

Planning Officer Advice Note

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| Agent | |
| Pre-application Ref | 19/01429/PAYPRE |
| Site Location/Address | Old Station Car Park, Tetbury Rd, Cirencester, Glos. |
| Date | 31.05.19 |

Summary of Planning Officer's opinion and recommended course of action:

Planning Background: The site lies within the town's Development Boundary, having regard to Policy DS2 of the newly adopted Local Plan 2011-2031. The site is also in close proximity to the Cirencester Town Centre Conservation Area (Local Plan policies EN1 & EN11). Part of the site is a Scheduled Ancient Monument (Local Plan policies EN1 & EN10).

All of the current Local Plan policies can be viewed via the following link:
<https://www.cotswold.gov.uk/residents/planning-building/planning-policy/local-plan-2011-2031>

Proposals: The proposal is for the provision of a temporary decked car parking structure, to provide additional public car parking. Vehicular access would still be gained from Tetbury Road.

Comments:Background

It is noted that CDC are undertaking a parking review and related strategy for Cirencester that will take account of the impact of recent developments in the town and of future growth. It is understood that the proposals are a result of the desire to implement the car parking strategy.

The supporting text of the newly adopted Local Plan states that:-

"Cirencester currently has several surface-level car parks, and a number of these sites present the most obvious opportunities for redevelopment in the central area. This includes the option of creating decked parking which would maximise capacity, initially at a single location. This will help to address the looming shortfall, which has been assessed at around 350 parking spaces over and above existing capacity (c. 1,310 spaces)...Once sufficient additional car parking has been provided, the redevelopment potential of other car park(s), which may no longer required for parking, could be 'unlocked'. Such sites could

then be considered for alternative uses that would both enhance the town's role and function and benefit its economy. In considering any redevelopment options for existing car parks, it is important to bear in mind that land might well be required to satisfy potential additional parking needs in the longer term." (paras 7.4.9 & 7.4.10).

Section 7 of the adopted Cirencester Town Centre Supplementary Planning Document (SPD) 2008 remains a material consideration and accords with the principle of ensuring appropriate parking capacity for the town.

Section 6 of the National Planning Policy Framework (NPPF), as updated July 2018, promotes the building of a strong, competitive economy to achieve economic growth. Paragraph 80 states that "Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future." Paragraph 81 requires that planning policies should "set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration".

Built Heritage Impact

The proposals would affect the setting of the former Railway Station building, by Brunel, which is a Grade II listed building, and would also affect the setting of nearby listed buildings such as the Grade II listed 25 and 25A Sheep Street and on the west side of Sheep Street, opposite the site, and Apsley Hall. The Local Planning Authority is therefore statutorily required to have special regard to the desirability of preserving the setting of the identified listed buildings, in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

The proposed structure would also affect views into and from the Cirencester Town Centre Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Policy EN10 of the Cotswold District Local Plan states that "Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted" and that "Proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm. Any such assessment will take account, in the balance of material considerations:

- i) the importance of the asset;
- ii) the scale of harm; and
- iii) the nature and level of the public benefit of the proposal."

Policy EN11 of the Local Plan states that development must preserve or enhance the character or appearance of the area as a whole, or any part of that area. It states that development will be permitted unless: it involves the demolition of a building, wall or other structure that makes a positive contribution; new or altered buildings are out-of-keeping with the special character or appearance of the area in general or in a particular location (in siting, scale, form, proportions, design or materials); or there would be the loss of open spaces that make a valuable contribution.

As the Local Plan is up-to-date, it is the starting point for determining any new planning applications. Nevertheless, the National Planning Policy Framework (NPPF), as updated July 2018, is also a material planning consideration.

Section 16 of the NPPF addresses the conservation and enhancement of the historic environment. Paragraph 189 states that "In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance." When considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It also states that significance can be harmed through alteration or development within the setting, and any harm should require clear and convincing justification. Paragraph 195 states that, where a proposed development will lead to substantial harm, applications should be refused unless it is demonstrated that that harm is necessary to achieve substantial public benefits. Paragraph 196 states that, where a development proposal will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works. Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account and that a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.

The Old Railway Station building itself is a listed building and therefore the importance of preserving its setting is explicit in relevant policies. In terms of impact upon the conservation area, the building makes a positive contribution to the character of this part of the conservation area. The Cirencester Conservation Area for that part of the town centre does, however, refer to the negative impact that is caused to the character and appearance of the Conservation Area (and the building's setting) by the public car parking.

In the above context, officers conclude that, even on a temporary basis, the erection of the structure proposed would simply exacerbate and draw the eye to the inappropriateness of the building's setting, in addition to further reducing the remaining historic townscape value of the building by blocking public views. Consequently, officers consider that, whilst we acknowledge the need to review all options for addressing the town's parking shortfall, we consider that the

above site is too sensitive and prominent in terms of built heritage to accommodate such a visually 'industrial' structure, even on a temporary basis. The site is part of an important 'gateway' to the town and its historic centre, which affects the setting of a number of listed buildings, including the old railway station building within the site itself, and the setting of the town's conservation area.

We therefore consider that the proposal would be contrary to Local Plan policies EN1, EN2, EN10 and EN11, and the related policies of the NPPF. We feel that the significance of the harm caused would outweigh the public benefit in this case and on the basis of the information currently provided. Unless an overwhelming case could be made in relation to the public benefits as part of a masterplan strategy for the town, it is unlikely that officers would support the proposal.

Highways Issues

Highway impact and accessibility issues are also material considerations in respect of the proposals in respect of increasing the use of the access and manoeuvring within the site, having regard to Local Plan policies 38 (Accessibility to and within New Development) and 39 (Parking Provision) and section 4 of the NPPF. The Highways Officer has commented as follows:-

"Access visibility requirements for junctions onto the existing highway, subject to intensification, should be commensurate with the 85th percentile wet weather recorded vehicle speeds carried out in accordance with DMRB (Design Manual for Roads and Bridge) TA22/81 and annotated on the submitted plans. In the absence of speed surveys of approaching traffic at extent of available splays according to DMRB TA22/81 visibility should be commensurate with the sign posted speed limit (30mph) which according to Manual for Gloucestershire Streets guidance should provide 2.4m x 54m splays in either direction to nearside carriageway edge. The junction visibility splays should be demonstrated on annotated plans. The dimensions of the access will be subject to Swept Path Analysis (SPA). Details of vehicle tracking for the largest vehicle expected to site simultaneously passing a private estate car (1715mm x 4226mm) at the site access junction through all turning manoeuvres as well as throughout the site. The SPA should provide clearance of 500mm to any kerb-line, vertical structure, tree or parking space.

Layout

Emerging visibility from all internal junctions and forward visibility around bends throughout the layout will need to be demonstrated in accordance with the target design speed; forward visibility should remain within highway land/highway verge. The designer should confirm the design speed of the carriageways in accordance with the guidance contained within Manual for Streets.

Parking

A parking schedule should be provided detailing the number of allocated parking spaces. The number of spaces provided should be adequate to accommodate the local level of car ownership with an allowance for future growth. All proposed parking should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations in accordance with Paragraph 110 of the NPPF.

Highway Safety

The assessment of highway safety including consideration of any critical locations and whether issues will be exacerbated is welcomed. An up-to-date 5 year Personal Injury Collision (PIC) analysis is a robust time period.

Audits

A Stage 1 Road Safety Audit (RSA), designer's response, exception report (if required) and risk matrix covering the accesses and internal layout should be provided. Any safety issues identified will require resolving at the planning stage and the design should be altered and re-submitted to the Local Planning Authority addressing issues and recommendations.

Archaeology

The proposed development area is archaeologically sensitive since it is located within Cirencester's Roman town and is therefore considered to be a Non-Designated Heritage Asset. In accordance with Local Plan Policy EN12 and the NPPF paragraphs 192 and 197, there should be a presumption in favour of the preservation of the archaeological interest of the site, and a presumption against any development which would result in the archaeology being harmed or lost unless public benefits outweigh that harm.

If there are no below-ground intrusions required for construction as a result of the current proposals, there would be no archaeological implications. Any planning application made for this scheme should confirm the proposed method of construction.

Biodiversity

Having regard to section 15 of the NPPF, the former station building may have potential to be used by bats and the proposed development might affect flight lines, light levels in relation to their use of the building. Paragraph 170 of the NPPF requires that local planning authorities should aim to contribute to and enhance biodiversity in considering planning applications and should encourage opportunities to incorporate biodiversity in and around developments. We would therefore require an Ecological Assessment to be submitted, which must include any necessary mitigation and/or enhancements that can be provided as part of the redevelopment.

Conclusion:

It is the conclusion of officers that, for the reasons explained, the harm identified under the heading of Built Heritage Impact would be likely to outweigh any public benefit of the delivery, on a temporary basis, of replacement public parking.

Without prejudice to the above conclusion, in the event of a planning application being submitted, it should, *inter alia* and in addition to the provisions of the Council's Validation Checklist (please see the following weblink <http://www.cotswold.gov.uk/residents/planning-building/planning/making-a-planning-application/planning-forms/>), be accompanied by a heritage statement, an archaeological assessment, ecological survey and assessment and a Transport Assessment to address the intensification of the use of the access. Submission of this information will, of course, reduce the need for pre-commencement conditions.

It is also recommended that any future application should be submitted with a Planning Performance Agreement (PPA), which we increasingly find is of value in partnership working through the application process (please see the following weblink for further information <http://www.cotswold.gov.uk/residents/planning-building/planning/making-a-planning-application/planning-performance-agreements/>).

Please note:

Any advice given by Council officers, whether verbal or in writing, for pre-application enquiries does not indicate any formal decision by the Council as local planning authority. Any views or opinions expressed are given in good faith, and to the best ability, without prejudice to the formal consideration of any planning application following statutory public consultation, the issues raised and evaluation of all available information.

You should therefore be aware that officers cannot give guarantees about the final formal decision that will be made on your planning or related applications. However, this advice note will be considered by the Council as a material consideration in the determination of the future planning related application(s), subject to the proviso that circumstances and information may change or come to light that could alter that position.

It should be noted that the weight given to pre-application advice notes will decline over time.