

Mr Craig Hemphill
Cheltenham Borough Council
Development Control
PO Box 12
Cheltenham
Gloucestershire
GL50 1PP

Our ref: SV/2013/107362/02-L01
Your ref: 13/01605/OUT
Date: 28 July 2014

Dear Mr Hemphill

MAJOR MIXED USE DEVELOPMENT – 13/01605/OUT - LAND AT LECKHAMPTON SHURDINGTON ROAD CHELTENHAM

I write further to our letter dated 27 November 2013, our reference SV/2013/107362/01-L01. In that letter we commented on flood risk and drainage, ecological protection and enhancement and land contamination. We indicated we were satisfied the developer has adequately addressed these matters in accordance with the Government's National Planning Policy and advised we had no objections in principle subject to conditions.

I can confirm that this is still the case and our position has not changed. We are mindful however that we have not to date provided a written response to the additional information submitted in support of the above application which you consulted us on on 9 May 2014. I apologise for the delay in providing a written response and understand our comments are still required and will be taken into consideration.

Of the additional information submitted, the majority relates to traffic and transport matters which we would not comment on, and we note there are also no changes relevant to our remit within the revised masterplan and Design and Access Statement. We have reviewed the Ground Conditions Investigation submitted and would comment as follows:

The PAH* contamination has been detected within the made ground and not the natural ground. Furthermore it has only been found in areas overlying the Blue Lias and Charmouth Mudstone and not the Cheltenham Sands and Gravels (with only the latter likely to be in connection with the watercourses). BaP** has very low mobility and there is a very low risk of it leaching to groundwater. In view of this, we are satisfied that the site poses a relatively low risk to ground and surface waters (known as 'controlled waters'). This is in line with our view of the risk to controlled waters in our previous response.

(* PAH = Polycyclic aromatic hydrocarbons or polyaromatic hydrocarbons)

(**Benzo(a)pyrene - one of a group of compounds known as PAHs)

Our comments relate to controlled waters only. We would advise that you consult with the Local Authority Land Contamination Officer as we consider human health will be the main driver for remediation of the site. (We understand you have already consulted Mr Paul Scott in this regard.)

Finally, we take this opportunity to reiterate comments made in our previous response relating to delivering flood risk improvements at the site for the wider area. We consider there is an opportunity to provide flood risk improvements at this location, especially considering the historic flooding downstream of the development. We previously advised that opportunities for such improvements should be incorporated into the development at the detailed design stage. We also suggested that if such opportunities cannot be delivered on site, it may be appropriate for the Council to secure financial contributions from the developer to make flood risk improvements off site. Following our conversations with you, we understand the developer intends to deliver the flood risk improvements within the site and will provide the detail of this at the Reserved Matters stage. We welcome this, but would reiterate that if at the detailed stage it transpires that there are difficulties in delivering the improvements within the site then we would at that point request a financial contribution be made to off-site improvements. This will be an important consideration at the Reserved Matters stage and as indicated previously we would expect the LLFA to have a lead role in the discussions with our support given our 'strategic overview' for flood risk under the Flood and Water Management Act.

I trust this letter clarifies our position on the proposed development. Please do not hesitate to contact us if there are any queries. A copy of the decision notice would be appreciated.

Yours sincerely

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