

**Item No 01:-**

**15/00786/FUL (CT.6491/M)**

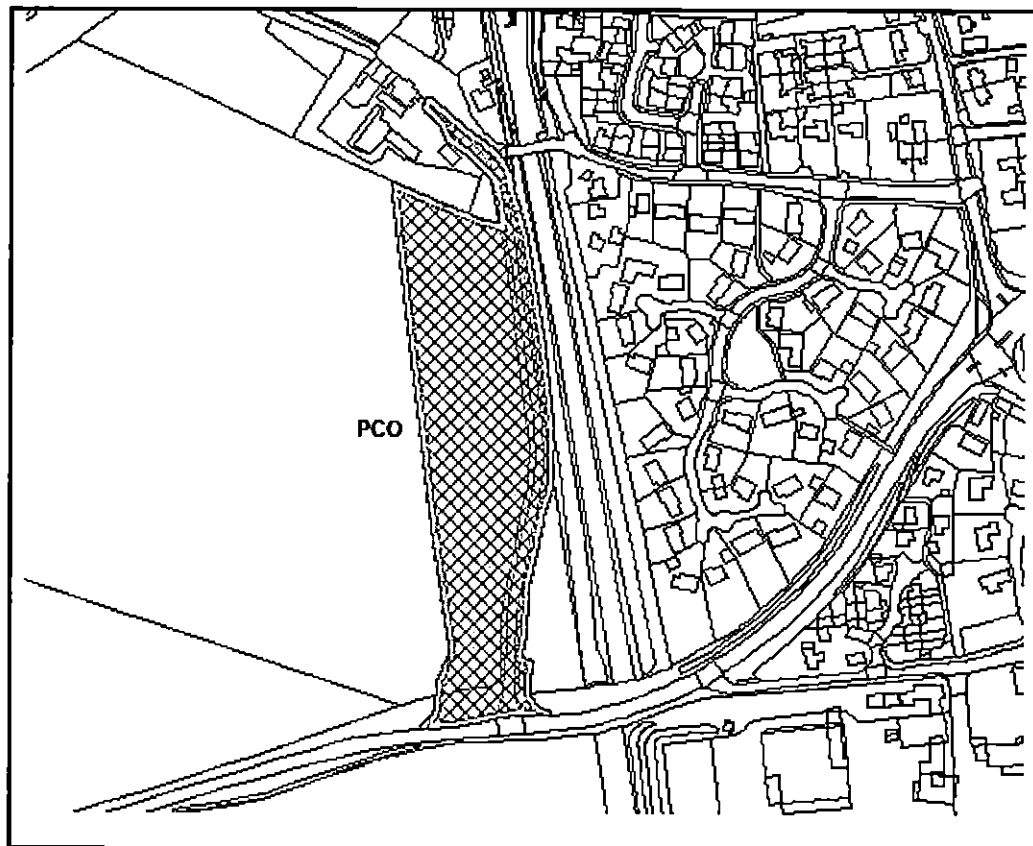
**Land Parcel Adjacent To The Tavern Public House  
Station Road  
Kemble  
Gloucestershire  
GL7 6AX**

## Item No 01:-

**Change of use from agricultural use to car park, providing 333 spaces. Associated landscaping, lighting and boundary treatments. New access road from A429 and new pedestrian access route to station (amended scheme and red line) at Land Parcel Adjacent To The Tavern Public House Station Road Kemble**

<b>Full Application 15/00786/FUL (CT.6491/M)</b>	
Applicant:	First Group
Agent:	Oxford Architects LLP
Case Officer:	Katherine Brommage
Ward Member(s):	Councillor Tony Berry
Committee Date:	9th March 2016

## Site Plan



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**RECOMMENDATION: DELEGATED AUTHORITY TO PERMIT, SUBJECT TO OFFICER SATISFACTION AND:**

- i) EXPIRY OF CONSULTATION PERIOD
- ii) GCC HIGHWAY AUTHORITY'S FINAL COMMENTS

- iii) MINOR AMENDMENTS AS NECESSARY IN RESPONSE TO HIGHWAY AUTHORITY'S COMMENTS
- iv) CONDITIONS (TO BE CONFIRMED)

IN CONSULTATION WITH THE WARD MEMBER.

**Main Issues:**

- (a) Principle of development outside of an adopted Development Boundary
- (b) Need for the proposals
- (c) Access and Highway Safety
- (d) Impact on heritage assets
- (e) Impact on the Kemble and Ewen Special Landscape Area
- (f) Biodiversity Impact
- (g) Other Matters

**Reasons for Referral:**

The application is brought before Planning Committee for it to be considered and debated in an open forum and further to the 'All Member Advanced Site Inspection Briefing' held in December 2015.

**1. Site Description:**

This application relates to a parcel of agricultural (arable) land on the western edge of the village of Kemble. The application site is located immediately west of the railway and south of the A429. To the north of the site is The Tavern Inn Public House.

Kemble is not a village that benefits from an adopted Development Boundary as defined in the Cotswold District Local Plan 2001-2011. The site is not located within the Cotswolds Area of Outstanding Natural Beauty (AONB) but is located within the Kemble and Ewen Special Landscape Area (SLA).

The application site is approximately 0.9 hectares in size. It comprises sloping ground and is bound to the south, east and north by existing vegetation. The western boundary is open to the agricultural land beyond.

There are no Public Rights of Way (PROW) adjacent or which cross the application site. The nearest Public Right of Way (PROW) is located approx. 120 metres to the east of the site. This PROW runs through residential development to the east of the railway line (West Hay Grove) and to the south (along Old Vicarage Lane) before heading south west towards Kemble Wick. At the point from which the site would be theoretically visible from this PROW it is in excess of 380 metres. The closest public view of the application site is therefore from the A429, Station Road and the car park to The Tavern Inn Public House.

The site's northern boundary defines the edge of the 'Kemble Station' Conservation Area which includes the adjacent railway bridge, The Tavern Inn (including its car park) and Kemble Station itself. Both Kemble Station and the railway bridge are listed.

The application is made for the change of use of the application site to a car park. The proposed car park will provide a total of 333 car parking spaces to serve Kemble Station. Justification has been submitted as part of the application (included within the Transport Assessment) which justifies the proposed development having regard to existing parking issues in and around Kemble Station and anticipated future utilisation of Kemble by rail users. The proposals include

provision of a new access road from the A429, a new pedestrian route to Kemble Station, in addition to associated landscaping, lighting and boundary treatments.

The proposed car park will be owned by First Great Western (now referred to as GWR) and will be run via a parking management company.

## **2. Relevant Planning History:**

There is no relevant planning history in respect of this particular application site. However, proposals for an extension to Kemble Station's car parks have been discussed locally for some time. Appendix A to the Design and Access Statement sets out a number of alternatives that have previously been considered but have been discounted for a variety of reasons.

## **3. Planning Policies:**

LPR05 Pollution and Safety  
 LPR08 Special landscape Areas  
 LPR09 Biodiversity, Geology and Geomorphology  
 LPR15 Conservation Areas  
 LPR19 Develop outside Development Boundaries  
 LPR32 Community Facilities  
 LPR36 Sustainable Transport Network  
 LPR38 Accessibility to & within New Develop  
 LPR39 Parking Provision  
 LPR42 Cotswold Design Code  
 LPR45 Landscaping in New Development  
 LPR49 Planning Obligations & Conditions  
 NPPF National Planning Policy Framework

## **4. Observations of Consultees:**

GCC Highways Officer: Awaiting final comments.

Conservation Officer: No objection, subject to conditions (comments incorporated into report).

Landscape Officer: No objections, subject to conditions (comments incorporated into report).

Tree Officer: No objections, subject to conditions (comments incorporated into report).

Biodiversity Officer: No objection, subject to conditions (comments incorporated into report).

Lead Local Flood Authority (LLFA): No objection, subject to conditions (comments incorporated into report).

County Archaeologist: No objection, subject to condition (comments incorporated into report).

Contamination Officer: No objection, subject to condition requiring submission of a desk study prior to development and a remediation scheme if necessary.

CDC Drainage Engineer: Deference to the Environment Agency (Note: The LLFA is now the relevant statutory consultee).

Environment Agency: No requirement to consult.

Network Rail: No objection to previous iterations (comments incorporated into report) but awaiting final comments.

Environmental Health: No objection (the lighting plan shows that light spillage will be minimal and is appropriate considering the location. The proposals are acceptable).

#### **5. View of Town/Parish Council:**

The Parish Council have confirmed their support of the proposals now that they have been amended to incorporate the existing two way operation of Station Road. However, the Parish Council remains concerned with regard to the proposed height of the lighting columns. A copy of the Parish Council's latest response is attached to this report.

Final comments are however, awaited from the Parish Council regarding the amendments that are in the process of being consulted on.

#### **6. Other Representations:**

In total 29 representations have been made to the application since its first advertisement in February/March 2015. These are broken down as follows.

##### **Letters of Objection**

A total of 18 letters of objection have been submitted. However, these were submitted primarily in response to the previously proposed one-way restriction of Station Road (consulted on in September 2015). The one way system has now been omitted from the proposals and only one letter of objection was submitted to the recent January 2016 consultation. A copy (including this particular objector's original comments) is attached in full to this report. Furthermore, it is noted that at least 7 of the total number of objections were 'further' objections.

Set out below is a summary of the main grounds of objection in so far as they relate to the current proposals:

- i. Lack of a robust buffer and poor relationship between the proposed car park and the Tavern Inn.
- ii. The northern extent of the proposed car park is located on higher ground which will exacerbate the visual impact of the car park on pub clientele. At present the character of the area is one of undeveloped, open countryside with a high quality landscape character and appearance.
- iii. A parking strategy needs to be imposed to prevent people parking all day or all week for free. If not then the new car park will have no benefit to those living in the village.
- iv. The lightning and tree planting might limit pollution from afar but does little to screen the development from those living nearby and whose windows overlook the site.
- v. There is no provision for managing the extra traffic that this car park is likely to produce.
- vi. Loss of agricultural land in favour of a car park.
- vii. Traffic calming measures in Station Road would be a bonus and would prevent the constant racing of cars and taxis up and down the road.
- viii. It is surprising that FGW have not looked at putting a second level over the existing car park. Similar schemes have been completed in Fleet (Hampshire). It is unobtrusive, practical and provides the necessary spaces.

An objection was also received at the beginning of the application process from Rodmarton Parish Council (set out below). No further comments have been submitted on behalf of Rodmarton Parish Council so it is therefore currently unclear if the amendments and further information provided have sufficiently resolved their concerns. With regard to the below comments it should be noted that the proposals are not located within the AONB.

Rodmarton Parish Council's comments are as follows:

'This response is made on behalf of Rodmarton Parish Council (RPC) following a planning committee meeting on 16/04/15, limited consultation with local residents and comment from Kemble Parish Council.

The need for additional car parking facilities to serve Kemble Station is accepted however RPC has strong reservations about this application presenting the best possible solution to the parking problem. RPC objects to the application as presented. We appreciate that for the residents of Kemble any proposal which alleviates the ad hoc parking in the village might at first sight seem appealing but analysis of the detail and consequences of the proposal could lead to a better solution than that currently proposed.

Our principal reasons for objecting are as follows:

The application does not include any analysis of the number of additional car parking spaces needed now or projected for the future. The existing car park contains 339 spaces (Network Rail website) we believe that ad hoc car parking in the village may account for up to 50 cars at peak times. If it is assumed that Kemble station might attract more users with improved car parking then the current need might be for a further 100 spaces? On this premise the proposal might create a significant overcapacity.

The application does not justify the proposed development in the AONB at a highly visible location by consideration of alternative sites or means of creating additional car parking. No consideration is given to the use of vacant land within the station complex and/or a parking platform (to create 2 levels) at the existing car park. RPC has concerns that if approved the new car park could free up space at the existing carpark for residential redevelopment which could then lead to pressure for expansion adjacent to the proposed new car park in open countryside.

The proposed 8m lighting masts are totally unacceptable at this location. A more sensitive lighting scheme is required.

We are concerned that many commuters may still seek to leave their cars in the village because the distance they will need to walk from the far reaches of the proposed new car park will be unattractive thus the parking problem may not be alleviated.

Further consideration of the pedestrian path arrangements needs to be made to allow for access to the main road and the station. The section of cantilever footpath seems inappropriate to the setting.

If this or any similar scheme is approved the developer should be obliged to pay for implementation of parking restrictions in the village and their subsequent maintenance.'

### **Letters of Support**

A total of 4 letters of support have been received to the application.

Set out below is a summary of the main ground of support raised:

- i. The enlargement of car parking at Kemble station is in line with Network Rails published Western Route Study (August 2015).
- ii. Passenger numbers will double over the next 30 years to 2043 and is in line with current trends of usage at Kemble. The proposed increase in size of the car parking at Kemble is therefore of the correct magnitude and indeed may be a little conservative.

iii. The original proposal lodged in February 2015 was generally a good one and with a few tweaks would have made an ideal solution.

### General Comments

A total of 7 general comments have been received to the application. None object to the principle or the need for the car park. It is also noted that 2 were submitted specifically in response to earlier proposals to restrict Station Road to one way which is now omitted.

Set out below is a summary of the general comments made in so far as they relate to the current proposals:

- i. The plans are better and, whilst loss of agricultural land to car parks is not ideal the need is understood.
- ii. The layout of the road scheme will probably encourage more through traffic over the bridge in station road to seek parking in the new car park.
- iii. 'Residents only' parking restrictions must be applied to Station Road and suitable signage installed to direct traffic away from the residential area of Station Road.
- iv. Additional signage will not stop traffic using Station Road, off Windmill Road. There needs to be additional measures to force traffic onto the A429 to approach and leave the car park rather than using the residential Station Road as a means of a short cut.
- v. Potentially with reduced fly parking in Windmill Road and Station road speeds will increase through these sections of the village as there will be no cars acting as obstruction to keep speeds down.
- vi. No indications have been made as to improvements in traffic management or calming in other parts of the village which could be associated with the changes.
- vii. The addition of measures to maintain the slow speeds along Windmill Road and Station Road, albeit with there being more clear access along these roads would be welcomed.
- viii. Recommend that consideration is given to making a section of the Station Road only open to one-way traffic in the direction towards the Tavern Pub from the A429.
- ix. Provision of a footpath from the new Phillips Lea housing development should be considered as an option to narrow this road to a single track road.
- x. A traffic light controlled crossing for the village over the A429 could be used to enable safe turns across the A429 for traffic entering station road towards the car park.
- xi. The recommendation for a residents parking scheme in Kemble once the new car park is built is welcomed. Such a scheme should allow for residential visitors.
- xii. Some form of transferable pass or residents pass that can be placed in the visitors car (but the pass owned by the resident) should be considered.
- xiii. Concerns in respect of light and noise pollution.
- xiv. The planting scheme indicates an element of screening of the car park which is welcomed.
- xv. Whilst dim lighting to reduce light pollution is proposed this should include complete darkness for periods, mitigated by the use of motion sensitive technology.
- xvi. Concerns that the car park may become a place where joy riding could occur.
- xvii. CCTV should be included in the car park for pedestrian safety, vehicle security and crime prevention. It is a minor matter to require the subsurface cabling for CCTV during the installation of the lights and the associated subsurface cabling works.
- xviii. Provision for funding parking and traffic enforcement in the village for the first year of operation of the car park should be sought from the developer.
- xix. It is not the shortage of spaces that leads to fly parking as the residential streets are used for parking in the early hours of the morning when there are still spaces in the car park. Fly parking is caused by people who want to park for free.
- xx. Additional noise and pollution is inevitable but the light pollution needs to be controlled after dark and should be designed to minimise light spill and sky glow.
- xxi. There is localised flooding on Station road in the vicinity of the low point of the road approaching the bridge from the A429.

xxii. Suggested that parking for the disabled should be provided immediately adjacent to each platform. Either a lift or controlled crossing across the tracks should be provided.

General comments were also received from Coates Parish Council as follows:

'This change of use is seen as an inevitable consequence of increasing numbers of commuters, driven by an increasing sized and increasingly mobile population. It is preferable to the village being increasingly hampered by verge-side parking assuming that this will be in addition to the current car park.

As a general comment it is noted that this is yet more commercial activity, making Kemble station more accessible, in the area and that it is likely to add another small increase in traffic on the Tetbury and Kemble roads.'

## **7. Applicant's Supporting Information:**

Design and Access Statement (including options appraisal)  
 Transport Assessment  
 Archaeological Watching Brief  
 Archaeological Evaluation  
 Landscape and Visual Impact Assessment  
 Photomontages  
 Detailed Landscape Proposals  
 Tree Survey Report  
 External Lighting Layout and Lux Plans  
 Flood Risk Assessment and Drainage Strategy  
 Ecological Walk Over Survey  
 Bat Activity Survey  
 Ground Level Tree Assessment Survey and MEWP Tree Inspection Survey  
 Road Safety Audit(s)

## **8. Officers Assessment:**

This application was first submitted and advertised in February/March 2015. When the application was first submitted the proposals included a new mini roundabout along Station Road. This necessitated the removal of a significant amount of hedgerow and was deemed unacceptable by GCC Highways. The proposals at this time had limited landscaping, 8 metre high lighting columns and a lack of biodiversity mitigation/enhancements. Officers were not therefore in a position to support the proposals although there was no objection in principle. Amended proposals were invited in recognition of the support in principle and the perceived local need.

In September 2015 amended plans were submitted, in response to consultee and third party comments made during the earlier consultation. These proposals omitted the roundabout but sought a one-way restriction of Station Road. The one-way restriction was required to provide a designated footpath along Station Road to the station. The Highways Authority raised no objection to the proposals at this time. However, the proposed one-way system was strongly opposed by the Parish Council, the Ward Member and a number of local residents, including the owners of the Tavern Inn.

Following further consultation with officers, the Parish Council, the Ward Member and GCC Highways the applicant submitted further amended plans which were advertised in January 2016. These amended proposals included a dedicated pedestrian footpath through land owned by the adjacent landowner, allowing the omission of the previously proposed footpath along Station Road and one-way restriction. Members will note that options for this footpath were discussed during the Site Inspection Briefing held in December 2015. The amended proposals also



included, for the first time, additional tree planting within the car park, lower lighting (to 6 metres) and further justification for the design choices made by the applicant. Whilst the local community appeared generally supportive of the amended proposals (with only one third party objection being received) there unfortunately remained concerns on highways and conservation grounds.

Further revised plans have therefore been submitted in an attempt to overcome these outstanding issues. The Council's conservation, landscape, biodiversity and tree officers have all confirmed that they have no objections. The LLFA have also confirmed their support. It is therefore only the Highway Officer's comments that are awaited.

Members will appreciate that the proposals before them are as a result of lengthy and detailed discussions with relevant stakeholders throughout the application process. It is considered by officers, given the support that the current amended proposals have received, that any further amendments required are likely to be minor in nature. Hence the recommendation that has been made. The conclusions drawn in this report are however, made on the assumption that the Highway Officer's final comments will be favourable, subject to either conditions or minor amendments. If this is not the case then the relevant consultees will be reconsulted and, if necessary, the application brought back to Planning Committee in the event that the recommendation changes to one for refusal.

#### **(a) Principle of development outside of an adopted Development Boundary**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of this application is therefore the adopted development plan for the District which is the Cotswold District Local Plan 2001-2011.

The application site is located outside of an adopted Development Boundary as designated in the Cotswold District Local Plan 2001-2011. Development on the site will therefore primarily be covered by Local Plan Policy 19: Development Outside Development Boundaries. The aforementioned policy can be supportive in principle of 'development appropriate to a rural area' in such locations. Such developments (appropriate to a rural area) can include those listed under Point 1 of the 'Notes for Guidance' that accompanies Local Plan Policy 19, as well other forms of development covered by other policies in the Local Plan e.g. affordable housing, employment etc. The only form of development specifically excluded by Local Plan Policy 19 is new-build open market housing.

It is noted that Local Plan Policy 36 makes specific reference to the development, expansion and improvement of the transport network and related services and facilities that are necessary to encourage more walking, cycling and use of public transport, including rail. The proposals are not therefore considered to be a 'departure' to the adopted Local Plan on the basis that the proposals constitute the improvement of services and facilities related to Kemble Station in association with a long established and important District community asset.

The Council must however, have regard to other material considerations when reaching its decision. In particular, it is necessary to have regard to the guidance and policies contained in the National Planning Policy Framework (NPPF). The NPPF contains at its heart a 'presumption in favour of sustainable development' (Paragraph 14). Paragraph 2 of the NPPF states that the Framework 'is a material consideration in planning decisions.'

Paragraph 7 of the NPPF states that 'there are three dimensions to sustainable development: economic, social and environmental.' Paragraph 8 advises that the three roles 'should not be undertaken in isolation, because they are mutually dependent.' Paragraph 7 states that planning should perform a social role by 'supporting strong, vibrant and healthy communities, by providing

the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.'

Paragraph 29 of the NPPF states that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. The NPPF is also supportive of the encouragement of solutions which support reductions in greenhouse gas emissions and reduction in congestion (Paragraph 30). Notwithstanding, Paragraph 7 of the NPPF advises that planning should contribute to 'protecting and enhancing our natural, built and historic environment.' Therefore, any perceived need for the proposals also has to be balanced against the potential adverse social, economic and environmental impacts of the development.

### **(b) Need for the proposals**

The submitted revised Transport Assessment (Rev D6) provides justification for the car park proposals. The Transport Assessment (TA) confirms that the existing car parks at Kemble Station have 337 spaces combined. These are made up within the main eastern car park (301 spaces) and the minor parking at the western entrance (36 spaces). The western car park has fewer spaces in total but more disabled parking. Both car parks are open 24 hours a day including weekends.

A Car Parking Survey was undertaken on 13th July 2015 as a snapshot assessment of usage. The survey results indicate that peak parking occupancy reached 65%, although this is in conflict with data presented within the Great Western Utilisation Strategy which suggests that parking is at 95% utilisation; placing some doubt that the survey undertaken in July is representative of a typical week day. It is however, accepted that survey results for a single day cannot be expected to provide a realistic picture of long term parking usage.

What the survey does reveal is the patterns of usage within the existing car parks. According to the revised TA, it is apparent that around a third of vehicles stay for long term parking and utilise approx. two thirds of parking capacity. This is assumed to mainly be made up of business and commuter utilisation. A quarter of visitors utilise short term parking (although not filling the car park on the day surveyed). Since the number of short terms users are likely to fluctuate day to day then there is potential for the current car park to regularly go beyond its capacity at its current level of usage.

There is anecdotal evidence to suggest that fly-parking is common practice within Kemble, with unregulated and unrestricted street parking available along the residential side of Station Road (east), Windmill Road and other nearby side roads which encourages this practice. This issue has caused considerable local concern over recent years evidenced by the representations received to the application and lack of objections in principle. However, the unregulated nature of this parking makes the actual extent of fly parking difficult to quantify since resident and non-resident vehicles cannot easily be distinguished. Nonetheless, it is believed that fly-parking is occurring mainly due to rail passengers not being able to find a space in the existing car park and then using the local infrastructure. However, it has also been suggested by third parties that some park on the local roads in order to avoid parking charges. It is considered that such issues will largely dealt with through provision of more spaces, in addition to implementation of a parking strategy/scheme. An indicative parking scheme is set out in Appendix J of the TA, the details of which will be subject to a Traffic Regulation Order (TRO), which will require publication consultation prior to its implementation.

Office for Rail Regulator statistics demonstrate that footfall at Kemble has increased by more than 100% over the 10 year period from 2001-2011. This is equivalent to an approx. 7.5 % annual increase in passenger numbers which is predicted to continue into the foreseeable future. On the basis of population growth and increased utilisation of the station the TA confirms that if a 'do

nothing' scenario were to be selected at Kemble Station then the existing parking facilities will continue to operate beyond capacity to an increasing degree, causing disruption within the village and an increase in fly parking. The TA predicts even with the additional 333 spaces proposed that the current proposals will be at capacity by 2024 but without this provisions the TA states that 'it can safely be predicted that the existing situation of fly parking will continue, or if parking controls are introduced within the village, then additional traffic will occur as passengers struggle to find parking space'.

On this basis there is considered to be a clear need for the proposals. A resolution with regard to the existing fly parking issue is also welcomed and is considered necessary to ensure use of the proposed car park and a reduction in fly parking. Accordingly, at present, there is considered to be a significant public benefit that can be attached to the proposals. The Highway Officer's final comments on the proposals are however, awaited.

### **(c) Access and Highway Safety**

As noted above, Local Plan Policy 36 makes specific reference to the development, expansion and improvement of the transport network and related services and facilities that are necessary to encourage more walking, cycling and use of public transport, including rail.

Local Plan Policy 39 relates specifically to car parking proposals however, the policy's focus is clearly those within town or district centres. This focus is not consistent with the NPPF. Local Plan Policy 39 also seeks to impose parking standards which are now out of date. It is concluded by officers that the policy can therefore be accorded little weight in the context of the NPPF.

Whilst Local Plan Policy 38 is considered to be generally in accordance with the NPPF, Paragraph 32 of the NPPF is clear in its advice that 'Development should only be prevented or refused on transport grounds where the residual impacts of the development are severe'.

The application site is accessed directly from the A429. The A429 is one of the main roads through the district. The revised TA (Rev D6) submitted with the application provides justification for the proposals and demonstrates that the amended access proposals are safe. The revised TA confirms that as a result of the proposals the traffic through the village is expected to not show much variation, with the majority of vehicles encouraged to use the A429 via signage (although Station Road will remain open to two-way traffic).

In previous comments made to the application GCC Highways Authority have raised no objection in principle and have welcomed the proposals given the perceived lack of capacity within the existing station car parks and issues associated with fly-parking locally.

Members will have noted at the Site Inspection Briefing that there is currently an existing field gate access onto the A429. This cannot however be utilised to gain access to the proposed new car park given the increase in trips that the proposals will generate over and above existing agricultural use and the inability to maintain sufficient visibility which would lead to a dangerous access arrangement. It was initially hoped by the applicants, at the pre-application stage, that access could be taken from further up Station Road with associated works undertaken to widen the carriageway. However, it became clear that this would necessitate the removal of a significant amount of hedgerow which was deemed unacceptable in biodiversity and landscape terms and could not therefore be supported by officers. Access direct from the A429 is therefore the preferred option, it is not however, without its constraints, and considerable work has been undertaken on both sides to ensure that an appropriate and safe junction arrangement can be achieved.

The most recent access plans submitted are as a result of discussions between the applicant's consultants and relevant officers and are understood to be acceptable, subject to provision of a Road Safety Audit. The final comments of the Highways Officer are however, awaited.

**(d) Impact on heritage assets**

The site lies partially within and fully within the setting of the Kemble Station 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. Development within the setting has the potential to impact on character and appearance.

Kemble Station to the north of the site is a Grade II Listed Building, as is the railway bridge. There is therefore also a statutory requirement to have special regard to the desirability of preserving its setting, in accordance with Section 66(1) of the above Act.

Section 12 of the National Planning Policy Framework asks that Local Planning Authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. Paragraph 132 states that 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. It also states that significance can be harmed through alteration or development within the setting. Paragraph 134 states that where proposals 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.

Policy 15 of the Cotswold District 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. Uses that create additional traffic, noise or other nuisance, which would adversely affect the character of the area, would not be permitted. But development may be permitted if it can be demonstrated that the proposals can help an area to remain alive and prosperous, without compromising its character or appearance. It states that development will be permitted unless there would be a loss of open spaces that make a valuable contribution.

Local Plan Policy 42 of the Local Plan requires that development should be environmentally sustainable and designed in a manner that respects the character, appearance and local distinctiveness of the Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship.

The site forms an important part of the rural setting of the conservation area and listed buildings. It provides a green and undeveloped backdrop, which makes a positive contribution to the character and appearance of the conservation area, and to the setting of the listed buildings. This setting therefore forms part of the significance of those designated heritage assets. To turn the site over to car park will inevitably detract from the setting of the conservation area and listed buildings and as such, it must be accepted that the significance of these designated heritage assets will be harmed as a result. In this regard it is acknowledged that great weight should be given to the conservation of designated heritage assets. It is also the Council's statutory duty to preserve conservation areas and listed buildings.

Paragraph 134 of the NPPF asks that any harm is weighed against any public benefits of a proposal. This however, is not mere balancing exercise since great weight should be given to the conservation of heritage assets. The NPPF also requires that any harm is minimised.

It should be noted that the Conservation Officer, consulted on this application, has consistently raised concerns in respect of the proposals and formally objected to the last iteration of the submitted plans which were submitted and consulted on in January. This objection was based on

significant concerns in respect of insufficient mitigation, which was deemed required to alleviate earlier concerns raised regarding the visual impact of the (then proposed) unbroken expanse of car parking on rising ground, as well as other aspects of the proposals, including the proposed lighting and treatment of the existing Station Road access (with bollards) which would lead to an urbanisation of the landscape setting.

It was however, acknowledged by the Conservation Officer at this time that given the options appraisal and the identification of a need for a new car park of substantial capacity, that there were no in-principle objections to a car park in this location. Nonetheless, it was considered that however carefully designed the proposals may be that there will still remain some harm to the setting of the conservation area and listed buildings, and thus some harm to the significance of these designated heritage assets. On balance however, it was considered by officers that there was potential, in this case, for the public benefits to outweigh the harm, but only if the scheme was designed sympathetically and with sufficient mitigation to minimise the harm identified.

To this end it was recommended by officers, that the applicant reduce the number of parking bays and give this land over to substantial planting areas throughout the car park, to divide the car park into smaller areas. It was also recommended that the hedge and tree planting be made more robust since, as a result of the introduction of the proposed footpath, it appeared to have been somewhat eroded through various iterations.

Whilst the applicant had no objection to the introduction of substantial planting bays within the scheme, in addition to tree planting, nor the widening of the landscaping belt along the lane, there was resistance to the loss of car parking spaces which were considered to be required. The applicant, in responding to the Conservation Officers comments, has therefore submitted further amended proposals in line with those discussed but have located the 'displaced parking' within an area to the southern part of the site, adjacent the A429; necessitating an amendment to the application's red line.

No amendment has been made to the proposed lighting columns since their reduction to 6 metres. This is a matter that has been discussed at some length with the applicant and their agents given the concerns raised. The applicant has explored the different options available. Whilst it is certainly possible to obtain and install 4m lighting columns, as opposed to 6m lighting columns, there would be implications in terms of impact. In short, installation of 4 metre high lighting columns will necessitate the provision of approx. 40+ columns in total in order to reach the level of lighting required to make the car park safe. The current proposals include only x18 lighting columns. Furthermore, with 4 metre high lighting columns there will be a need to position columns along the east and western boundaries of the application site, meaning that both (east and west) hedgerows will be lit in their entirety. This would have a significant detrimental impact on bats (see biodiversity comments below).

Bollard lighting is also not feasible for safety reasons, due in part to the number of bollards that would be required and the ability for cars to cause obstruction. Bollard lighting is however, proposed along the footpath to the station.

It should be noted that the lighting proposed will not be on all through the night. The intention is for the lights to be operated via PIR/motion detection. Therefore, periods when the car park is not in use the lights will gradually dim to off and vice versa upon use/motion detection. It is understood that the last train to Kemble is at approx. 11.30 pm. It is therefore a reasonable expectation that from midnight to the early hours lights will remain off. It is also understood by officers that for energy saving purposes GWR keep lights turned off during the night in any event. It is therefore considered by officers that the applicant have gone as far as it can in this regard. It is intended that lighting details, including their control/operation, will be controlled by condition(s).

In response to these amended proposals, the Conservation Officer has confirmed that they go a long way to alleviating the concerns raised and go some way to mitigate the impacts on the setting of the conservation area and listed buildings. The landscaping proposed to break up the car park is considered to be more meaningful and the sections provided with the revised plans show the intended tree heights, which assist in lessening the impact of the lighting columns. The Conservation Officer also notes and has welcomed the improvements that have also been made to the proposed access, with the originally proposed bollards omitted and more traditional field gate(s) now shown. The Conservation Officer has on this basis been able to confirm her support of the proposals, subject to conditions.

Therefore, whilst it must still be acknowledged that the proposals cause some harm which is to be accorded great weight, on the basis of the amendments made, the public benefits demonstrated can now be considered to outweigh the harm caused in accordance with Local Plan Policies 15 and 42, Section 12 of the NPPF and the relevant provisions of the Planning (Listed Building and Conservation Areas) Act 1990 (referred to above).

### **(e) Impact on the Kemble and Ewen Special Landscape Area**

The application site is not located within the Cotswolds Area of Outstanding Natural Beauty (AONB) and is approximately 1.2 miles from the AONB at its nearest point.

The site is however, located within the Kemble and Ewen Special Landscape Area (SLA). The Local Plan states that 'The purpose of SLA designation is to provide protection to locally significant landscapes that, although not nationally designated, are of comparable quality to AONBs and require special attention in the implementation of planning policy' (page 17 of the adopted Local Plan). Although of lesser importance by national standards, SLAs are attractive landscapes in their own right: they all abut the Cotswold AONB and can, in part, provide an important foreground setting to such areas.

In this regard, Section 11 (Paragraph 109) of the NPPF states that the planning system should contribute to and enhance the natural and local environment by, amongst others, protecting and enhancing valued landscapes. With regard to SLAs, Local Plan Policy 8 provides that within Special Landscape Areas, development that meets the economic and social needs of communities will be permitted provided that it does not unacceptably harm the area's landscape character and appearance.

With regard to the Kemble and Ewen SLA it should be noted that the entire village of Kemble is included, including areas of countryside outside of the built up residential area which abut the AONB.

Paragraph 17 of the NPPF states that planning should recognise 'the intrinsic character and beauty of the countryside'.

Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by 'protecting and enhancing valued landscapes'.

Paragraph 115 states that 'great weight should be given to conserving landscape and scenic beauty in ... Areas of Outstanding Natural Beauty.'

Paragraph 115 also states that 'The conservation of wildlife and cultural heritage are important considerations in all these areas'.

Local Plan Policy 42 advises that 'Development should be environmentally sustainable and designed in a manner that respects the character, appearance and local distinctiveness of

Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship'

Local Plan Policy 45 also advises that high standards or appropriate landscaping will be required in all developments. The policy also provides that any attractive and existing landscape features, such as trees, hedgerows and walls, should be retained and integrated into all landscaping schemes.

Following receipt of amended plans the Landscape Officer has been able to confirm her support of the proposals, subject to conditions.

There were initially concerns that the construction of the proposed access road would have an impact on the tree group along the A429 to the detriment of the landscape however, the revisions show that the trees to the west of the access are to be retained. A new oak is also shown as mitigation which was recommended by both the landscape and tree officer and is welcomed. Under planting is now shown under the proposed oak which further aids the screening of the car park from the A429 and provides greater connection between existing and proposed hedgerows.

The inspiration of larger planting bays within the scheme and segregation of the car park into smaller area is particularly welcomed and is considered to be a significant improvement in landscape terms. The amendments made to the existing Station Road access are also welcomed with the previously proposed (and incongruous) bollards given over to a traditional field gate. Officers also note the use of grasscrete to delineate the existing access (which is to be closed and used only by Network Rail) and the new access which is less formal and will appear in time as a grass verge to the benefit of the street scene and entrance to Kemble along the A429.

While preference would have been for mounted bollards within the car park it is accepted that the lighting solution proposed by the applicant is the lowest practical/workable height and this is also welcomed. It is therefore considered that on balance, and subject to details, the proposals are acceptable in landscape terms and are compliant with Local Plan Policies 8, 42 and 45 and the relevant provisions of the NPPF.

#### **(f) Biodiversity Impact**

A number of ecological reports have been submitted with the application including an Ecological Walk Over Survey (Sept 14), Bat Activity Survey (Oct 14) and a Ground Level Tree Assessment and Tree Inspection Survey (Dec 15).

The Bat Activity Survey confirmed the presence of foraging and commuting habitat for bats along the hedgerow to the east of the application site. Results from this survey demonstrate that this habitat is used by rarer bat species such as barbastelle, lesser horseshoe and Nathusius' Pipistrelle bats. Early on therefore, its retention was identified as being of particular importance.

At the time of the survey certain recommendations were made to limit the impact of the proposed development including the restrictions on the extent of hedgerow removal to 4m and creation of living arches to bridge these gaps. Earlier iterations of the proposals did not take into account any of the recommendations made within the Bat Activity Survey (Thompson ecology Oct 14). This is no longer the case, with the recommendation of the Bat Activity Survey now being taken fully into consideration and supplemented by a Ground Level Tree Assessment Survey (Oct 15), which focuses primarily on the trees proposed for removal at the site access.

The Ground Level Tree Assessment Survey (Thompson ecology Oct 15) identified T1, T2, T3 & T4 to all have low potential to support bats. The current proposals will involve the removal of three trees (T2 and T3 to ensure adequate visibility and T4 required for access) and arboricultural works to one tree (T1) including crown lifting, as shown in the Tree Survey Report by RGS

Arboricultural Consultants (2015). However, the works near T1 will be located within the root protection area (RPA). Whilst lime trees are generally tolerant to root loss or disturbance the Tree Officer has advised officers to proceed on the basis that the proposals will result in the loss of this tree as the 'worst-case scenario', although it is shown to be retained on the plans. Given this advice and considering the low potential for T1 to support bats, the Biodiversity Officer has recommended the imposition of a condition, requiring the submission of a Bat Method Statement prior to the commencement of any works to T1, including works within and to its RPA.

The Ground Level Tree Assessment Survey report concludes that if the recommendations are adhered to, then compliance with the relevant legislation with regard to bats and their roosts should be achieved. The Council's Biodiversity Officer concurs with this conclusion and has advised that she has no objections to the proposals, subject to conditions. With particular regard to the current proposals it is considered that the lighting strategy and the proposed site plan is much improved, with the proposed trees and additional planting within the car park and elsewhere being of benefit to wildlife and the landscape.

It is therefore concluded that the mitigation and enhancements proposed will be sufficient to ensure that the development will not result in any net loss of biodiversity or harm to protected species and as such would accord with the requirements of Local Plan Policy 9 of the adopted Local Plan, the NPPF (including section 11) and relevant guidance contained in the NPPG as well as the Conservation of Habitats and Species Regulations 2010.

#### **(g) Other Matters**

##### **Arboricultural Implications**

The Council's Tree Officer has confirmed that there are no objections to the planning application in arboricultural terms subject to conditions (i.e. submission of a Tree Protection Strategy). The application site is not within a Conservation Area and there are currently no Tree Preservation Orders. Therefore, at present, there are no protected trees on the site, and no tree specific policy of the Local Plan applies.

It is a requirement of Local Plan Policy 45 to retain any attractive landscape features including trees. A Tree Survey Report (dated December 2015) has been submitted with the planning application. The Council's Tree Officer has advised that in accordance with the submitted Tree Survey that T2, T3 and T4 will need to be removed to facilitate the proposed access. For the avoidance of doubt it is the opinion of the Tree Officer that the loss of these trees is acceptable; T3 is not a good specimen, T4 is partly obscured, but does add depth to the tree cover and T2 is multi-stemmed and not suitable for long term retention.

It is however, considered by the Tree Officer that the amount of incursion into the root protection area will result in the loss of T1. The Tree Survey takes a different view with regard to T1 and considers the retention of this tree (as shown on the submitted plans) to be possible given the species (lime) of the tree which is usually capable of withstanding considerable encroachment into the root protection area. Nonetheless, The Tree Officer has advised Council officers to proceed on the basis that this tree may be lost in the short term as a 'worst-case scenario'.

Nonetheless, in arboricultural terms, and having regard to the public benefit attributed to the proposals, the loss of the aforementioned trees is considered to be acceptable provided that the proposed oak is planted as mitigation, in addition to the other trees planting proposed within and around the application site. Any new tree must however, be protected by the standard 'five year replacement' condition as a minimum in accordance with Local Plan Policy 45.



## **Flood Risk and Drainage**

Paragraph 103 of the NPPF states that 'When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception test...'

The application site is located in Flood Zone 1 as designated by the Environment Agency. Flood Zone 1 is the lowest designation of Flood Zone with an annual risk of flooding of less than 1 in 1000 (<0.1%). A Flood Risk Assessment has been submitted with the planning application. The Lead Local Flood Authority (LLFA) have been consulted on the planning application. The LLFA has confirmed that following review of the Environment Agency's surface water risk mapping and Gloucestershire County Council's historic flood data that the proposal appear to be at low risk from external sources of flooding.

The LLFA has confirmed that the applicant proposes to use impermeable surfaces for the road and permeable surfaces for the parking bays. The subbase of the car park's surface will therefore be used to attenuate and infiltrate the additional runoff to ultimately maintain the site's greenfield runoff rate. It has been demonstrated through MicroDrainage simulations that the subbase will be appropriately sized for the critical storm during the 1 in 100 year plus climate change event.

It is understood that there are a number of issues regarding the indicative surface water drainage strategy submitted that require addressing before full approval in terms of surface water management can be advised. Nevertheless, the LLFA has confirmed that the site in principle is appropriate and the identified issues can be addressed through revision to the drainage layout that can be secured through condition. Accordingly, the LLFA has no objection to the proposals, subject to conditions. On this basis the proposals are considered to accord with the relevant provisions of the National Planning policy Framework and, in particular, Section 10.

## **Loss of Agricultural Land**

Another matter worthy of consideration is the loss of agricultural land. Paragraph 112 of the NPPF states that 'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use poorer quality land in preference to that of a higher quality.' The best and most versatile (BMV) land is classed as that falling within Grade 1, 2 and 3a.

Natural England Agricultural Land Classification (ALC) maps based on 1960s/1970s data identify the site as predominantly Grade 3. However, the maps do not distinguish whether the Grade 3 land is Grade 3a or Grade 3b. The applicant has not submitted an Agricultural Land Classification report with the application so it is not possible to conclude if the application is BMV or not. Nonetheless, a proposed development of less than a hectare is not considered to be significant in this context. It is of note that the threshold for consulting Natural England in relation to proposals for the loss of BMV land is 20 hectares. The application site is clearly under this figure. As such it is considered by officers that the proposals could be permitted without conflicting with guidance in Paragraph 112 of the NPPF.

## **Safe Operation of the Railway**

Network Rail has been consulted on the planning application and have raised no objections to the proposals in principle. Network Rail have however, confirmed a number of requirements to ensure the safe operation of the railway and the protection of Network Rail's adjoining land which have been passed onto the applicant and will be referred to as an informative on any future decision notice. Officers are content having read Network Rail's response that the proposals do not conflict

with the advice given and will not therefore have any impact on the safe operation of the existing railway.

### **Archaeology**

Having consulted the County Historic Environment Record the County Archaeologist has confirmed that the locality is highly sensitive archaeologically, with widespread remains of prehistoric, Roman and Anglo-Saxon date being present on land a little to the east and north-east of the proposed development area.

An Archaeological Field Evaluation (undertaken by John Moore Heritage Services and dated February 2015) has been submitted with the application (However, it is noted that the title page of the report erroneously describes the work as a 'watching brief'). The results of the evaluation were positive in that two of the trenches investigated revealed ditches interpreted as boundaries relating to a Roman agricultural landscape. In addition, several trenches located pits and post-settings possibly belonging to a 19th century navvies camp associated with the construction of the railway. Ground works required for development at this location may therefore have an adverse impact on significant archaeological remains.

The County Archaeologist has confirmed that whilst there is no in principle objection to the proposed development that a programme of archaeological work should be undertaken in advance of any development being commenced so that any remains can be recorded. A condition has therefore been duly recommended which, in these circumstances is considered reasonable and necessary to impose. On the basis of the imposition of this condition it is considered by officers that the proposals are compliant with the provisions of Section 12 of the NPPF.

### **9. Conclusion:**

The site is also located outside a Development Boundary as designated in the Cotswold District Local Plan 2001-2011 where development appropriate to a rural area is permissible subject to meeting the specific criteria set out under Local Plan Policy 19 (Development Outside Development Boundaries). Local Plan Policy 36 makes specific reference and is supportive of the expansion and improvement of the transport network and related services and facilities necessary to encourage increased use of public transport, including rail.

The proposals constitute the improvement of related services and facilities that are necessary to encourage the increased use of public transport (in this case rail) in association with a long established and important District community asset. The proposals are located immediately south west of Kemble Station and adjacent the railway line and thus, Kemble itself.

Given that the intention of the proposals is to cater for and encourage the use of rail transport options at Kemble, the proposals are not considered likely to amount to a material increase in car-borne commuting overall and would certainly not result in any cumulative transport impact that could be deemed severe (subject to the Highway Authority's final comments).

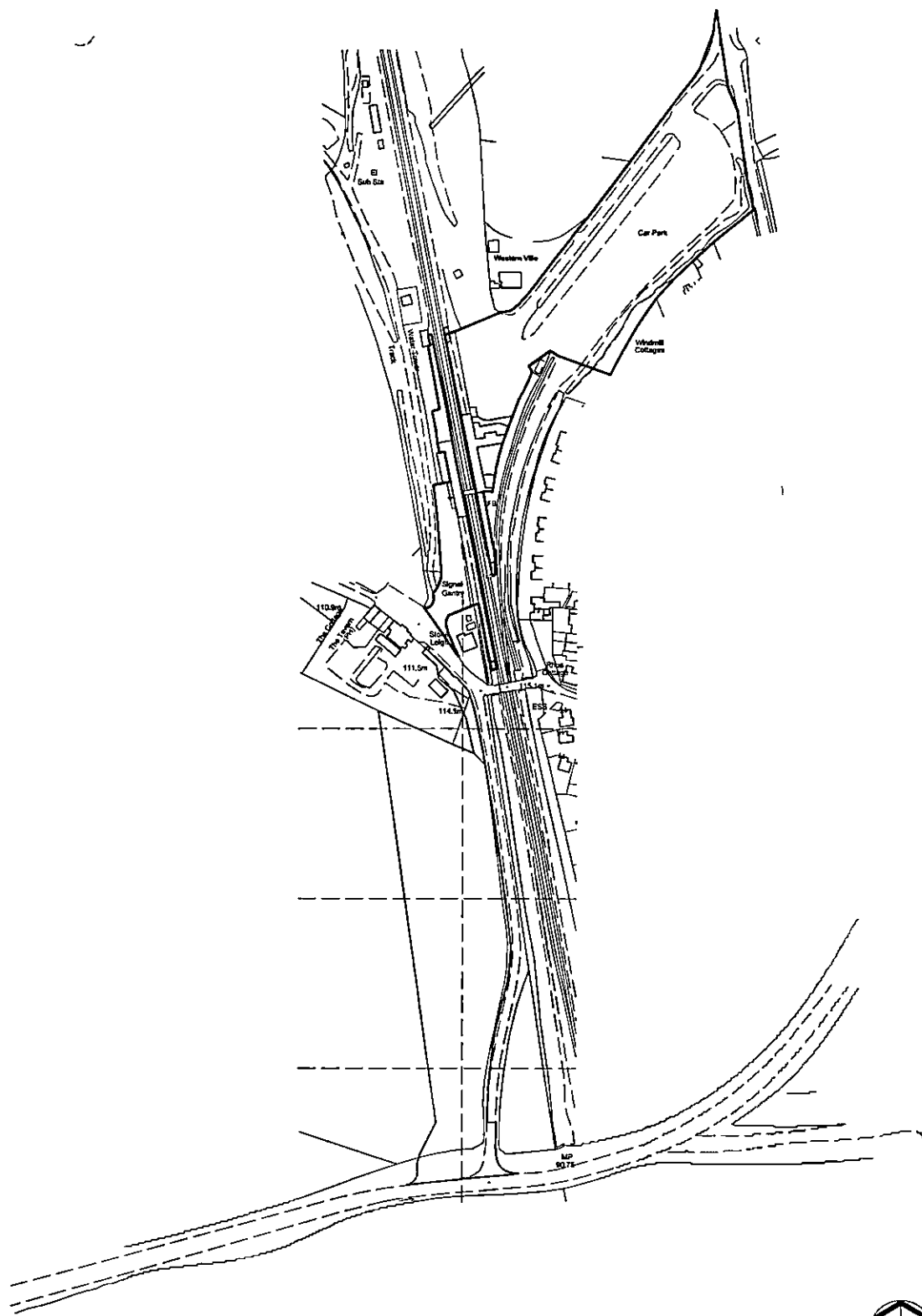
To this end the proposals are also not considered to significantly compromise the principles of sustainable development. It is acknowledged by officers that the proposals are located immediately adjacent to the Kemble Conservation Area and that they will amount to some harm to the character and appearance of this area as well as to the setting of nearby listed structures/buildings. However, this harm is considered to be sufficiently mitigated, taking into account the public benefits attached to the proposals.

The proposals have been assessed in respect of their landscape, biodiversity, archaeological, environmental, drainage and arboricultural impact and are found to be acceptable, subject to conditions, and having regard to the aforementioned local and national planning policies. On this

basis delegated authority is sought to permit the proposals subject to officer satisfaction, the expiry of the consultation period, the making of any necessary minor amendments as required and conditions (to be confirmed), in consultation with the Ward Member.

**10. Proposed conditions/Reasons for Refusal:**

TO BE CONFIRMED



0 100m

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C 13/02/15 Boundary line amended  
 B 18/12/15 Boundary line amended  
 Rev Date Reason

Partner Drawn Date  
 CW DS 03/02/15

Status  
 PLANNING

Scale  
 1:2500 @ A3

Project  
 Kemble Station Western Option

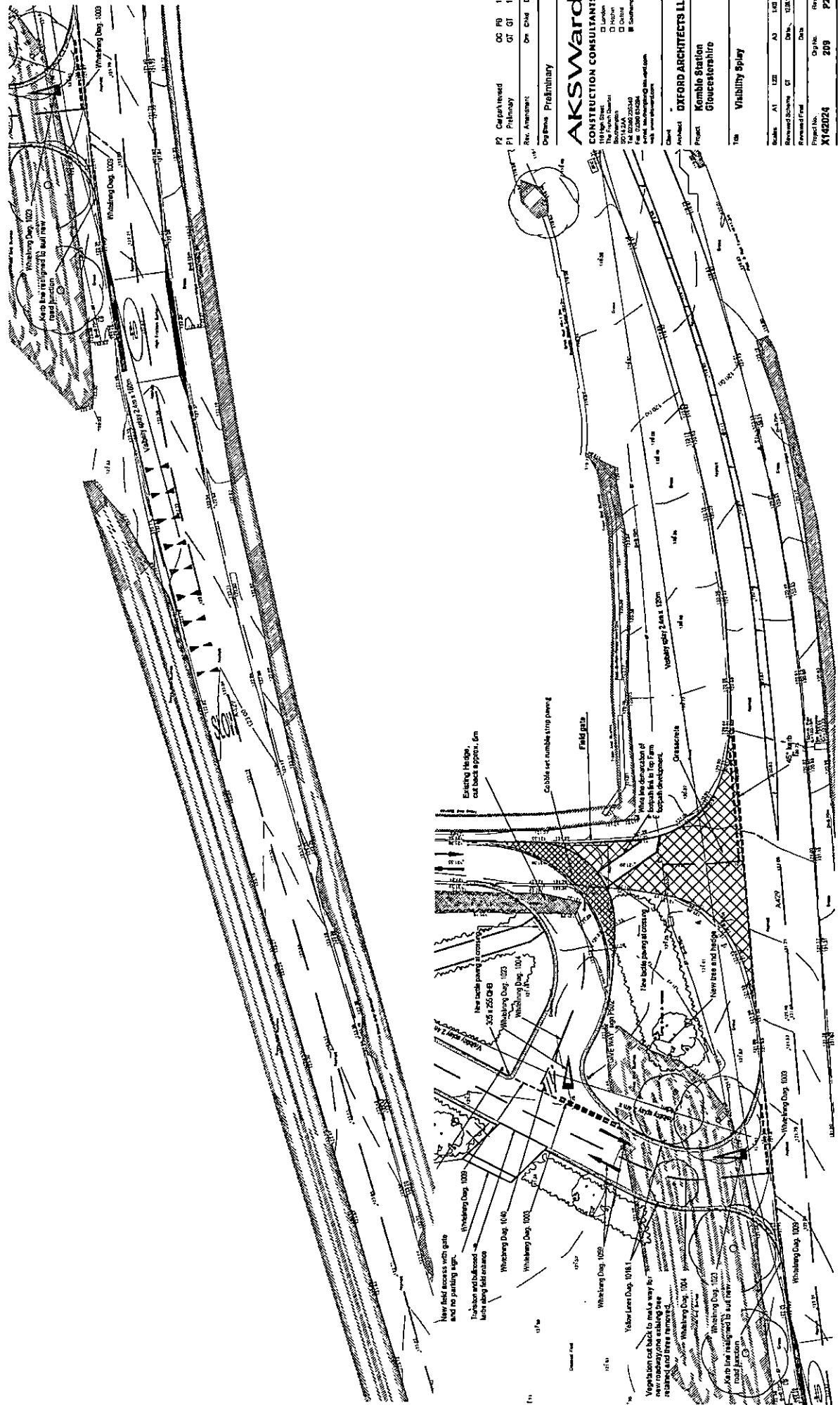
Title  
 Site Location Plan

Job No Drawing No Revision  
 13559 91 C

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**NOTES**  
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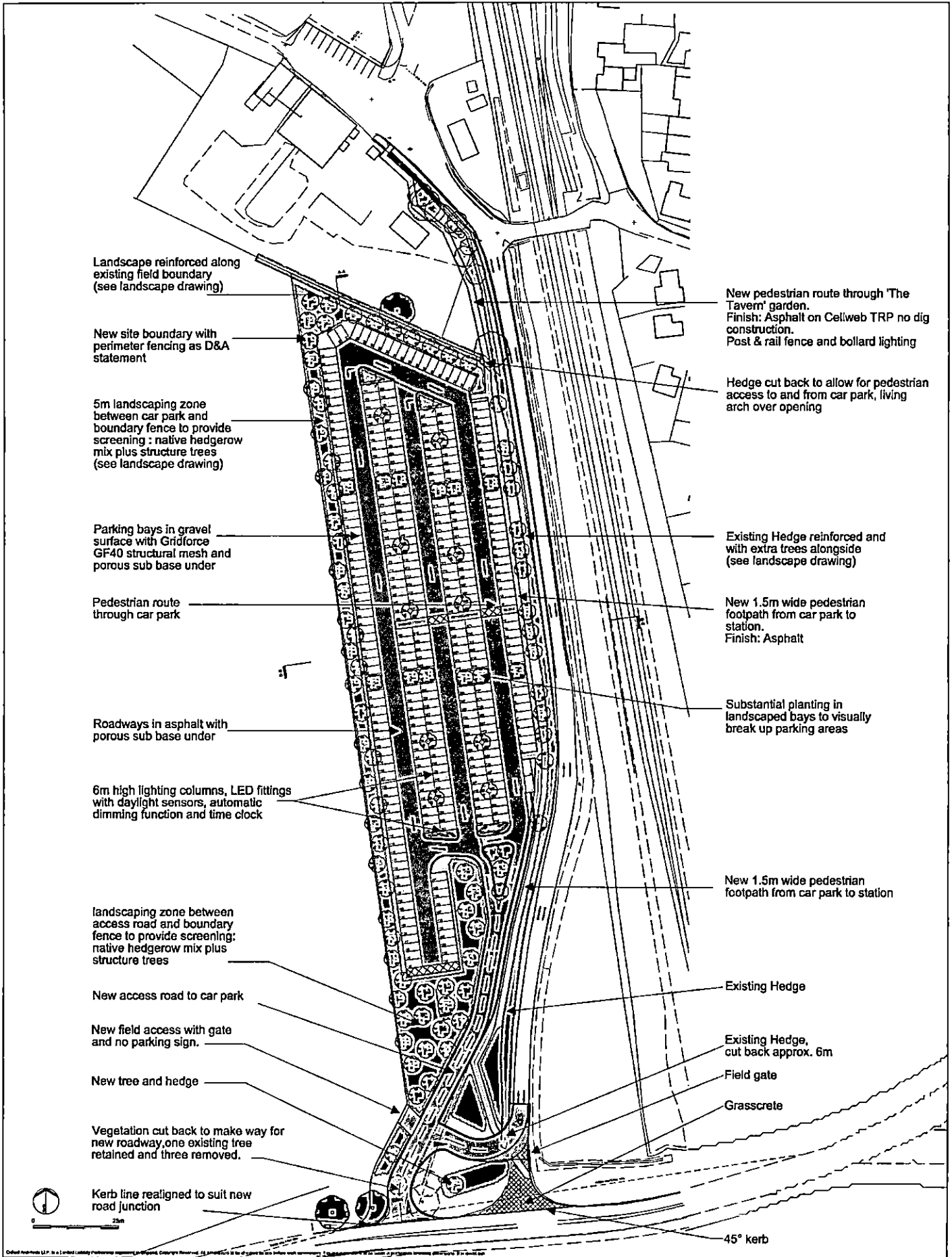


P2 Capitalised OC PB 19/2/18  
 P1 Preliminary OF GT 12/9/15  
 Rev. Assessment On Chd Date  
 Design Preliminary

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Client: **OXFORD ARCHITECTS LLP**  
 Project: **Kumbale Station Gloucestershire**  
 Title: **Viability Study**

Scale:	A1	A2	A3	A4
Revised Sheets:	07	08	09	10
Revised Final:				
Project No.:	XY42024	Drawn By:	209	Rev.:
				P2



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J	04/02/14	Discretely added. Field access gate relocated and trees amended	M	19/02/16	Access from A423 revised
H	18/12/13	Boundary line amended	L	18/02/14	Minor change to left side
G	11/02/13	Path & site boundary revised. New lighting layout & trees added to car park.	K	13/02/13	Boundary line amended, parking layout revised, customer parking, fuel and service area added. 60000. SUPN to station boundary on urgent
F	05/06/13	New field access			
E	04/05/13	Revised layout			
D	17/02/13	Whole site boundary to development roadway. 50% coverage. Site revised			
C	09/02/13	Final layout revised on site drawing			
B	24/01/14	Addition of lighting & trees in site			
A	19/12/13	Boundary reworking clarified			
Rev	000	Revised			

Partner	Client	Date	Project
CW	DS/M8	17/09/13	Kemble Station Western Option
Discipline			Title
Planning			Proposed Site Plan
Scale	Job No	Drawing No	Revision
1:1000 @ A3	13559	203	M

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Abbreviation	Species	Number	Girth / height	Specification	Detail
<b>Standard Trees</b>					
Ac	Acer campestre	9	12-14cm	RB	Counted
Agla	Alnus glutinosa 'Lacinaeata'	12	14-16cm	RB	Counted
BETACA	Betula utilis 'Jacquemontii'	5	12-14cm	75-80%	Counted
MAJALY	Malus sylvestris	3	12-14cm	RB	Counted
Pr	Prunus praecox	7	16-18	RB	Counted
Pr	Prunus vulgaris	14	12-14cm	RB	Counted
Q	Quercus robur	14	12-14cm	RB	Counted
TGSA	Tilia cordata 'Green Spirit'	4	14-16cm	RB	Counted
SB	Sorbus intermedia 'Brouwers'	6	16-18cm	RB	Counted
Sa	Sorbus aucuparia	4	16-18	RB	Counted
SOPTO	Sorbus domestica	14	12-14cm	RB	Counted
FAGSY	Fagus sylvatica	14	16-18	RB	Counted
<b>Whips / Tramp plants</b>					
Ac	Acer campestre	1322	60-80cm	OG	as dirg
Cmo	Ceratophyllum demersum	1380	60-80cm	OG	as dirg
Eu	Eurostymus europaeus	135	40-60cm	OG	as dirg
la	Ulex europaeus	411	40-60cm	ZL	as dirg
<b>Shrubs</b>					
CDRSA	Comus sanguinea	453	60-80cm	OG	as dirg
Te	Teucrium maritimum	216	40-60cm	ZL	3/m <sup>2</sup>
Can	Cantharis	992	60-80cm	OG	as dirg
UKOU	Ulex europaeus	135	60-80cm	OG	as dirg
Rca	Rosa canina	135	20-30cm	ZL	3/m <sup>2</sup>
VIBA	Viburnum lantana	135	40-60cm	OG	as dirg
VIBOP	Viburnum opulus	451	40-60cm	OG	as dirg
CaE	Comus alba 'Elegantissima'	76	40-60cm	ZL	3/m <sup>2</sup>
<b>Herbaceous</b>					
GERPRA	Geranium pratense	1560	veg	ZL	4/m <sup>2</sup>
<b>Climbers</b>					
HEDHE	Hedera helix	2638	40-60	ZL	4/m <sup>2</sup>
LORPE	Lonicera periclymenum	215	40-60	ZL	4/m <sup>2</sup>

**OUTLINE SPECIFICATION**

**TREE PROTECTION**

Existing trees and shrubs to be retained shall be protected in accordance with the current British Standard 'Trees in relation to construction', generally fencing shall be a minimum 1.2m 'Heras' type fencing secured and maintained in position for the duration of construction.

**GENERAL**

All planting work & plants shall be in accordance with all approved current relevant horticultural & British Standard specifications including 'Nursery stock', 'Landscape Operations', 'Trees in relation to Design, Demolition & Construction', 'Tree Work' and the latest National Building Specification, National Plant Specification & HTA 'Handling & Establishing Landscape Plants'. Herbicides, pesticides and other chemicals may only be used with the approval of the CA. Use of chemicals shall be in accordance with all relevant guidelines and the manufacturers recommendations. Imported topsoil shall be a minimum specification of General purpose grade, unless otherwise instructed. 1 cum approved compost/organic material/soil amendment per 20 sq m shall be cultivated into topsoil before planting. Peat shall not be used. Following planting all shrub beds shall be treated with an approved granular fertiliser at rates recommended by the manufacturer.

**TOPSOIL**

Existing topsoil should be stripped before building work begins. Imported topsoil shall be a minimum specification to current British Standard Multi purpose grade from an approved source in accordance to the above specification, unless otherwise instructed.

**MAINTENANCE**

The defects liability period for planting shall be 12 months from completion of the works. Maintenance works to the current British Standard. During this period, any tree which is found to be dead, dying or otherwise defective shall be replaced at the expense of the contractor during the next planting season. The contractor shall make maintenance visits as required to ensure the successful establishment of the planting and maintain areas in a weed free condition. Regular visits (minimum 8 No.) required, to maintain all areas in a weed and litter free condition using a combination of chemical spray and hand weeding to be agreed with the CA. Maintenance to include watering, pruning, pest and disease control as required to current British Standard. Final visit to be immediately prior to handing over and to include a fertiliser treatment of Ervrag (8:20:10) at 100g/m<sup>2</sup> and 25mm depth bark mulch top up to all mulched areas. Grass mowing as seed suppliers recommendation. Following handover, maintenance visits should continue and the operations identified above carried out as necessary. Trees to be checked at each maintenance visit and tree ties adjusted and stakes replaced as required. Formative pruning and watering to be carried out as required to ensure successful establishment. An area of 1 metre minimum diameter is to be mulched and kept weed or grass free around each tree. Following the establishment period tree stakes and ties to be removed.

**PLANT SCHEDULE**

Trees - Trees planted into tree pits 75mm deeper than the root system and wide enough to accommodate roots when fully spread. Root balled trees to be dug 500mm wider and same depth as the rootball. If the site is on an uncultivated site or where clay soils could get waterlogged the tree pits should be 2-3 times the size of the rootball. Groundcovers - Planted into 450mm depth topsoil. Grass area - 100mm depth topsoil

**TREE PLANTING**

All trees are to be planted as shown ensuring a minimum of 5 metres from buildings and 3 metres from drainage. Tree pits to have suitable topsoil to the current British Standard to a suitable depth, with irrigation, drainage, root protection, aeration, root cells as required to be approved by CA

**PLANT MATERIAL TREATMENT**

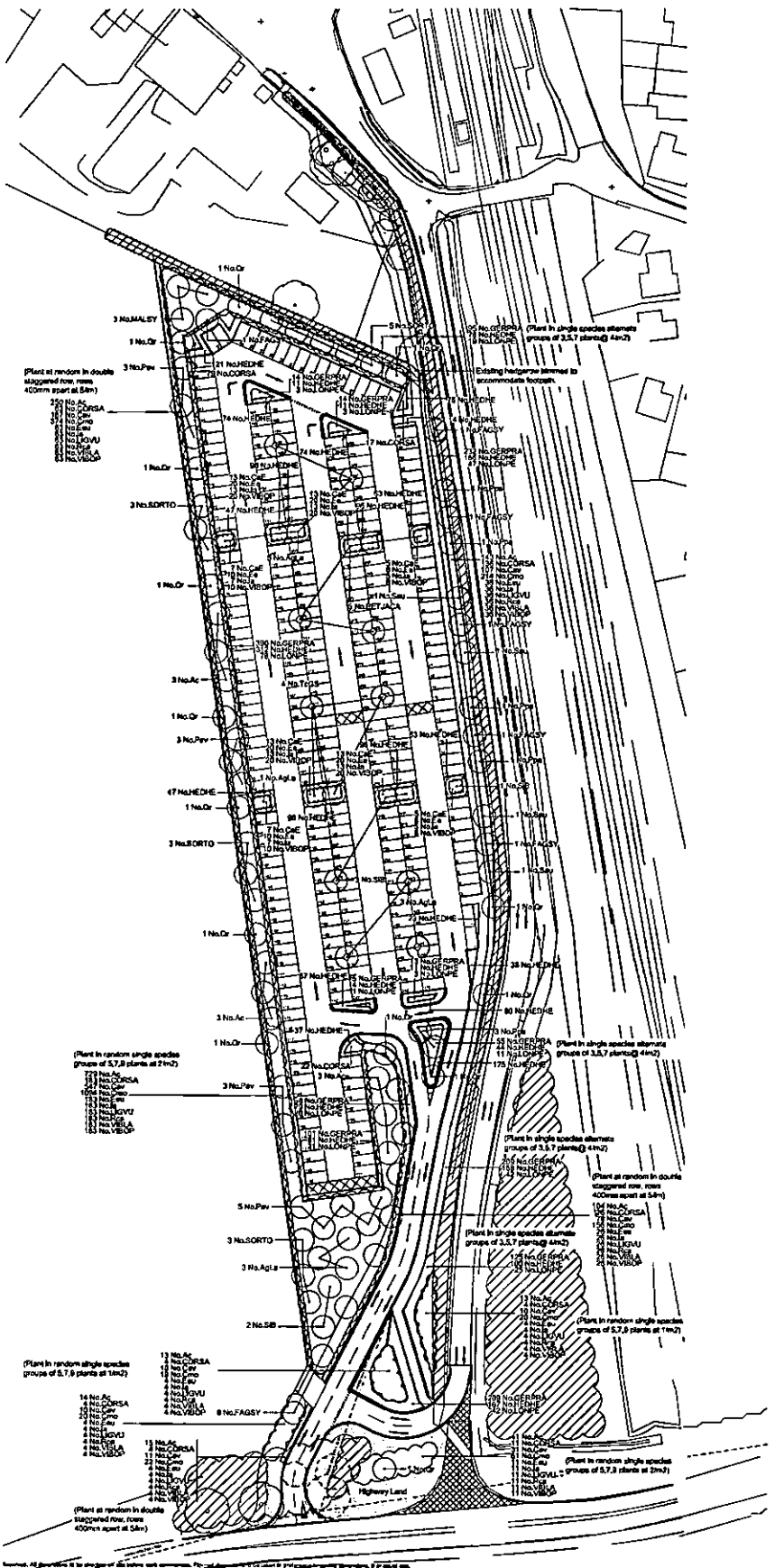
NB: All to be British grown stock and fully hardened off. Tree stakes and ties - stakes to be pressure treated, round, smooth and pecked larch or chestnut, not less than 100mm in diameter. Advanced nursery stock - double staked with cross bar.

Trees within car park to be formatively pruned, to achieve an ultimate clear stem of 3.5m.

Trees planted within soft landscape areas to be staked with 1 single stake in accordance with detail. Trees within car park to be double staked.

**KEY**

- Existing vegetation
- Proposed Structure Trees
- Native Hedge
- Proposed native mix (Tree and shrub Species)
- Proposed native shrub mix
- Proposed Low / Groundcover shrubs



Date	By	Description
22.02.14	SB	Plant species amended
18.07.14	SB	Additional planting beds added
29.07.14	SB	Minor Amendments
15.12.14	SB	Final amended to landscape context
07.05.15	SB	Planting amended to modified layout
08.12.14	SB	Planting amended to suit new road layout

Korrib Station

Detailed Landscape Proposals

Project: VLS-109701G  
 Date: 13.11.14  
 Scale: 1:500 @ A1  
 Author: SB  
 Check: RW  
 Title: VLS

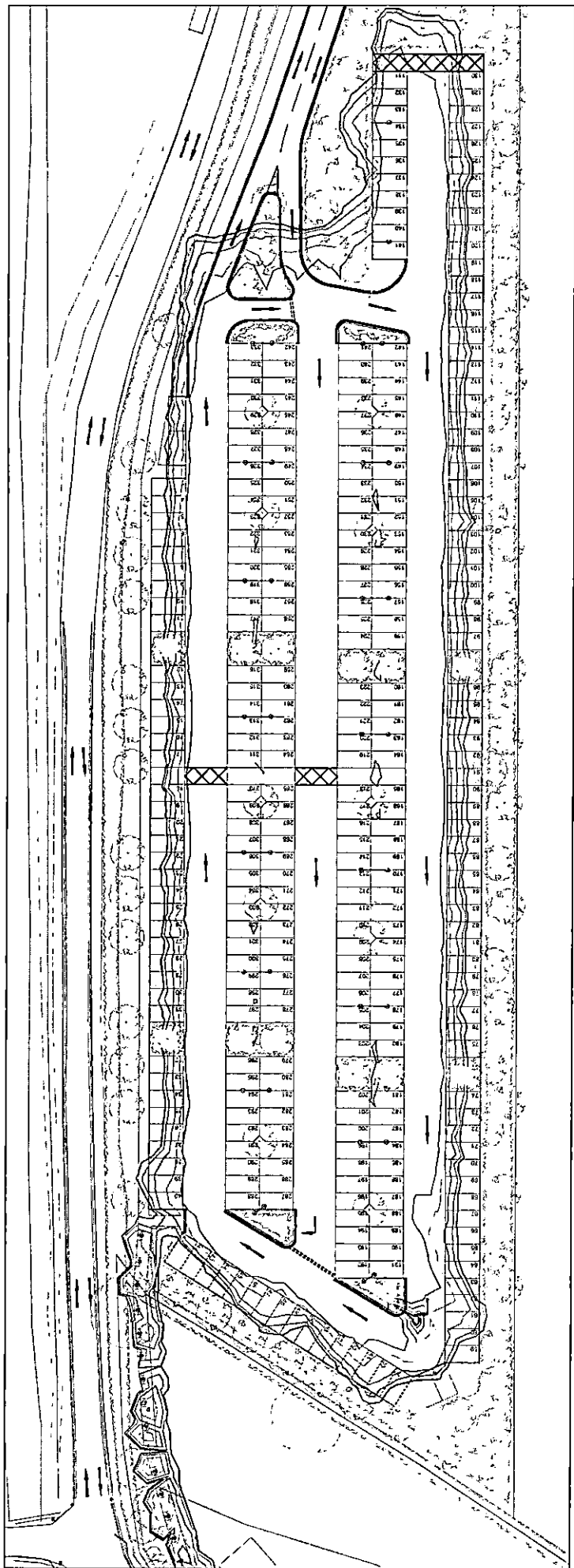
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1. THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS OF THE PROPOSED PROJECT AND HAS DETERMINED THAT THE PROJECT IS VISUALLY COMPATIBLE WITH THE SURROUNDING AREA. THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS OF THE PROPOSED PROJECT AND HAS DETERMINED THAT THE PROJECT IS VISUALLY COMPATIBLE WITH THE SURROUNDING AREA. THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS OF THE PROPOSED PROJECT AND HAS DETERMINED THAT THE PROJECT IS VISUALLY COMPATIBLE WITH THE SURROUNDING AREA.

NO.	DESCRIPTION	DATE
1	DESIGN	12/07/15
2	REVISION	12/07/15
3	REVISION	12/07/15
4	REVISION	12/07/15
5	REVISION	12/07/15
6	REVISION	12/07/15
7	REVISION	12/07/15
8	REVISION	12/07/15
9	REVISION	12/07/15
10	REVISION	12/07/15

1. THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS OF THE PROPOSED PROJECT AND HAS DETERMINED THAT THE PROJECT IS VISUALLY COMPATIBLE WITH THE SURROUNDING AREA. THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS OF THE PROPOSED PROJECT AND HAS DETERMINED THAT THE PROJECT IS VISUALLY COMPATIBLE WITH THE SURROUNDING AREA. THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS OF THE PROPOSED PROJECT AND HAS DETERMINED THAT THE PROJECT IS VISUALLY COMPATIBLE WITH THE SURROUNDING AREA.



SCALE

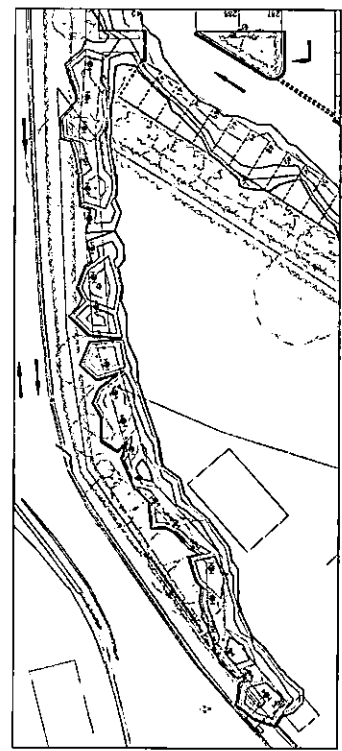


BOYD ARCHITECTS

REUBEN CAR PARK

LOADING CALCULATION RESULTS

NO.	DESCRIPTION	DATE
1	DESIGN	12/07/15
2	REVISION	12/07/15
3	REVISION	12/07/15
4	REVISION	12/07/15
5	REVISION	12/07/15
6	REVISION	12/07/15
7	REVISION	12/07/15
8	REVISION	12/07/15
9	REVISION	12/07/15
10	REVISION	12/07/15



PROPOSED THROUGH THE EXISTING PARKING

**Katherine Brommage**

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**From:** Public Access  
**Sent:** 26 January 2016 17:27  
**To:** Katherine Brommage  
**Subject:** Comments for Planning Application 15/00786/FUL

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 5:26 PM on 26 Jan 2016 from Not Available.

**Application Summary**

**Address:** Land Parcel Adjacent To The Tavern Public House Station  
Road Kemble Gloucestershire GL7 6AX

**Proposal:** Change of use from agricultural use to car park,  
providing 333 spaces. Associated landscaping, lighting  
and fencing. New access road from A429 and new  
pedestrian access route to station (revised scheme)

**Case Officer:** Katherine Brommage

[Click for further information](#)

**Customer Details**

**Name:** Not Available  
**Email:** [kpcclerk@kemble.co.uk](mailto:kpcclerk@kemble.co.uk)  
**Address:** Not Available

**Comments Details**

**Commenter  
Type:** Comments of Support

**Stance:** Customer made comments in support of the Planning  
Application

**Reasons for  
comment:** - Privacy light and noise

**Comments:** Kemble and Ewen Parish Council give strong support to  
this application. We do however have a concern with  
regard to the height of the lighting columns being  
proposed. At 6 metres high they have an urban look,  
would be highly visible from outside the car park and  
spoil the rural feel of the village. For security there  
needs to be good lighting in the car park but could this  
be achieved using lights that are less tall and more  
suitable to the site?

## Comments for Planning Application 15/00786/FUL

### Application Summary

Application Number: 15/00786/FUL

Address: Land Parcel Adjacent To The Tavern Public House Station Road Kemble  
Gloucestershire GL7 6AX

Proposal: Change of use from agricultural use to car park, providing 333 spaces. Associated landscaping, lighting and fencing. New access road from A429 and new pedestrian access route to station (revised scheme)

Case Officer: Katherine Brommage

### Customer Details

Name: Mr Martin Kingston

Address: Kemble House Kemble Cirencester

### Comment Details

Commenter Type: Objection Comments

Stance: Customer objects to the Planning Application

Comment Reasons:

- Design
- Highway access and parking
- Impact on Conservation Area
- Impact on Listed Building
- Loss of general amenity
- Trees and landscaping

Comment: I had hoped that the revisions to this application would have addressed the obvious shortcomings in the earlier proposal. They do not and if anything make the scheme more harmful and provide even less justification for it.

All of my previous comments should be taken to apply to the current proposal save as modified below.

The site is in a sensitive location, it is a green field site in the open countryside, at the entrance to the village, bordering a Conservation Area which contains listed buildings.

The Revised TA provides no justification for the scale of the proposal. Para 2.4 gives a number for long term parking which is below the existing capacity, the short term parking users don't use the long term bays. The assessment shows 337 long term spaces with on the apparently single survey day only 219 long term parkers. Neither App E or G provide car park accumulation data to support the scale suggested indeed to the contrary the evidence shows on the very limited survey days there was no real problem. This is verifiable by simple observation as a regular car park user I see people parking in the village to avoid the charge when there are ample spaces in the car park.

There is a problem on some occasions but the scale is nothing anywhere near requiring this size of car park with all its impacts. Even the most optimistic assumptions about growth don't justify the

scale. The problem is the evidence base is inadequate.

There are only initial thoughts on a controlled parking zone when that is the real core of the problem and should be detailed at this stage and funded by the applicant to be controlled by a funded S106 agreement.

The DAS revision is still deficient. It still fails to deal with the Conservation Area and the setting of the listed buildings. The layout particularly at the main road results in a messy layout with lots of roads impacting adversely the entrance to the village, Station Road is an historical route put in with the station when it was built. It requires a much more carefully considered and sympathetic response that embraces the requirement for access for cars and people including from the village, landscaping hard and soft and the heritage issues. The landscaping around the car park is effectively only one tree width which will not provide an adequate screen, within the car park the unrelieved areas of parking are harsh and unsympathetic to the area.

The DAS is factually inaccurate as to the description of facilities at the station.

Kemble House  
Kemble  
Cirencester  
Gloucestershire  
GL7 6AD

27th September 2015

Dear Sirs,

**Re: Application No. 15/00786/FUL Car Park**

I am sorry to have to be writing to you again about the above application after the receipt of the revised details but they are still manifestly inadequate to support such a major green-field application.

May I first of all say that I firmly support the provision of additional car parking for the station; the village needs it to relieve the current situation which occurs from time to time during the week. There are however three aspects that the revised details do not properly address, firstly the scale, for reasons I set out below, secondly the heritage aspects in respect of which there is no additional information and thirdly the parking scheme for the village which needs to be fully worked up in consultation with the village and then presented fully funded ready to be implemented by way of a condition/Section 106 requirement. It is not for the council to find a solution but for the developers to present one.

On the scale aspect I have written to you previously about this. The new details give some additional information in the revised TA. I wanted to be sure that I was not being over exacting in my approach and so I have asked the well respected Vectos transportation consultants to look at the matter. I attach Vectos's response to the information presented. It speaks for itself as to the inadequacy of what has been presented to justify this large scale green-field incursion.

On the heritage aspect no new assessment is provided and there is still no attempt to address the impact on the CA or the listed buildings. The only new reference to the LB's is buried in the alternatives assessment and could not possibly be regarded as adequate to address the NPPF requirements with regard to the heritage aspects. I note that the proposals themselves have not changed in substance at the interface with the CA and the area containing the LB's.

The landscaping around the site still consists in essence of a strip one tree canopy deep and clearly not adequate to deal with the impact on the adjoining area.

It is very disappointing to read the suggestions with regard to a local parking control scheme. The information is sketchy and inadequate, in essence leaving it to later/others to try to work out what might be done. It is clear that some of the parking in the village is from choice to avoid the car park charges, witness the

fact of parking in the village when there is ample space in the car park; I have watched people doing it. To address that issue and ensure the use of the car park to avoid serious harm to the village and loss of amenity a scheme needs to be worked up and presented fully funded with an implementation plan all at the developer's expense. The application with all its encouragement for further station use would not be acceptable without such a scheme.

Please let me know if you would like any further information from me on any aspects of the above or my earlier representations.

Yours faithfully.

Martin Kingston.

23<sup>rd</sup> September 2015

Martin Kingston QC  
No. 5 Chambers  
Fountain Court  
Steelhouse Lane  
Birmingham  
B4 6DR

Ref: MA/Kemble/L01

Dear Martin

**Kemble**

Thank you for sending me the Kemble Station Transport Statement dated August 2015.

In the light of what the application proposes I expected the report to robustly and evidentially deal with Parking Demand and the Need to satisfy that parking demand. I didn't find sufficient clarity or rigor in either of these respects, and I don't believe that this report adequately justifies the number of additional parking spaces proposed by the planning application.

In terms of the general approach to planning for parking provision it is right that whilst meeting a proven need for additional parking may be beneficial, there is a balance, and a need to ensure that parking is not over provided. There may well be other local issues, such as wider environmental issues or heritage issues that reinforce the importance of this balance, and not taking more of the countryside than is necessary. In this context I was particularly looking for a good evidentially based assessment of need.

I didn't find it.

The assessment of existing parking demand is incomplete and also wrong in part. I believe that the judgement about quantum of parking in paragraph 2.4 of the report is in error. I do not agree that the survey results in Appendix G lead to the conclusion in the main body of text.

A simple way to measure existing parking demand within the Station car park is to do just that, measure the number of parked cars (a Beat Survey). That survey has not been done, or at least is not presented in the report. Furthermore, as other evidence in the report shows a day to day fluctuation in demand for movement, any robust assessment of car park parking accumulation is going to have to consider a representative sample of days, and show that indeed that sample is representative.

As it stands, my reading of Appendix G is that on the single day surveyed the station car park

24<sup>th</sup> September 2015  
Martin Kingston QC  
No. 5 Chambers

Our Reference: MA/Kemble//L01

parking accumulation peaked at under 220 spaces on the day of the survey, and not the 372 spaces that paragraph 2.4 says is 'suggested' by the results. This is an enormous difference, and one that I certainly believe needs to be investigated carefully before any judgements are made about need and hence quantum of new parking. The vagueness associated with these results, no doubt calculated by different methods, highlights the value of an unequivocal and clear survey that measures accumulation in a direct manner over a representative period.

Even then, the survey is incomplete. We know from local anecdote that there is indeed commuter parking within the village, and it is not unreasonable to suppose that this is because parking is free and relatively easy to access in the village compared to charged, and sometimes not possible due to lack of space, at the station car park. The report makes no attempt to quantify the scale of that issue. I do not agree with the report (page 4) that this is unquantifiable.

I do not agree that it is reasonable to make such an important judgement about the number of additional parking spaces without good evidence in this respect. It reduces the value of the other survey work and assessment, and relegates this important decision about car park size to more of a guess than a properly and rigorously considered judgement.

This also goes to the importance of, and design of, a management plan to protect the amenity and convenience of villagers and their friends and visitors within the Village itself.

Appendix J of the report is a proposal for parking restrictions in the Village. However, despite making the judgement that as a result of the new car park, fly parking in the Village could become intolerable without a parking scheme, and safety could be compromised, it does not base its proposal on evidence of existing characteristics of parking in the village and issues arising, evidence of which it could easily and readily acquire now.

It is not sufficient to put this issue to one side for detailed investigation at a later date, particularly given the importance that the report itself places on getting this management scheme right. Any new parking proposal should be accompanied by a detailed, funded and properly locally consulted upon scheme.

Therefore, the Statement does not adequately quantify the existing situation. It does not rigorously quantify the use of the existing station car parks, and the way in which that use fluctuates day to day. It does not attempt to quantify the scale of the issue associated with parking displaced from the station for either financial or capacity reasons. It does not quantify the existing degree of effect on the Village as a result of this, and does not identify the priorities for management or improvement in the Village.

It is weak when it comes to forecasting the future. It does not forecast the need for any particular number of new parking spaces. It does no more than report the quantum of new parking applied for. In the current planning world where, for a plethora of reasons, parking should not be over provided, this is a weak and insufficient approach, and the quantum of new parking should not be approved on this basis.

When it comes to Kemble itself, the Statement identifies the possibility that the proposal will create intolerable and unsafe environments if not dealt with through a management plan. For such an important set of issues it makes no attempt to identify the detail of the problem, and therefore we can have no confidence that the proposals it offers in mitigation are the best, or are



24<sup>th</sup> September 2015  
Martin Kingston QC  
No. 5 Chambers

Our Reference: MA/Kemble//L01

even sufficient, in dealing with the problem. It is not enough to leave this in this state until later, or post determination.

Therefore, we say that before approving an application for additional parking, the evidential base for the scale and design of the proposals needs to be more rigorous and more convincing. We propose that the following work is undertaken:

- Beat surveys of the station car parks across a representative sample of days
- Sufficient background work to understand what a representative sample of days is
- Surveys of the local area (potentially times and number plate beat surveys) to identify the likely effect and quantum of long term parking on street in the Village
- Specific analysis of the issues, environmental and safety, of that long term parking
- A more rigorous assessment of a likely change in demand for parking (as opposed to just use of the station, which could include Kiss and Ride) in the future
- Based on this, an analysis that leads to a judgement about the most appropriate size of the car park .
- Based on this, an analytical assessment of the additional demand, if any, for long term parking in the Village
- Based on this, and the background data, an analytical approach to creating a management plan that improves, rather than simply mitigates, the ambience and use of the Village in the context of long term parking

Yours sincerely

\_\_\_\_\_

Mike Axon  
Director  
**Vectos**  
020 7580 7373  
[mike.axon@vectos.co.uk](mailto:mike.axon@vectos.co.uk)

**RE: LAND ADJACENT TO THE TAVERN PUBLIC HOUSE,  
STATION ROAD, KEMBLE, GLOUCESTERSHIRE:  
APPLICATION REFERENCE 15/00786/FUL**

**Introduction**

1. Kemble Station is in need of additional car parking provision. The current application whilst setting out to meet the need for additional car parking does so in a way which is poorly reasoned, inadequately supported and which ignores important material considerations. The application is a poor quality response to and need for provision which, if granted, is likely to have material and adverse impacts on interests of acknowledged importance and also to create additional problems of its own.

**Car parking provision**

2. The existing car park provision is a total of some 220 spaces. Whilst the application documents include a weekly volume report and a Transport Statement/Assessment there is no clear and transparent linkage between

the scale of the proposed parking and any identified current or future need. Neither the weekly volume report nor the transport assessment justifies the scale of the parking provision which is now proposed. This is important because as set out below the location is a sensitive one where the obvious and adverse impacts of the proposal could only be justified by a clear case of need which should be fully and transparently presented before the Council could be satisfied that the impacts were acceptable in the planning balance.

**The application site and its planning context**

3. The application site consists of an open agricultural field bounded by traditional hedgerows. The landscape is typical of the area in which it sits and it has no major detracting elements. It needs no "*improvement*" and it lies very obviously outside any developed part of the village.
  
4. Neither the Design and Assess Statement nor the Landscape and Visual Impact Assessment address the significant heritage interest that surrounds the site. The Design and Access Statement asserts that the site is not within a Conservation Area but entirely fails to point out that it immediately abuts the Station Conservation Area and is very obviously within the setting of that Conservation Area. Within the Conservation Area there are two important listed buildings in the form of the station itself and the water tank. Station Road itself is within the setting of the

Conservation Area and very obviously was provided in order to give access to the station, hence its name. The Conservation Area and the listed buildings are important heritage assets, the setting for which should be fully respected in any proposals, the Framework, the Development Plan, recent Secretary of State and High Court decisions have made clear the importance of heritage considerations. The current proposals have manifestly ignored the setting issues and have been prepared on a basis which does not respect the heritage interest.

5. As a response to the sensitivity of the location both in heritage and landscape terms the proposals are inadequate. The suggested boundary planting is effectively one strip of mature trees within a 5 metre belt where, even with under storey planting, the significant number of vehicles and reflections from them, will be an obvious and significantly adverse impact from any viewpoint. The setting of the Conservation Area is inadequately respected and protected for the same reason and the changes to Station Road poorly detailed and inadequately respecting the heritage interest of the area. The proposed footpath connection between the new car park and the station Conservation Area is, at best, utilitarian in its design and poorly detailed as what would be a principal pedestrian entrance to an area of which is of significant heritage interest.

#### **Operational considerations**

6. The parking strategy set out at paragraph 3.3 of the Transport Statement/Assessment is inadequate. No commitment is given to supporting the Council in the preparation of any residents parking zone in order to ensure that the plague of station user's cars is controlled within other parts of the village. In addition no measures are proposed which would effectively alert station users as to which car park was available at any particular time. The result is that residents of the station area face the prospect of cars racing between the different car parks in an attempt to find a vacant space and if inadequate time has been left, ending up leaving their cars as inconveniently parked as many currently are.
  
7. Although the obvious intention of the proposed car park is to maximise the parking area the way in which the car park is currently proposed is unacceptable. The car parking area is unrelieved, within the area proposed, by any significant landscape or environmental measures which might ameliorate what is otherwise a very substantial and materially harmful area of car parking in terms of its heritage and landscape impacts.

### Alternatives

8. The application currently indicates no consideration of any alternative locations or strategy for the provision of parking. Given the obvious and significant adverse impacts of the current proposal such consideration is necessary as a matter of good practice and law. The current car parking

area, for example, is already at a reduced level and is potentially capable of being reduced yet further. It offers the opportunity for the provision of simple decked parking which with appropriate design might offer the opportunity for much reduced impacts by avoiding the sensitive location currently proposed. Other alternative locations include areas of land which lie around the station and beyond the Tavern Public House. All alternative locations should be carefully identified and evaluated in order to ensure that the Council's decision on the acceptability of any particular location is fully and properly informed.

**What is required?**

9. No one disputes the importance or urgency of providing additional car parking for Kemble Station. The misery that is inflicted on those who live in the station area has been of longstanding and the response to it slow in coming. However the importance of making proper provision does not outweigh the importance of ensuring that that provision is provided in an appropriate, proportionate and sensitive way having regard to the scale of any need and the sensitivity of the location.
  
10. The current proposals are not acceptable for the reasons set out above.

The Applicant should be invited to:

- (i) Provide a proper and fully reasoned justification for the scale of any car parking that is to be proposed;
- (ii) Prepare revised proposals based on a reduced scale of parking provision and having regard to a full Heritage Impact Assessment, a revised Landscape Impact Assessment and a revised Visual Impact Assessment;
- (iii) Car park operation and the control of the parking in the village should be reconsidered so as to ensure that unnecessary trips through the village are not generated and that those reluctant to pay the parking charge or who have been unable to locate a car parking space in time are effectively discouraged from making use of the village roads as car parking areas. There should be a clear commitment to fund the Council's preparation of any necessary residents parking scheme;
- (iv) There should be a clear examination of alternatives including the more effective use of the existing car park area which would, for example, very easily lend itself to decking at least in part having regard to its currently reduced and potentially yet further reduced level with the opportunity to provide

additional parking in a much less intrusive way from both a landscape and heritage point of view.

**Martin Kingston**

April 2015