royal Well Development Brief

Appendix

Civic Pride Urban Design Framework – Technical Appendix – Royal Well Development Brief, Draft Revisions September 2012

Change No.	Original Text (Royal Well Development Brief adopted 28 th July 2008)	Revision	Reasoned Justification
i	Pg. 4, 1.7, (Main Objectives) “c. Creates a lively mixed-use, residential and commercial hub which will activate...”	Underlined text inserted “C. Creates a lively mixed-use, residential and commercial hub which <u>could include retail, office and or hotel uses and</u> will activate...”	The insertion of this text is intended to increase the readability of the document by stating early on some potential uses for the site. These uses are also listed later in the development brief in section (3.2e) “Development Principles, Land Use”. And are given a more detailed reasoned justification in section (v) on page two of this document.
ii	Pg. 9, 2.9, (Constraints) “c. Vehicular Circulation needs to be considered within a wider town centre context.	Underlined text inserted “C. Vehicular Circulation needs to be considered within a wider town centre context <u>as part of the network changes arising from the Gloucestershire County Council successful Local Sustainable Transport Fund Bid in 2012.</u> ”	Any potential new development of the site will need to take into account the implications of public transport network changes arising from the successful bid. This is an area of recent local change which it is important that prospective site developers be aware of.
iii	Pg. 9, 2.9, (Constraints) “f. 6 bays for bus/coach interchange...”	Deleted: “f. 6 bays for bus/coach interchange... ” Replaced with: <u>“f. Sufficient bays for bus/coach interchange...”</u>	We feel that given the potential implications of the successful bid, the brief should not be so prescriptive as to the number of bays to be included. This flexibility will be useful in matching the provision to the requirements of any proposed scheme. Following detailed transport modelling work there has been an examination of opportunities to relocate Royal Well bus bays, currently serving the national coaches and rural services to the town. These bays, when relocated, will cater for services with a stopping time of no longer than 20 minutes. It is proposed that these bays are located at the southern end of the North Place/Portland St site, and will be in addition to the stops located along the proposed “bus spine” which will cater for the urban services.

Change No.	Original Text (Royal Well Development Brief adopted 28 th July 2008)	Revision	Reasoned Justification
iv	Pg. 12, 3.2, (Land Use) “The following uses will be provided”	Deleted: “will be provided” Replaced with: <u>“could be considered”</u>	The removal of the words “will be provided” and replacement with the words “could be considered” is more consistent with the principles in National Planning Policy Framework paragraph 14 to adopt the golden thread of a “presumption in favour of sustainable development” and “positively seeking opportunities to meet the development needs of the area”. We felt that the language in this part of the brief was overly prescriptive and did not properly allow for alternative sustainable proposals.
v	Pg. 12, 3.2, (Land Use) “e. Commercial Development (Use Class B1)”	Deleted: “e. Commercial Development (Use Class B1)” Replaced with: <u>“Commercial development including retail and/or office space”</u>	Evidence from the North Place & Portland Street development brief (another technical appendix of the Civic Pride Urban Design Framework Supplementary Planning Document) has indicated that less tightly defined outcomes could provide the impetus to investor interest, particularly in light of the current market conditions and government austerity programme. The opportunity for speculative office build is perceived as particularly challenging in the current market; however the Borough Council does not wish to rule it out if it is deliverable. Consequently, the Brief introduces opportunities for a wider range of commercial development on the site (e.g. office, retail etc.) along with a range of other potential uses. This approach is also consistent with National Planning Policy Framework paragraphs 21 and 23 which require planning policies to be flexible and promote competitive town centre environments.
vi	Pg. 12, 3.3, (Design Principles) “d. Sustainable movement choices will be maximised by the delivery of bespoke townwide bus infrastructure – the spine and 6 bus pull-in bays...”	Deleted: “bespoke townwide bus infrastructure – the spine and 6 bus pull-in bays...” Replaced with: <u>“the local sustainable transport bid with a bus spine and bus pull in bays”</u>	This text was changed so as to be consistent with changes (ii) and (iii) on page 1 of this document.

Change No.	Original Text (Royal Well Development Brief adopted 28 th July 2008)	Revision	Reasoned Justification
vii	<p>Pg 16, 3.3 (Design Principle C – Design Quality)</p> <p>“g.i. it respects and enhances the historic character of the main building and enables its historic form to be understood...”</p>	<p>Underlined text inserted:</p> <p>“...it respects and enhances the historic character of the main building <u>in a manner consistent with the Municipal Offices Historic Assessment September 2010</u> and enables its historic form to be understood...”</p>	<p>This text is altered because the Historic Assessment has been prepared since the original brief was adopted and will be an important part of designing and assessing proposals for the Municipal Offices building. Designers and developers need to be clear on its existence and importance in the process.</p>
viii	<p>Pg. 17 (Design Principle D Movement)</p> <p>“e.... There will be provision for six pull – in bays.”</p>	<p>Deleted:</p> <p>“There will be provision for six pull – in bays.”</p> <p>Replaced with:</p> <p><u>“There will be provision for sufficient pull in bays”</u></p>	<p>This text was changed so as to be consistent with changes (ii) and (iii) on page 1 of this document.</p>
ix	<p>Pg 19 (Planning and Related Applications)</p> <p>“...planning applications must be ...accompanied by...”</p>	<p>Add the following to the list of accompanying documents:</p> <p><u>“A description of the proposals assessed against the Municipal Offices Historic Assessment September 2010”</u></p>	<p>This text is altered because the Historic Assessment has been prepared since the original brief was adopted and will be an important part of designing and assessing proposals for the Municipal Offices building. Designers and developers need to be able to clearly explain how they have addressed the Plan in their proposals.</p>