

APPLICATION NO: 15/00954/FUL		OFFICER: Mrs Lucy White	
DATE REGISTERED: 29th July 2015		DATE OF EXPIRY: 23rd September 2015	
WARD: Lansdown		PARISH:	
APPLICANT:	Mr Chris Finch		
AGENT:	Graeme Ritchie		
LOCATION:	79 St Georges Place, Cheltenham		
PROPOSAL:	Provision of a temporary public, pay and display car park (forming an extension to an existing car park) for a period of 5 years following demolition of existing buildings on the site and with associated lighting, part re-surfacing and remedial repairs to existing boundary walls.		

Update to Officer Report

1. OFFICER COMMENTS

1.1. Flood risk

1.1.1. Members will be aware that the application site is located adjacent to the River Chelt which is classified as a main river. Notwithstanding the advice within the initial officer report, the site is also located within Flood Zone 3, bringing with it a 'high probability' of fluvial flooding (river water as opposed to surface water) and comprising land assessed as having a 1 in 100 year or greater annual probability of river flooding.

1.1.2. In light of this, it is important to assess the associated flood risk of a development of this nature. Members will note from the officer report that the Environment Agency have raised no objection to the scheme but do advise that the Local Planning Authority is satisfied that the proposal passes the sequential test in relation to flood risk. The sequential test essentially seeks to direct all development to areas of least flood risk, but inherently accepts that this is not always possible. Officers have considered the implications of the sequential test and have concluded that given the existing land use of the surrounding land, sequentially there is not a better site that is available for a development of this nature. Members should also be aware that a development of this nature is deemed to be a 'less vulnerable' land use.

1.2. Highway considerations

1.2.1. At the time of writing the initial officer report, the comments from the Highways Authority had not been received. These have now been submitted and GCC raise no objection to the application.

1.2.2. The response is appended to this update but the salient points are that the scheme will improve highway safety given the reduced use of Synagogue Lane, that the additional parking spaces are beneficial to the town centre, and that a stopping up order will be required to restrict the use of Synagogue Lane. A condition is also recommended in relation to the use of proposed bollards.

1.3. Impact on conservation area

1.3.1. Members will note from the initial officer report that the conservation team had some minor reservations over the means of enclosure, requesting that they be increased in height and that a gate be inserted to allow access to the area of land to the rear of 77 St. Georges Place that is to be landscaped. Revised drawings have now been received that increase the height but do not include the gate. Officers are satisfied with the height increase and suggest that if members are minded to grant consent, that a condition be added to secure the gate.

2. CONCLUSION AND RECOMMENDATION

- 2.1. This application represents a valuable opportunity for the town to increase its parking facilities in a location currently under provided. The proposal is considered to make a good use of the site, will not impact on neighbouring amenity and will not compromise the character and appearance of the wider conservation area. Furthermore, from a highways perspective, the application brings with it a positive impact on the surrounding network and in relation to flood risk, the environment agency raise no objection.
- 2.2. It is recommended that planning permission be granted subject to the conditions suggested below.

3. CONDITIONS

- 1 The use hereby permitted shall be discontinued and the land restored to its former condition on or before 17 September 2020.
Reason: In the interests of good planning. The application seeks permission on these terms and given the wider development aspirations for the site, it is considered appropriate to limit any additional restrictions to bringing forward such redevelopment.
- 2 The development hereby permitted shall be carried out in accordance with drawing numbers 2400 P01 Rev D (received 28 July 2015), CA1061-SK-002 Rev G, CA1061-SK-003 Rev B, CA1061-SK-004 Rev B and CA1061-SK-005 Rev A received on 15 September 2015.
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Local Plan Policy NE4 relating to development on contaminated land.
- 4 There shall be no new structures (including gates, walls and fences) or raising of ground levels on land below 56.66m AOD, within the 100 year plus climate change floodplain, or within 8metres of the top of bank of the River Chelt, inside or along the boundary of the site, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To prevent any impact on flood flows and flood risk elsewhere.
- 5 Prior to occupation of the development, a Flood Evacuation Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Authority Emergency Planning Officer and Emergency Services. The Plan shall include full details of proposed awareness training and procedure for evacuation of persons and property (including vehicles); and method and procedures for timed evacuation. It shall also include a commitment to retain and update the Plan and include a timescale for revision of the Plan.
Reason: To minimise the flood related danger to people in the flood risk area.

- 6 Prior to the amendments to the car park being implemented and open to the public, details of the measures to prevent vehicle access to Synagogue Lane and St George's Place and details of pedestrian crossing improvements at the proposed pedestrian access to St George's Place shall be submitted to and approved in writing by the Local Planning Authority, the approved works shall then be completed prior to the car park being open to the public and shall be retained as such thereafter.
Reason: To provide safe and suitable disabled and pedestrian access, in accordance with paragraph 32 and 35 of The Framework
- 7 Prior to the implementation of the development hereby permitted, full details of the proposed lighting columns, including lux levels, shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be implemented strictly in accordance with the details so approved and shall only be operational between the hours of 0800 - 2000 each day.
Reason: To safeguard the amenity of neighbouring land uses in accordance with the provisions of Local Plan Policy CP4.
- 8 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.
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INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

- 2 To ensure that there will be no increased risk of flooding to third parties due to impedance of flood flows and/or reduction of flood storage capacity, there should be no storage of any materials, including soil, on ground located below the 100 year flood level plus climate change (56.66m AOD) during the construction phase.

- 3 Any works in, under, over or within 8 metres of the River Chelt will require our prior Flood Defence Consent in addition to any planning permission. This will ensure that the proposals are also in accordance with the terms of the Water Resources Act (1991) and Midlands Land Drainage Byelaws.
- 4 The implementation of this permission will require the stopping up of established highway rights by separate Order before works can commence and the Applicant/Developer is advised to instigate that process as soon as possible.