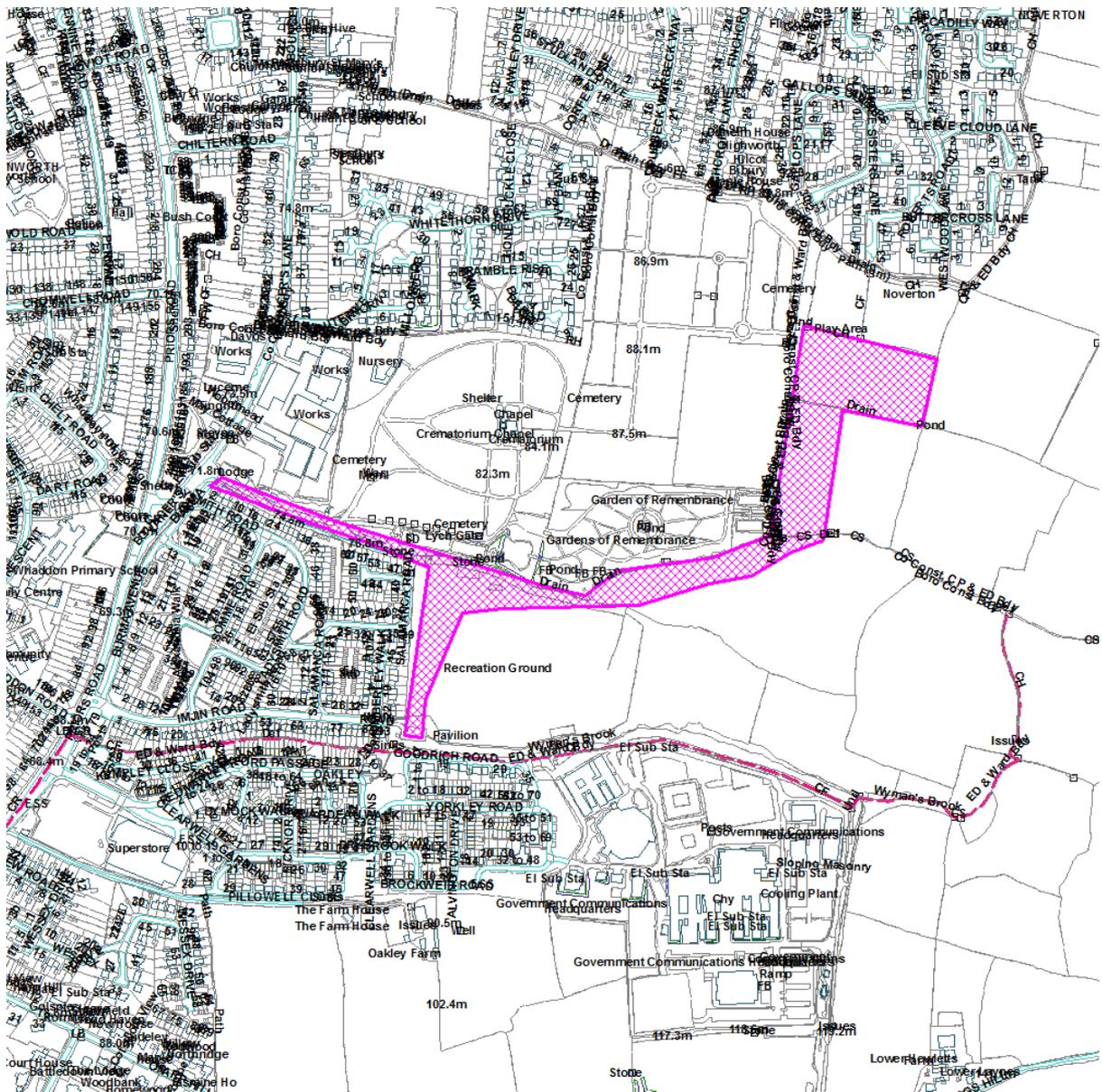


<b>APPLICATION NO:</b> 17/00759/FUL	<b>OFFICER:</b> Mr Craig Hemphill
<b>DATE REGISTERED:</b> 19th April 2017	<b>DATE OF EXPIRY:</b> 19th July 2017
<b>WARD:</b> Oakley Ward	<b>PARISH:</b>
<b>APPLICANT:</b>	Property And Asset Management
<b>AGENT:</b>	Roberts Limbrick Ltd
<b>LOCATION:</b>	Cheltenham Cemetery and Crematorium, Bouncers Lane, Cheltenham
<b>PROPOSAL:</b>	Access arrangements for the proposed erection of a new crematorium. (Access road in part within Cheltenham Borough Council with the proposed crematorium and associated works within Tewkesbury Borough Council).

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located to the north eastern edge of Cheltenham which is accessed via Bouncers Lane. The application relates to a cross boundary proposal between Cheltenham and Tewkesbury for the erection of a new crematorium facility. The existing chapel crematory along with the entrance gates are Grade II Listed, with the grounds being a registered park and garden. To the northern and western edges of the existing site are residential areas; to the south are local amenity playing fields. To the east is grazing land, beyond which is the AONB; the site itself is not located in the AONB.
- 1.2 The site has been used as a crematorium since 1938 when an extension was built onto the original Victorian burial Chapels. The site has expanded over time in a west to east direction, with the more recent memorial areas being added to the east.
- 1.3 While the original chapel buildings have undergone alterations over their history, they are no longer considered fit for current visitor volumes and demands due to ageing crematoria equipment and a shortfall of capability to supply the additional facilities needed including access and car parking. A comprehensive study was commissioned by Cheltenham Borough Council in 2015 to assess all the options available to allow the delivery of a long term sustainable future for the Cemetery and Crematorium, and how to best serve the communities of Cheltenham and the surrounding areas in the future. The study set out in its recommendations that the viable option was to build a new Crematory facility.
- 1.4 Following this recommendation, pre application discussions took place in early 2017 with a subsequent planning application submitted to Tewkesbury Borough Council and Cheltenham Borough for the construction of a new crematory facility. It is proposed to be constructed on the grazing land to the east of the existing crematory which is owned by Cheltenham Borough Council.
- 1.5 The proposal is to build a new crematorium containing two chapels with associated public waiting areas, a crematorium and staff facilities. The building is to be single storey following a design approach which seeks to pick up on the vernacular barn form with a series of connecting buildings of varying heights. Materials proposed include natural slate roofing, Cotswold stone, cream buff brickwork, ashlar stone mullions, dark grey aluminium windows, doors and rainwater goods. A total of 135 parking spaces are proposed providing disabled, visitor and staff parking provision. A detailed landscaping scheme is also provided. The site will be accessed via the existing crematorium road network with a new egress route proposed.
- 1.6 As referred to above the application is cross boundary. The grazing land on which the bulk of the proposed new crematorium car parking and associated work is proposed to be located lies within the administrative boundary of Tewkesbury Borough Council. A planning application has been submitted to Tewkesbury Borough Council for the works proposed within their boundary, on which they will make a planning determination.
- 1.7 For determination for Cheltenham Borough Council are the elements of the scheme proposed within its administrative boundary. These works include the proposed new egress route which skirts the southern boundary of the existing crematory site on land to the side of Priors Farm playing fields. The route runs towards and along the rear boundaries of residential properties on Salamanca Road and Ladysmith Road before connecting back into the crematorium internal road network so that all vehicular access and exit will remain through the current Cemetery arrangement onto Bouncers Lane. The application also sets out the need and route for a temporary construction access point which is to be provided at the west boundary of Priory Playing Field linking to Imjin Road.
- 1.8 In support of the application the applicant has submitted:

- Application forms, site location plans, drawings and cross sections, 3D visuals
- Planning Statement
- Design and Access Statement
- Topographic survey
- Landscape Assessment and visual appraisal and landscape proposals
- Heritage report assessment and report including Archaeological report
- Flood Risk assessment and drainage strategy
- Transport statement
- Ecology reports
- Arboriculture surveys.

**1.9** The application is before Planning Committee as the applicant is Cheltenham Borough Council.

## **2. CONSTRAINTS AND RELEVANT PLANNING HISTORY**

### **Constraints:**

Smoke Control Order

### **Relevant Planning History:**

**17/00332/PREAPP PCO**

Proposed new Cem and Crem and associated works.

**94/00882/PF 17th November 1994 PER**

Alterations To Upgrade The Existing Cremator Equipment With New To Comply With The Requirements Of The Environmental Protection Act

**94/00885/LA 17th November 1994 PER**

Internal And External Alterations To Upgrade The Existing Cremator Equipment With New To Comply With The Requirements Of The Environmental Protection Act

**99/00534/COU 29th July 1999 PER**

Extension To Burial Ground (Including Formation Of Roads And Footways)

**10/00960/FUL 22nd July 2010 PER**

Provision of a pedestrian footpath

**11/00922/LBC 3rd October 2011 GRANT**

Installation of 2 new cremators

**11/01500/FUL 21st November 2011 PER**

Installation of adiabatic air blast cooler as part of the new cremator installation

**11/01501/LBC 21st November 2011 GRANT**

Installation of adiabatic air blast cooler as part of the new cremator installation

**13/00774/LBC 17th September 2013 GRANT**

Proposed new and replacement signage

**15/01859/FUL 18th December 2015 PER**

Proposed change of use of an area of land to the east of the cemetery for burial and cremation purposes and the erection of fencing

**17/00011/OUT PCO**

Outline application for the creation of access roads to serve a potential future new crematorium and chapels on land to the east of the existing Bouncers Lane Cemetery

### **3. POLICIES AND GUIDANCE**

#### Adopted Local Plan Policies

CP 1 Sustainable development

CP 3 Sustainable environment

CP 4 Safe and sustainable living

CP 5 Sustainable transport

CP 7 Design

BE 20 Archaeological remains of local importance

GE 5 Protection and replacement of trees

GE 6 Trees and development

CO 1 Landscape character

CO 2 Development within or affecting the AONB

NE 1 Habitats of legally protected species

NE 3 Biodiversity and geodiversity of local importance

NE 4 Contaminated land

RC 1 Existing community facilities

UI 2 Development and flooding

UI 3 Sustainable Drainage Systems

TP 1 Development and highway safety

TP 2 Highway Standards

#### Supplementary Planning Guidance/Documents

Flooding and sustainable drainage systems (2003)

Landscaping in new development (2004)

#### National Guidance

National Planning Policy Framework

### **4. CONSULTATIONS**

#### **Architects Panel**

*7th June 2017*

#### Design Concept

The panel had no objection to the principle of the development. The siting and layout of the new building has been carefully considered and scheme generally has been well designed.

#### Design Detail

The simple, sober and understated barn-like architecture was felt to be entirely appropriate for a Crematorium in this setting. The light-filled interiors and well-proportioned courtyards will no doubt be attractive up-lifting spaces.

#### Recommendation

Supported

**Environmental Health**

*30th May 2017*

The application includes an acoustic report which identifies suitable limits for noise levels at the nearest residential site. At this stage in the design air handling plant has not been specified. I would therefore recommend that at this stage a condition is attached to any planning consent to ensure that when the detailed design is completed a similar report is produced to calculate likely noise levels affecting the residential property and is subject to approval by the LPA before first use of the site.

**County Archaeology**

*3rd May 2017*

In connection with the above planning application I wish to make the following observations regarding the archaeological implications of this scheme.

I advise that there has been no previous archaeological investigation of the proposed access route. However, the wider locality is known to contain archaeological remains relating to activity and settlement of prehistoric and Roman date.

Indeed, a previously unknown Roman settlement has recently been found during archaeological evaluation undertaken in connection with a proposal for a flood-storage area only a little to the south of the current application site.

I am therefore concerned that ground works required for the construction of the new access road may reveal significant archaeological remains. For that reason it would in my view be prudent to make provision for archaeological monitoring of the ground works required for this development, so that any significant archaeological remains revealed during construction may be recorded.

In order to facilitate this I recommend that a condition based on model condition 55 from Appendix A of Circular 11/95 is attached to any planning permission which may be given for this development, ie;

'No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority'.

Reason: It is important to agree and implement a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework

I have no further observations.

**Tree Officer**  
*19th May 2017*

The CBC Tree Section recommends this proposal regarding access arrangements for the proposed erection of a new crematorium.

The proposed route skirting the cemetery to the south is the least invasive in terms of tree removal/pruning implication. There should be no significant quality tree removal associated with this proposal as it skirts the boundary and indeed where the access road ingresses into the cemetery, consideration has been taken of the cedar at the eastern end of the driveway so that there should be no impact on the root protection area of this tree.

There will however be some vegetation removal as indicated on drawing no 0522-GA011 Rev B of March 2017-Proposed Egress Road Plan. Whilst this will have some localised minor impact, this vegetation is overwhelmingly self-sown goat willow and some cypress hedge removal.

**GCC Highways Planning Liaison Officer**  
*22nd May 2017*

I refer to the above planning application received on 26th April 2017, submitted with Application Form, Design & Access Statement, Proposed Site Layout, Planning Statement, Proposed Egress Road Plans, Proposed Egress Road Construction Details, Transport Statement with Appendix A-C. Plan no(s), 8325/PL01, 8325/PL02, 0522-GA-10B, 0522-GA-11B, 0522-ATR-12A, 0522-ATR-13A, 0522-ATR-14A, SK001B, SK002B, SK003B, SK004B, SK005B, SK006B.

Planning Policy & Material Considerations Context

- N.P.P.F.
- Cheltenham Borough Local Plan.
- Manual For Gloucestershire For Streets.
- MfS/MfS2.

Location & Site Accessibility

Cheltenham Cemetery and Crematorium sits adjacent to Bouncers Lane which is a class 3 highway, subject to a 30 mph speed limit with pedestrian footways and street lighting. The development has an existing access off of Bouncers Lane, which provides access to Cheltenham Town centre and various other local amenities and high quality public transport.

Walking & Cycling

The proposed & existing development site is well located for pedestrians with uncontrolled pedestrian crossing points including a pedestrian refuge island, dropped kerbs and tactile paving already exist along Bouncers Lane, Ladysmith Road, Imjin Road, Priors Road/Cromwell Road junction and Priors Road/Imjin Road Junction which connect members of the public to the existing and proposed site by foot.

Pedestrian footways will be provided internally within the application site, linking the car parking areas to the proposed new Chapels and Crematorium. There are currently no designated cycle routes in the immediate vicinity of the site; however cyclists are able to utilise the existing highway network to access the existing Cemetery and Crematorium and proposed new Chapels and Crematorium.

Public Transport

The nearest bus stop provision is located approximately 25m to the south, (Left) of the existing access to the Cemetery and Crematorium, further bus stops (Northbound and

Southbound) are also located along Priors Road approximately 75m to the west of the access to the Cemetery and Crematorium which is within the desired comfortable walking distance recommended by the IHT providing for journeys on foot guidance table 3.2.

The bus services available here are the 4, A, M7. These provide a service between Benhall, Whaddon, Hesters Way and Cheltenham Town Centre, providing sustainable transport options. The local bus stops and pedestrian infrastructure provides for the opportunity to travel by sustainable modes to both the existing Cemetery and Crematorium, and the propose application site.

#### Incident Analysis

Information has been provided in the TS with regards Incident Analysis a high level review for the existing highway safety conditions on the local highway network in the vicinity of the existing Cemetery and Crematorium access road has been carried out.

Personal Injury Accident (PIA) data was obtained from CRASHMAP for a five year period between 2011 and 2015. A summary of the total number of recorded accidents within the study area for a five period were 7 slight incidents of which 2 incidents were recorded on Bouncers Lane and 5 were recorded on Priors Road.

The area investigated includes the access road to the existing Cemetery and Crematorium, Bouncers Lane, Priors Road, and Imjin Road. No incidents were recorded along the Bouncers Lane in the immediate vicinity of the existing site.

I can confirm that the data shows no unusual patterns or clusters of collisions within the vicinity of the site which may be considered indicative of issues with highway design.

#### Access & Layout

The proposed development is to utilise the existing vehicular access arrangement off of the Bouncers Lane via a gated entrance and an internal two-way access road which varies in width between 5.0m and 5.5m then continues via the internal road network which currently serves the existing Cemetery and Crematorium.

On Entry to the existing Cemetery and Crematorium vehicles would follow the existing one way route to the proposed new Crematorium. The proposed new 3m wide egress (only) road from the new Chapels and Crematorium will run adjacent to the southern boundary of the existing Cemetery and will link back into the internal access road to the main entrance/exit of the existing Cemetery and Crematorium.

Proposed Egress Route Plans 0552-ATR-12A, 13A and 14A, displays swept path analysis which demonstrates a limousine, hearse and skip lorry can egress the 3m wide road with localised widening on bends without conflict and can adjoin the existing internal road network without conflict demonstrating the road is suitable to accommodate such vehicles.

Passing bays have been positioned along the new egress road to allow for vehicle pull-in. I note no details have been submitted demonstrating inter-visibility splays between the passing bays, however this will not be open to the public at this stage and will not affect the public highway, therefore the highway authority will make no comment.

The new egress road would not be offered for adoption therefore will be privately maintainable. The proposed egress route would be closed to all traffic outside of services and will be controlled via barriers. In addition access to the existing Cemetery and Crematorium is also controlled.

I note it states in the Transport Statement the proposals will include secure and lit cycle parking for staff and visitors. These will be located within close proximity of the buildings, Proposed Site Plan drawing no.8325-SK10M, demonstrates cycle storage, this can be secured by a suitable worded planning condition.

As part of the Construction Method Statement a scheme will need to be provided for safe access for large vehicles (articulated lorries). As the existing access arrangement off of the Bouncers Lane does not have enough space to accommodate an articulated lorry to be able to pull into the access without preventing the free flow of traffic along the Bouncers Lane, this can be secured by a suitable worded planning condition.

### Parking

Gloucestershire does not currently have parking provision standards, parking provision would therefore be assessed against Paragraph 39 of the NPPF with consideration given to the accessibility of the development, the type use and nature of development, the availability of, and opportunity for sustainable transport, local car ownership levels and the need to reduce the use of high emission vehicles.

The spaces should comply with the minimum dimensions of 2.4m x 4.8m for a standard space with 6.0m of drivable space for ease of access.

The proposal includes parking provision (including 10 Disabled parking spaces). Proposed Site Plan 8325 SK10M Appendix B, demonstrates a total of 135 vehicle parking spaces, 116 x visitor spaces, 10 x disabled spaces, 3 x mini bus spaces, 2 x hearse space and 4 x ground keepers spaces.

Based on the experience of the current operation and demand for parking on site, the proposed level of car parking has been deemed appropriate by CBC to meet the operational demands of the scheme. The highway Authority consider this to be acceptable.

Plans SK001B, 02B, 03B, 04B, 05B, 06B demonstrate that a skip lorry, hearse, 7.5T Rigid and limousine can all manoeuvre (turn/park) within the internal layout without conflict, this also is considered acceptable.

### Servicing And Refuse Collection Arrangements

The proposals includes a designated servicing area located at the southeast of the proposed Chapel buildings.

Cheltenham Borough Council (CBC) have advised that the service vehicles entering the site would be similar to those currently accessing the site. The largest vehicles that would access the servicing area is a rigid vehicle (7.2m in length) and a small skip lorry (6.3m in length), where there is a turning head provided for these vehicles to manoeuvre. Swept path analysis plans Sk001B and Sk002B confirms this and no conflicting issues therefore I consider this to be acceptable.

Service vehicles would utilise the same route as visitors to access and egress the proposed new Chapels and Crematorium as per the existing situation, it is understood that refuse would be collected at the main entrance gates to the existing Cemetery and Crematorium, from Bouncers Lane.

Refuse generated by the proposed new Chapels and Crematorium would be collected internally by staff and then taken to the collection point.

### Emergency Vehicle Access

Emergency vehicles would utilise the same route as visitors to access and egress the proposed new Chapels and Crematorium.

### Vehicle Traffic Generation

I note that within the submitted Transport Statement Cheltenham Borough Council (CBC) has confirmed that the proposals would mirror that of the existing North and South Chapel and Crematorium (in terms of scale and times of operation). As such, it is anticipated that

the proposals would not attract any additional traffic than at present, therefore the Highways Authority would except and agree with the provided Vehicle Trip Generations.

The proposal for the erection of a new crematorium would not be regarded as significant and will not result in a detriment to highway safety in accordance with Section 4 of the NPPF.

### Recommendation

I refer to the above planning application received on 26th April 2017, submitted with Application Form, Design & Access Statement, Proposed Site Layout, Planning Statement, Proposed Egress Road Plans, Proposed Egress Road Construction Details, Transport Statement with Appendix A-C. Plan no(s), 8325/PL01, 8325/PL02, 0522-GA-10B, 0522-GA-11B, 0522-ATR-12A, 0522-ATR-13A, 0522-ATR-14A, SK001B, SK002B, SK003B, SK004B, SK005B, SK006B.

I recommend that no highway objection be raised subject to the following conditions being attached to any permission granted:-.

#### Condition1

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. provide for the parking of vehicles of site operatives and visitors;
- ii. provide for the loading and unloading of plant and materials;
- iii. provide for the storage of plant and materials used in constructing the development;
- iv. provide for wheel washing facilities for construction traffic.
- v. specify the intended hours of construction operations;
- vi. measures to control the emission of dust and dirt during construction
- vii. provide a scheme to control construction movements at site access (Bouncers Lane Junction)

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework.

#### Condition2

The development hereby permitted shall not be brought into first use until the cycle storage facilities have been made available for use in accordance with the submitted plan Proposed Site Plan drawing no.8325-SK10M, and those facilities shall be maintained for the duration of the development.

Reason:- To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

#### Condition3

The building hereby permitted shall not be brought into first use until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no.8325-SK10M, and those facilities shall be maintained available for those purposes thereafter.

Reason:- To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

### Statement of Due Regard

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

### **GCC Local Flood Authority (LLFA)**

*17<sup>th</sup> May 2017*

#### Objection

I refer to the above application received by the Lead Local Flood Authority (LLFA) on 26th April 2017 for comment on the flood risk and management of surface water.

It is acknowledged that the site is located within Flood Zone 1. Also, according to the Environment Agency's interactive flood mapping and the surface water management plan produced for the Priors Oakley Flood Alleviation Scheme, the proposed site is at low risk of surface water flooding up to and during the 1 in 100 year event. As acknowledged in the pre-application advice for this site, there is however some surface water flood risk along ordinary watercourse B (reference plan 'Cheltenham V11 Rev A') and the Wyman's Brook, and ultimately the proposed egress route.

In principle, the LLFA accepts the proposed drainage strategy for the site (reference report number 70020522-F01) , however due to the surface water flood risk along the proposed egress route the applicant is required to consider the wider catchment and overland flows onto the site from the elevated topography to the east. In light of this, the LLFA objects to the application in its current form and requires further information to this effect.

NOTE 1 : The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency

NOTE 2 : Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through [suds@gloucestershire.gov.uk](mailto:suds@gloucestershire.gov.uk) e-mail address. Please quote the planning application number in the subject field.

Comments on additional details submitted:

*30th June 2017*

#### *Objection withdrawn:*

I refer to the above application received by the Lead Local Flood Authority (LLFA) on 25th April 2017 for comment on the flood risk and management of surface water and subsequent correspondence with hydrologists at WSP regarding the LLFA's objection to the proposed drainage strategy for the egress route.

The LLFA is satisfied that the WSP Memorandum entitled 'Response to GCC LLFA objection' dated 28th June 2017 provides sufficient reassurance through remodelling that the surface water flood risk to the egress route (illustrated by the Environment Agency's Updated Flood Maps for Surface Water) would be contained within the channels of watercourse B and C up to the 1 in 100 year event plus climate change. In addition, that surface water flood risk to the egress route in relation to capacity of the Wyman's Brook tributary culvert is considered low.

The LLFA are also satisfied that WSP have modelled the overland flow pathways affecting the site and provided reassurance that the proposed egress route will not intercept these flow paths or capture these flows within the proposed drainage system (as illustrated on drawing number QGIS\_Results Rev.A and discussed in email dated 23rd June 2017 from Samson Collier).

The Local Planning Authority should be aware that whilst the LLFA accept the revised modelling as evidence to support the proposed drainage strategy for this site, the LLFA have not validated the modelling and would recommend that validation of the models could be obtained from the Environment Agency in due course.

In addition, whilst the capacity of the Wyman's Brook tributary culvert has been assessed, it is advisable that the condition of this culvert is also assessed, as any implications from this could impact negatively upon the proposed site.

Please also note the following:

- Consent will be required under the Land Drainage Act 1991 (as amended by the Flood and Water Management Act 2010) for building across any existing watercourse or culvert. This should be obtained from the Environment Agency for main river and Tewkesbury Borough or Cheltenham Borough Council for Ordinary Watercourses.
- An Environmental Permit will be required from the Environment Agency for the construction phase, due to the proximity of the egress road to the Wyman's Brook.
- The LLFA acknowledges that sizing of culverts and details of the underground storage will be provided at detailed design stage.

In light of the comments above, the LLFA recommend removal of the previous objection and that the following conditions are applied to any subsequent permission:

Condition 1: No development shall commence on site until a detailed design, maintenance & management strategy and timetable of implementation for the surface water drainage strategy (e.g. Sustainable Drainage System - SuDS) presented in the Flood Risk Assessment/Drainage Strategy (Report No. 70020522-F01 and Drawing No's 0522-GA-11 revB; 0522-GA-10 revB; 0522-SD-01 revC; 0522-D-02 revD) has been submitted to and approved in writing by the Local Planning Authority. The detail must demonstrate the technical viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the life time of the development. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is first put in to use.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

Condition 2: No development shall be put in to use/occupied until a SuDS management and

maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the Local Planning Authority. Specific reference should be made to the controlled outfall devices proposed on site to ensure the avoidance of blockages. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

Condition 3: Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year event with allowance for climate change has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of public open space. Flow routes through areas in private ownership will not be permitted. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use.

Reason: To ensure the health and safety of owners/occupiers of the site and to minimise the risk of damage to property. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for the health and safety of owners/occupiers and visitors to the site.

NOTE 1: The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency

NOTE 2: Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through [suds@gloucestershire.gov.uk](mailto:suds@gloucestershire.gov.uk) e-mail address. Please quote the planning application number in the subject field.

## **Sport England**

*23<sup>rd</sup> May 2017*

Thank you for consulting Sport England on the above application.

### Sport England - Statutory Role and Policy

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 74) and Sport England's Playing Fields Policy, which is presented within its Planning Policy Statement titled 'A Sporting Future for the Playing Fields of England' (see link below): [www.sportengland.org/playingfieldspolicy](http://www.sportengland.org/playingfieldspolicy)

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

### The Proposal and Impact on Playing Field

The proposal will result in the loss an estimated 07 - 0.85 hectares of playing field for a new access road for the crematorium. It will necessitate the relocation of a junior football pitch, which reduces the flexibility of the site.

### Assessment against Sport England Policy/NPPF

The applicants have not addressed the NPPF's paragraph 74 in their planning statement or in the Design and Access Statement. They have also not provided at a reasonable scale drawings which show the proposed and existing playing pitch layouts including the run-off areas around the football pitches. Nor have the applicants addressed Sport England's planning policies or the emerging Playing Pitch Strategy

The Playing Pitch Strategy, PPS, is almost completed and it identified shortfalls of match sessions for adult, youth 11v11 and youth 9v9 pitches across Cheltenham at present, with future demand increasing these shortfalls to include mini 7v7 pitches. The site has been identified in the PPS. This site is used by 3 clubs: C3 diamonds, Charlton Rovers and Interlogos First.

The reduction of playing field land will impact on the ability to move and relocate pitches within the site envelope, and therefore be detrimental to the playing of sport on this site

### Conclusion

In light of the above, Sport England objects to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF.

Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State, via the National Planning Casework Unit.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

Our objection may be overcome, if pitch improvements to the remaining playing fields were undertaken - the PPS identified drainage issues on this site and by reducing the playing field area, this would exacerbate the problems.

If you would like any further information or advice please contact me at the address below.

### Comments on additional details submitted:

*20th June 2017*

#### *Objection withdrawn*

Further to my statutory objection which was submitted 23 May 2017, the applicant's architects have been in regular dialogue to try and resolve my objection. This resulted in revised drawings sent to both of us yesterday morning at 11:22: 8325/PL08 rev A and 8325/PL09 rev B.

Sport England has considered the revisions to the application in light of the National Planning Policy Framework (particularly Para 74) and Sport England's Playing Fields Policy, which is presented within its Planning Policy Statement titled 'A Sporting Future for the Playing Fields of England' (see link below):

[www.sportengland.org/playingfieldspolicy](http://www.sportengland.org/playingfieldspolicy)

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

Having assessed the application, Sport England is satisfied that the proposed development meets the following Sport England Policy exception:

E3 - The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site.

This is because despite limited loss of playing field, the proposed road does not impact result in a reduction in the size of the playing area of any playing pitch.

This being the case, Sport England does not wish to raise an objection to this application subject to the following condition:

The development hereby approved shall be implemented in accordance with the details submitted with the application and shown on the drawing numbers:

- o 8325/PL08 rev A - Existing Sports Field Plan
- o 8325/PL09 rev B - Proposed Sports Field Plan

Reason: In order to define the permission in accordance with Cheltenham Local Plan 2006 and the National Planning Policy Framework

## **Ecology – Forest of Dean**

*6<sup>th</sup> July 2017*

### Summary:

Cheltenham Borough Council are both applicant and planning authority in relation to this application. They have commissioned Forest of Dean District Council to review proposals in relation to potential impacts on badgers. A badger mitigation strategy is recommended which can be secured by a pre commencement condition. It is considered a Natural England Badger licence will be required prior to the commencement of development. Information about how the new access will operate and access managed, to limit the potential for badgers to be hit by vehicles, is required.

### Preliminaries:

We have been asked to review matters in relation to badgers and proposals for the access road only. Other ecological matters, tree or landscape matters and the wider have not been subject to review. The following Documents have been examined:

- a. Updated preliminary ecological appraisal (January 2017)
- b. Appendix A Development Proposals
- c. Appendix B Phase 1 habitat map
- d. Ecological Verification Survey
- e. Access Road realignment badger options appraisal (June 2017)
- f. Drawing 8325/PL09 B (Option D access plan)

Badgers are not protected due their 'rarity' more as a means of safeguarding the species against cruelty and therefore deferent approaches, to those species protected because of 'rarity' such as bats, can be undertaken.

#### Survey and assessment:

One badger sett has been identified as being over 250m from proposed development areas. It is agreed that the proposed development is unlikely to have any impact on this sett.

Another badger sett has been identified as being within 20m of a new access road (option D) and as such it is considered construction activities are likely to result in some disturbance (indirect) of the badger sett. There is a construction zone of approximately 70m length within 30m of the sett with approximately 120sqm of potential construction area within 20m of the sett.

It is agreed that it is unlikely that there will be any direct impacts on the sett (including entrances and tunnels). The sett is located in a bank at the existing cemetery, taking advantage of the looser more exposed soils. The construction of the access road takes place on land previously used as a farm track and sports field. Due to the nature of these uses (use of heavy vehicles expected) any additional earth movements in these areas are likely to have been apparent to site assessors. On this basis it is considered that the risks of encountering tunnels within potential construction areas is very limited. More detailed assessment through ground penetrating radar would be possible but based on the likely risks is not considered currently a requirement.

It is considered likely that some indirect disturbance (noise/ground vibration. etc) to the sett could occur as a result of construction. Appropriate methods of construction could limit impacts and therefore a badger mitigation strategy is required. This may be secured by a pre-commencement condition. It is considered a Licence from Natural England will be required by the developer prior development or any site clearance taking place.

Consideration has been given to the potential of badgers being hit by vehicles when the road is operational. Details of expected use, hours of operation, route locking arrangements and any speed reduction measures are required. This may be secured by condition.

#### EC01 – Badger Mitigation Strategy

Prior to construction or any site clearance/preparation works a detailed badger mitigation strategy shall be submitted to and approved in writing by the LPA and thereafter the development shall be carried out in accordance with the approved strategy. The badger mitigation strategy shall include, but not exclusively:

- a) Risk assessment of potentially damaging or disturbing construction activities;
- b) Identification and plan of relevant badger vulnerability zones & badger features (runs, latrines etc);
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) for each construction zone to include:
  - i) Dissemination of relevant information to all construction personnel
  - ii) Details of protective fencing
  - iii) Construction activities including type, weight of machinery for each zone including whether they are will be tracked or wheeled.
  - iv) Timing and duration of works
  - v) Use of artificial lighting
  - vi) Storage of materials and construction equipment
  - vii) Noise and vibration attenuation
- d) Measures to safeguard badgers from excavations, trenches and pipe openings overnight throughout the construction of the development;
- e) Details of an ecological information dissemination and monitoring scheme during and after construction. Including lines of communication, responsibilities of ecological clerk of works and construction site manager

Reasons To safeguard Badgers in accordance with the Protection of Badgers Act 1992 (as amended), Circular 06/2005, JCS policy SD10 and CDC Local Plan NE1.

Informative/advice note

It is recommended that the applicant contacts Natural England regarding licence requirements for badgers prior to undertaking any works.

## **5. PUBLICITY AND REPRESENTATIONS**

5.1 Letters have been sent to 127 neighbouring properties along with a site notice being displayed.

5.2 No representations have been received.

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

6.1.1 As set out in the introduction this is a cross boundary application. The proposed new crematorium is to be located in Tewkesbury Borough Council. The main considerations for Cheltenham therefore relates to the proposed egress road which is proposed to be located skirting the southern boundary along the side of Priors Farm playing fields which then runs to the rear of residential properties on Salamanca Road and Ladysmith Road at which it will connect back into the crematorium internal road network so that all vehicle access and exit will remain through the current Cemetery arrangement onto Bouncers Lane. The application also sets out the need and route for a temporary construction access point which is to be provided at the west boundary of Priory Playing Field linking to Imjin Road.

6.1.2 The main planning considerations are therefore considered to be the design and impact on landscape, amenity considerations, highway safety, flooding, and impact on the existing sports pitches and public green space, ecology, trees and heritage.

### **6.2 General Design Approach**

6.2.1 Although the main Crematorium building and facilities will be located within Tewkesbury Borough Council some comments are provided on the design approach.

6.2.2 The concept is that the buildings are arranged as a cluster, representative of a farmstead in an attempt to reduce the mass and bulk of the proposal but also provide an appropriate flow for the facility. It is understood that from a functionality perspective, the proposal is considered to be successful and provides all that the operator requires, including a second chapel. It is considered that the concept has been executed relatively successfully in terms of mass, scale, and layout. The cluster of buildings ensures that the mass will not overwhelm the site and in this respect, the proposal is suitably respectful to its rural location.

6.2.3 The site is special; views out of the registered cemetery look towards the imposing scarp, and views from the site look back into the registered cemetery and towards the listed chapel. Any new buildings need to justify their siting in such a sensitive location and it is considered that from a massing and layout perspective, the scheme will sit relatively comfortably on the site.

6.2.4 The approach was also endorsed by the Cotswold Conservation Board at the pre application stage with the Architects Panel providing comments in support of the scheme.

### **6.3 Landscape Impact**

- 6.3.1** The proposed egress road and temporary construction access route do not lie within the Cotswold Area of Outstanding Natural Beauty however as the site is in a sensitive location it is importance to consider the wider landscape impact of the proposal. The wider context landscape character is principally pastoral and scrub land with field boundaries denoted by hedging. The width of the proposed egress road varies ranging for at least 3m wide up to 4m with 3 passing areas. The road will be surfaced in finished in stone mastic asphalt. Small scale earth works are proposed, which are to be grassed, which will are drainage and includes a ditch on the northern side of the road with a raised embankment on the south side typically shown in section as being 0.8m in height. The general appearance of the road will therefore be of a low key landscaped area.
- 6.3.2** Given the soft appearance of the proposal the works are not considered to have any unacceptable impact on the character of the site or the wider Cotswolds Area of Outstanding Natural Beauty and are considered to be acceptable

### **6.4 Amenity Considerations**

- 6.4.1** Policy CP4 of the Local Plan seeks to ensure development does not harm the amenity of neighbouring land users. The majority of the road is to be located between the existing crematorium site and the playing fields to the south. A stretch of the road will however be located adjacent to residential properties on Salamanca Road and Ladsmith Road.
- 6.4.2** While this relationship is not ideal a number of alternative options have been considered which have had to be dismissed resulting in this route being the only achievable option. The application sets out that the hours of use for the crematorium are Monday to Friday between 0900 and 1600 hours with Saturday being 1000 to 1300 hours and no use on a Sunday. The application also sets out that the number of cremations will not increase above existing levels. Given this it is considered that the traffic using this road will be controlled and relatively light and in conjunction with the hours of operation set out it would not give rise to a significant impact on the amenity of the adjacent properties. The proposed temporary route of the construction traffic is to be located to the west of the playing fields accessed directly on to Imjin Road, to ensure that this temporary access/route does not cause any harm to nearby residents a condition requiring a construction method statement to include hours of operation is recommended. It is also of note that of the 127 letters of notification sent to local residents no comments have been received.

### **6.5 Highways and Access**

- 6.5.1** The application proposes to utilise the existing entrance and exit point on Bouncers Lane. Access will flow in the main in one direction with the access route being via the existing internal road system with the egress route being via the new road which will link back onto the existing internal road near to Bouncers Lane. Also proposed is a construction traffic route located to the west boundary of the playing field which will link to Imjin Road.
- 6.5.2** Gloucestershire County Council as the local highways authority (LHA) has assessed this application including the submitted transport assessment, new egress route and construction access, in light of the NPPF and local plan polices. Comments provided on this application are set out in full above. The comments provided by the LHA are comprehensive and include considerations on locations and access, incident analysis, parking, servicing and refuse arrangements, emergency access, and vehicle traffic generation; therefore there is no need to duplicate them in this part of the report, but to confirm their recommendation that no highway objection be raised subject to conditions being attached. Given these comments it is considered that the proposed development would have provide appropriate access and exit to and from the site and would not have an unacceptable impact on highway safety.

## **6.6 Flooding and drainage**

- 6.6.1** The NPPF aims to direct development away from areas of flooding and seeks to ensure that development should be safe and should not increase flood risk elsewhere. Local Plan Policies CP3, UI1 and UI2 reflect this advice and are therefore considered to be consistent with the objectives of the NPPF.
- 6.6.2** The Environment Agency maps indicate that the site is located within flood zone 1 (low risk, less than 1:1000 annual probability of flooding which is acknowledged Local Flood Risk Authority (LFRA)).
- 6.6.3** The application has been accompanied with a flood risk assessment and a drainage strategy. The strategy incorporates SUDs and sets out that the proposal will ensure that flood risk resulting from pluvial events (rainfall) will be managed and that flood risk will not increase elsewhere as a result of the development, this strategy also includes drainage for a 1:100 year event plus an additional 40% for climate change to take account of the predicted increase in rainfall intensity over the lifetime of the development.
- 6.6.4** The LFRA in considering the details originally submitted stated that they accept the drainage strategy for the site but required the applicant to consider the wider catchment and overland flows onto the site from elevated topography to the east, and therefore objected to the application. The applicant subsequently produced and submitted the additional information requested to which the LFRA has considered and withdrawn the objection to the application subject to recommend conditions being attached and subsequent discharged in consultation with the LFRA.
- 6.6.5** It is of note that the LFRA as the statutory consultee on these matters provided no objection to the application. Given these comments the details submitted on flood risk and mitigation are considered to demonstrate that the proposal will not give rise to the increased flooding or drainage concerns.

## **6.7 Impact on sport pitches and public green space.**

- 6.7.1** Sport England raised an objection to the application as originally submitted as it would not comply with the requirements of paragraph 74 of the NPPF which seeks to protect existing sports pitches. Sport England estimated that the proposed new road for the access road would result in a loss of 0.85 hectares of playing field.
- 6.7.2** Revised plans have now been submitted relocating the proposed road further away from the sports pitches. Sport England have reviewed the revised plan and have withdrawn their objection confirming that they are satisfied that the proposed development meets the Sport England Policy exception that despite limited loss of playing field the proposed road does not impact or result in a reduction in size of the playing area of any playing pitch.
- 6.7.3** The egress road is proposed to be located on land identified as public green space in the Local Plan. Policy GE1 policy seeks to retain open space for its visual, environmental and recreational value. It is considered that this proposal does not constitute the type of development that the policy is seeking to restrict; furthermore it is considered that the egress road has been well designed and would not compromise the existing visual, environmental and recreational value of the existing public green space. The public benefit of the new facility can also not be overlooked when assessing the application against this local plan policy.

## **6.8 Ecology**

- 6.8.1** The NPPF sets out that when determining planning applications local planning authorities should aim to conserve and enhance biodiversity and that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats. Local

Plan Policy GE7 of the local plan seeks to accommodate and protect natural features with policies NE1, NE2 and NE3 seeking to protect habitats of legally protected species, designated conservation sites and to resist development which would harm biodiversity and geodiversity of local importance.

- 6.8.2** The application is accompanied by a detailed ecological assessment of the site. The application site was surveyed based around extended phase 1 survey methodology as recommended by Natural England with additional survey work for bats and badgers.
- 6.8.3** The submitted assessment provides conclusion and recommendations on the options presented to ensure that the development would not have any adverse impacts, direct or indirect.
- 6.8.4** To resolve the Sport England objection the access road and construction traffic route will be located closer to an existing badger sett. The applicant submitted addendum to the ecological assessment to review the impact that this alteration would have on the badger sett, considering both the construction traffic and permanent use of the access road. In reviewing this additional information an independent view was requested from Forest of Dean District Council Ecologist. In response the FoD Ecologist concludes that the proposed relocation of the access road would have an acceptable impact on the badger sett subject to a condition on the detail of the mitigation strategy being attached.
- 6.8.5** Subject to conditions ecology and bio diversity mitigation and requirements are therefore not considered to be satisfactory.

## **6.9 Other Matters**

- 6.9.1** The Tree Officer has considered the application and notes that the scheme has been designed to have limited impact on existing trees with only some vegetation removal required which will have some localised minor impact this vegetation is overwhelmingly self-sown goat willow and some cypress hedge removal.
- 6.9.2** In considering archaeological implications the Country Archaeological Officer provides no objection subject to a condition to secure monitoring of the ground works required for the development so that any significant archaeological remains found are recorded. In addition given the distance between the proposed road and the historic assets at the crematorium site it is not considered the egress road would impact on their settings.

## **6.10 CONCLUSION AND RECOMMENDATION**

- 6.10.1** Given the low key nature of the proposed road the proposal is not considered to have an unacceptable impact of the site and the wider Cotswold Area of Outstanding Natural Beauty. The impact on local residents is considered to be acceptable.
- 6.10.2** On matters assessed in relation to highway safety and flooding, GCC as both the local Highways Authority Local Flood risk Authority and has confirmed that no objection is raised subject to conditions being attached.
- 6.10.3** Sport England provides no objection to the application.
- 6.10.4** Both the archaeological and ecology impact of the proposal is considered to be acceptable subject to conditions.
- 6.10.5** With all of the above in mind the proposed egress road and associated works is considered to be acceptable when considered against the relevant Local Plan Policies and the guidance set out in the NPP F.

**6.10.6** The recommendation is therefore to approve the application subject to conditions.

## **7. CONDITIONS/INFORMATIVES**

**7.1** To follow as an update