

Item No 03:-

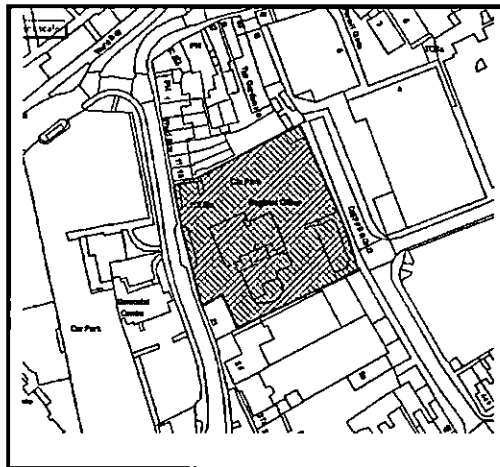
18/04977/FUL

**Old Memorial Hospital
Sheep Street
Cirencester
Gloucestershire
GL7 1QW**

Item No 03:-

**Demolition of the Old Memorial Hospital, and the creation of additional car parking spaces to create 113no. spaces in total, and associated landscaping for a temporary period of 10 years at
Old Memorial Hospital
Sheep Street Cirencester**

Full Application 18/04977/FUL	
Applicant:	Cotswold District Council
Agent:	Carter Jonas
Case Officer:	Mike Napper
Ward Member(s):	Councillor Jenny Hincks
Committee Date:	13th March 2019

Site Plan

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RECOMMENDATION: DELEGATED PERMISSION, SUBJECT TO SECRETARY OF STATE CONSULTATION

Main Issues:

- (a) Parking Strategy
- (b) Impact upon Designated Heritage Assets
- (c) Impact upon Highway Infrastructure
- (d) Other issues

Reasons for Referral:

The application has been made by Cotswold District Council involving land within its ownership. As such, the Council's adopted Scheme of Delegation requires the application to be determined by Committee. If the Committee is minded to permit the application, it will also require consideration by the Secretary of State under Regulation 2 of the Town & Country Planning General (Amendment) (England) Regulations 2015.

1. Site Description:

The Old Memorial Hospital is an unlisted building with elements dating from the late C19, but with later additions. The building most notably has a distinctive half-timbered frontage. The building was bought by the Council in 1988 and closed as a hospital in the early 1990s. In 1991 planning permission was granted for the demolition of the extensions to the north and the east, including the extension added following the First World War, and the remaining building was used as offices and meeting rooms, before becoming vacant in 2013. The building due to its age and surviving historic character and interest is considered to be a non-designated heritage asset. The Old Memorial Hospital is prominently located within the Cirencester Town Centre Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

There are a number of nearby listed buildings including the Grade II listed Former Railway Station and Apsley Hall to the west and 25/25A Sheep Street to the south of the site.

A World War II air raid shelter lies on the south eastern part of the site, which now forms part of a private museum.

The building is situated within a public car park currently providing 77 car parking spaces, including 2 spaces for disabled drivers. There are a number of trees and areas of shrub planting along the site frontage and sporadically elsewhere within the site, including a mature Cedar tree close to the southern boundary. The site is accessed from Sheep Street on the site's wester boundary. A pedestrian linkage to the Brewery Public Car Park is located on the eastern boundary of the site, beyond which lies a Tesco Superstore. The site is bound to the north and south by a private World War II museum and residential properties and gardens.

The site lies wholly within Flood Zone 1, which is an area of lowest risk of surface water flooding.

The site lies within the town's Development Boundary, having regard to Policy DS2 of the newly adopted Local Plan 2011-2031 and is within the town's Central Area (Local Plan Policy S3) and Town Centre Boundary (Local Plan policies EC7 & EC8). The site is also located within the Cirencester Town Centre Conservation Area (Local Plan policies EN1 & EN11). Part of the site is a Scheduled Ancient Monument (Local Plan policies EN1 & EN10).

The site is the subject of a site-specific Local Plan allocation (site C_97 under Policy S1 & S3). The latter allocation identifies the site for residential-led (indicatively 9 units) mixed use redevelopment, subject to it becoming surplus to requirements with sufficient parking provision delivered elsewhere to meet existing and future needs.

2. Relevant Planning History:

CT.0128/2/A Part demolition of old hospital buildings, including mortuary and air raid shelters. Making good buildings retained for office use and extension of existing surface car parking (public and private): Permitted 09.04.91.

CT.0128/2/B Extension to existing surface carparking public and private, following part demolition of old hospital buildings: Permitted 16.08.91.

CT.0128/2/F Change of use of former hospital buildings to offices and meeting rooms: Permitted 18.03.94.

05/02368/FUL Change of Use from Class B1 (office) to Class A1 (retail) as an Internet Cafe for Young People: Permitted 05.12.05.

3. Planning Policies:

NPPF National Planning Policy Framework
 DS2 Development within Development Boundaries
 S3 S3 - Cirencester Central Area
 EC8 MainTown Centre Uses
 EN1 Built, Natural & Historic Environment
 EN10 HE: Designated Heritage Assets
 EN11 HE: DHA - Conservation Areas
 S01 Delivering the Strategy

4. Observations of Consultees:

Conservation Officer: Comments incorporated within Officer Assessment.

Historic England: Strongly Object (please see letter dated 01.02.18 attached in full to this report - please note that Historic England have confirmed that the final paragraphs unintentionally formatted as crossed-through text are to be read as part of the formal response).

War Memorials Trust: General Comments - "I note that comments have previously been provided by the Trust on the pre-application proposals. We would request that these previous comments be taken into consideration when determining this application. Most notably:

- Policy CIR.4 states that the frontage of the Old Memorial Hospital and Air Raid Shelter should be retained until redevelopment is approved. This redevelopment is defined as residential or mixed use development, not for the construction of a car park. The purpose of this condition is to ensure that development does not negatively impact the significance of the surrounding designated assets and the Conservation Area. Including Apsley Hall."

Following correspondence regarding reference to the now out-of-date Local Plan Policy CIR.4, the Trust stated that "Based on this I am happy for you to disregard the element of my comments which relate to the superseded policy CIR.4."

County Archaeologist: No objection subject to condition.

Highways Officer: No objection.

Tree Officer: No objection, subject to conditions.

5. View of Town/Parish Council:

Cirencester Town Council: General comments - "Although Members had no objection, in principle, to the demolition of the Old Memorial Hospital and the creation of 113 additional car parking spaces and associated landscaping for a temporary period of 10 years they did, however, regret the loss of this historic building, the apparent disinterest in retaining it, or any mention of long term plans for the redevelopment of the site beyond the 10 year period."

6. Other Representations:

None received.

7. Applicant's Supporting Information:

Planning Statement
 Heritage Statement
 Townscape Appraisal
 Design & Access Statement
 Transport Statement
 Arboricultural Impact Assessment
 Ecological Appraisal
 Drainage Strategy

8. Officer's Assessment:

(a) Parking Strategy

The evidence base used to inform the current Cotswold District Local Plan confirms that Cirencester is the most sustainable settlement within the District and is therefore identified within the Local Plan as the optimum location for growth, in accordance with National Planning Policy Framework (NPPF) expectations. Policy S1 (Cirencester Town) provides site-specific allocations for new development, which includes the current application site (site C_97) for residential-led mixed use redevelopment. The allocations also include The Waterloo Car Park (site CIR_E14) for decked car parking and other mixed use redevelopment opportunities at The Forum, Brewery and Sheep Street Island public car parks.

The growth strategy for Cirencester within the Local Plan highlights a longstanding concern regarding an increasing shortfall in off-street parking (para 7.4.8) since the publication of the studies undertaken as part of the Cirencester Town Centre Supplementary Planning Document published in 2008, a document that remains a material consideration. The Local Plan supporting text states that:-

"Cirencester currently has several surface-level car parks, and a number of these sites present the most obvious opportunities for redevelopment in the central area. This includes the option of creating decked parking which would maximise capacity, initially at a single location. This will help to address the looming shortfall, which has been assessed at around 350 parking spaces over and above existing capacity (c. 1,310 spaces)....Once sufficient additional car parking has been provided, the redevelopment potential of other car park(s), which may no longer required for parking, could be 'unlocked'. Such sites could then be considered for alternative uses that would both enhance the town's role and function and benefit its economy. In considering any redevelopment options for existing car parks, it is important to bear in mind that land might well be required to satisfy potential additional parking needs in the longer term." (paras 7.4.9 & 7.4.10).

The above conclusions therefore inform the content of Policy S3 (Cirencester Central Area Strategy) states, *inter alia*, that:-

"Transport, Parking and Access

3. Through the implementation of Transport and Parking Strategies, future improvements should be directed towards supporting and facilitating an attractive, vibrant, town centre environment.

4. The aim of providing a net increase of at least 350 car parking spaces over and above the existing off-street parking capacity (c. 1,310 spaces), while reducing congestion and pollution, should be addressed through complementary measures, including:

a. The rationalisation and intensification of off-street parking, including decking at least one existing car park (ideally The Waterloo) to meet identified parking needs, including for retailing and long-stay commuting (Cirencester Parking Survey (Gloucestershire County Council, August 2015));

b. Where justified, and subject to sufficient off-street parking being provided, considering the removal of on-street car parking where appropriate;

c. Creating an improved public transport interchange in the Southway - Forum area;

d. Making walking and cycling safer, convenient, accessible, and more attractive by considering pedestrian priority schemes; access restrictions to discourage unnecessary through traffic; better segregation between cars and cycles; and by ensuring pedestrian and cycle routes, and associated facilities, are maintained to an appropriate standard (Cotswold Cycling Strategy SPG - aims and objectives)."

Additionally, the District-wide Local Plan parking policy (Policy INF5) states that:-

"2. Proposals for public car parks will be permitted where the development:

a. is essential for maintaining the functionality of retail centres as defined by Policy EC7 and demonstrably serves the retail centre as a whole; and

b. is located within or at the edge of the retail centre and is of a scale, layout and design that is in keeping with the size and character of the retail centre."

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

Section 7 deals with ensuring the vitality of town centres and requires that *"a positive approach"* should be taken to their growth, management and adaptation.

Section 9 seeks to promote sustainable transport and paragraph 106 is particularly relevant as it states that *"In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists."*

Within this policy context, the current proposals are an integral sequential element of the implementation of the parking strategy, as the ability to increase public parking spaces at the site will assist in the decanting of spaces whilst any construction works are undertaken at other sites and particularly at The Waterloo Car Park as part of meeting the latter site's policy objective. The temporary nature of the permission currently sought would nevertheless protect the site for its specified mixed use redevelopment objective under Policy S1 in the longer term.

(b) Impact upon Designated Heritage Assets

As the OMH is located within the Cirencester Town Centre Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

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

Policy S3 (Cirencester Central Area Strategy), in addition to addressing the parking strategy, also requires that the historic environment should form an integral part of redevelopment proposals that are aimed at improving Cirencester's role, function and economy, including future transport and parking schemes. It states that, wherever feasible, the historic environment should be a key driver of, and focus for, inward investment, regeneration and redevelopment. It also states that any such applications should pay due regard to the town's Conservation Area Appraisal & Management Plan and Town Centre SPD.

Policy EN2 (Design of the Built and Natural Environment) is relevant to the application as it deals with general design considerations and states that "Development will be permitted which accords with the Cotswold Design Code (Appendix D). Proposals should be of design quality that respects the character and distinctive appearance of the locality."

Policy EN10 (Designated Heritage Assets) of the adopted Cotswold District Local Plan states that:

"In considering proposals that affect a designated heritage asset or its setting, great weight will be given to the asset's conservation. The more important the asset, the greater the weight should be." Proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm. Any such assessment will take account, in the balance of material considerations:

- the importance of the asset;
- the scale of harm; and
- the nature and level of the public benefit of the proposal.

Policy EN11 (Designated Heritage Assets - Conservation Areas) of the Local Plan states that development, including demolition, within conservation areas, will be permitted provided that it preserves and, where appropriate, enhances the character or appearance of the area and includes appropriate landscape proposals; and where there would not be the loss of open spaces that make a valuable contribution to the conservation area.

Policy EN12 (Non-Designated Heritage Assets) states that, where possible, development will seek to enhance the character of the non-designated heritage asset. Proposals for demolition or total loss of a non-designated heritage asset will be subject to a balanced assessment taking into account the significance of the asset and the scale of harm or loss.

Section 16 of the NPPF addresses the conservation and enhancement of the historic environment. Paragraph 189 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 (and the more important the asset, the greater the weight should be). It also states that significance can be harmed through alteration or development within the setting, and any harm should require clear and convincing justification. Paragraph 195 states that, where a proposed development will lead to substantial harm, applications should be refused unless it is demonstrated that that harm is necessary to achieve substantial public benefits. Paragraph 196 states that, where a development proposal will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works. Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account and that a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset. Paragraph 198 is also relevant and states that *"Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred."*

The supporting advice in the National Planning Policy Guidance (NPPG) in respect of demolition within a conservation area states that:-

"An unlisted building that makes a positive contribution to a conservation area is individually of lesser importance than a listed building (paragraph 194 of the National Planning Policy Framework). If the building is important or integral to the character or appearance of the conservation area then its demolition is more likely to amount to substantial harm to the conservation area, engaging the tests in paragraph 195 of the National Planning Policy Framework. However, the justification for its demolition will still be proportionate to the relative

significance of the building and its contribution to the significance of the conservation area as a whole." (Paragraph: 018)

The original cottage hospital now known as the Old Memorial Hospital was built in 1875 by the 6th Earl Bathurst in memory of his wife Merial Leicester Bathurst. The building was designed in a Domestic Revival style. It is constructed of coursed natural stone with ashlar quoins and plain clay tile roofs, its central entrance bay has a veranda, jetties and applied timber framing, as well as a decorative inscription panel commemorating Merial Bathurst.

The hospital extension to the east, added in circa 1920, is thought to have been dedicated to the memory of the local men who died in the First World War and the building has since been known as The Memorial Hospital. In the mid- to late C20 the hospital was altered and extended further to the east, the south and the north. The alterations included the enclosure of the veranda, the removal of all of the chimney stacks and the extension of all of the wings to two storeys, some with flat roofs.

Internally the building is much altered, but previously contained an early C20 oak staircase which commemorated Major E J Bannatyne and is included on the War Memorials Register. In 2018, the staircase was gifted to the Limerick Civic Trust and was relocated last year to Saint Munchins Church in Limerick, which has strong associations with the Bannatyne family.

The building has been vacant since 2013 and Cotswold District Council is currently considering its demolition to increase the capacity of the existing car park as part of the Council's wider parking strategy. As has been explained earlier in this report, the site has been allocated for mixed use re-development. The building that survives today has been subject to a succession of alterations to most of its elevations. Nevertheless, the front section of the building, and in particular, the early C20 decorative gable and inscription, survive together with the contemporary side extensions and possibly the rear section of this block. The 'Cirencester Conservation Area Statement - CA3: Cirencester Town Centre' (adopted in December 2008) identifies the front block of the hospital building as being a positive building within the Conservation Area, therefore making a positive contribution to the character and appearance of this part of the Cirencester Conservation Area, and the rear and side sections as described above, as neutral. These conclusions are supported by Historic England (HE) in the consultation response attached to this report.

As no built re-development is currently proposed for the site to replace the existing building, officers have taken into account the gap that would be created within the Conservation Area's street scene and the opening up of views to the rear of the site, including the rear elevation of the Tesco Superstore, which would result. The opening up of views through to the large superstore beyond would result in some further harm to the character and appearance to this part of the conservation area.

The existing building is set back within a larger plot, but still provides some level of enclosure and some architectural interest, whereas the proposed removal of the building would result in more extensive views of the open car parking. It is noted that additional landscaping is proposed to mitigate and limit the extent to which the Tesco building behind will be visible from Sheep Street following the removal of the building. However, officers consider that the landscaping would not fully mitigate the street scene loss of the building and resulting public views through the site within the Conservation Area.

In considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, as directed by paragraph 189 of the NPPF. This is irrespective of whether any potential harm amounts to substantial harm or less than substantial harm to its significance. The current proposal, which seeks to demolish the building, would cause harm and would therefore fail to preserve the character and appearance of the Conservation Area. The demolition of the building would also result in the loss of a non-designated heritage asset. The harm caused by the loss of the building is considered by officers to fall within the upper spectrum of the category of 'less than substantial harm'. Again, HE's comments concur with this conclusion.

In accordance with paragraph 196 of the NPPF, given the great weight that should be given to the asset's conservation (in this case, the Conservation Area), considerable public benefit is required to weigh the balance in favour of the current proposals. The public benefit identified (i.e. the creation of an additional 36 car parking spaces will deliver some additional car parking capacity in Cirencester in line with The Council's Parking Strategy.

HE's comments clearly reach a final conclusion that, acknowledging the Local Plan allocation for the redevelopment of the site, the public benefits do not justify the demolition of the building and the resultant harm that would be caused. As such, Strong Objection is raised. Officers will address the balance of the identified harm to the Conservation Area and the public benefits in the concluding section of this report.

In addition to the consideration of above ground heritage, the site is archaeologically sensitive and partly within the area of a Scheduled Ancient Monument. The applicant's assessment confirms that previous archaeological investigations undertaken within the site indicate that the uppermost levels of the Roman sequence will be preserved at depths of between 1.76m - 2.08m below present ground level, and that the Roman sequence is overlain by medieval 'dark-earth' deposits preserved as little as 0.32m below present ground level.

Notwithstanding the objection raised by HE to the proposals, in respect of the presence of the Scheduled Ancient Monument, which itself comprises a Designated Heritage Asset, they comment that *"the majority of the existing car park lies within Corinium Roman Town scheduled monument. This is an archaeological site that is protected under the Ancient Monuments and Archaeological Areas Act 1979. Under Section 2 of that Act any works within the protected area require the consent of the Secretary of State for the Department of Culture Media and Sport. We have now received an application for Scheduled Monument consent which is unlikely to raise any significant concerns in regard to archaeological impact."* The County Archaeologist concurs with this conclusion, but also recommends a condition to address works on areas of the site that fall outside of the Scheduled Ancient Monument.

(c) Impact upon Highway Infrastructure

Although the proposals relate to a site already in use as a public car park, highway impact and accessibility issues are also material considerations in the proposals in respect of increasing the use of the access and manoeuvring within the site, having regard to section 9 of the NPPF and policies INF4 (Highway Safety) and INF5 (Parking Provision). In relation to public car parking, Policy INF5 has been quoted earlier in this report.

Policy INF4 states that *"Development will be permitted that:*

- a. is well integrated with the existing transport network within and beyond the development itself, avoiding severance of communities as a result of measures to accommodate increased levels of traffic on the highway network;*
- b. creates safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoids street clutter and where appropriate establishes home zones;*
- c. provides safe and suitable access and includes designs, where appropriate, that incorporate low speeds;*
- d. avoids locations where the cumulative impact of congestion or other undesirable impact on the transport network is likely to remain severe following mitigation; and*
- e. has regard, where appropriate, to the Manual for Gloucestershire Streets or any guidance produced by the Local Highway Authority that may supersede it."*

As a result of pre-application engagement with the Local Highways Authority, the applicant has provided a fully detailed Transport Statement that analyses the impact of the proposals against the existing use of the car park. The Statement concludes that *"Analysis indicates that the expansion is expected to result in an additional vehicle trip every two minutes during the peak*

hours, which is considered negligible in the context of the town centre location. It is therefore considered that the proposed development is acceptable in transport planning terms.

In terms of the proposed layout, the applicant states that *"The 'Blue Badges and Parking for Disabled People in England' briefing paper recommends that an off-street car park should provide a minimum of three blue badge bays or 6% of the total capacity, whichever is greater. The existing provision at the site is 2% and therefore it is proposed to allocate four of the proposed 36 space uplift as blue badge bays (11%) to ensure overall betterment at the site....The proposed layout is intended to provide maximum efficiency in terms of the number of spaces that can be accommodated on site, whilst also ensuring the safe free-flow of traffic and pedestrians within the car park itself. In order to achieve the safe free-flow of traffic a one-way system within the car park is proposed to facilitate the circulation of vehicles seeking a free-space. To allow for appropriate pedestrian movement the proposed layout includes block paved surface walkways throughout the car park, with crossing points demarcated at appropriate points. In addition, the blue badge spaces provided within the car park will be located close to the adjoining pedestrian routes."*

Additionally the proposals would utilise the existing vehicular and pedestrian site accesses, with localised landscaping to improve safety for pedestrians and vehicle users. Pedestrians will continue to be afforded the dedicated access from Cripps Street, providing the connection with town centre destinations. Where possible, vegetation would be retained, and planting provided on the site frontage for screening purposes. The vegetation on the site frontage would be maximised, but not to the detriment of highway safety.

The Highways Officer has confirmed his satisfaction with the proposals and officers are therefore content that the proposals accord with the provisions of policies INF4 and INF5.

(d) Other Issues

Trees

Local Plan Policy EN7 (Trees, Hedgerows & Woodlands) states that development will not be permitted that fails to conserve and enhance trees of high landscape, amenity, ecological or historical value.

The site contains a number of trees and shrubs that currently provide established planting, which is beneficial within the street scene. Officers therefore consider it important to retain as much of the established planting as possible and this is appropriately demonstrated within the proposals, together with additional planting to strengthen and enhance the boundary treatments of the site. The Council's Tree Officer is therefore content with the proposals, subject to conditions for protection during construction.

Biodiversity

Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity.

Local Plan Policy EN8 (Biodiversity & Geodiversity: Features, Habitats & Species) states, *inter alia*, that *"Proposals that would result in the loss or deterioration of irreplaceable habitats and resources, or which are likely to have an adverse effect on internationally protected species, will not be permitted....Development with a detrimental impact on other protected species and species and habitats "of principal importance for the purpose of conserving biodiversity" (Section 41 (England) of the Natural Environment and Rural Communities Act 2006) will not be permitted unless adequate provision can be made to ensure the conservation of the species or habitat."* This policy accords with the related provisions of section 15 of the NPPF.

The applicant has provided a full Ecological Appraisal by a suitably qualified person, which includes the results of an Extended Phase 1 Habitat Survey that identified that the existing building is used as a transitional day roost (but importantly, not as a maternity or hibernation roost) by a single soprano pipistrelle bat, which is a protected species under the Conservation of Habitats and Species Regulations 2010 (as amended). The demolition of the building would therefore result in the loss of the roost. Consequently, a licence would be required prior to demolition to allow lawful demolition of the roost.

Additionally, the demolition would remove the potential for bird nesting opportunities.

As a result of the above issues, recommendations within the Ecological Appraisal comprise the installation of bat and bird boxes on mature trees around the site to provide mitigating and enhanced opportunities for nesting/roosting, and planting of native species as part of the proposed landscaping. These recommendations, together with a limitation on the demolition of the building outside of the bat hibernation season, are included within the suggested conditions. As a result of the findings of the Ecological Appraisal and the resulting recommendations, officers are satisfied that the proposals accord with Policy EN8 and the Local Plan, and the related statutory requirements and provisions of the NPPF.

Impact upon Neighbouring Properties

Local Plan Policy EN15 (Pollution & Contaminated Land) states that development will be permitted that will not result in unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses through:

- a. pollution of the air, land, surface water, or ground water sources; and/or
- b. generation of noise or light levels, or other disturbance such as spillage, flicker, vibration, dust or smell.

Due to the existing and longstanding use of the site as a public car park, officers consider that the additional number of spaces proposed would not be so significant as to materially affect the use of the site on neighbours in relation to noise or other means of pollution. No changes are proposed to the operation of the car park. Existing lighting is currently provided on the building and therefore new lighting would be provided by downlighters on 6m poles that would minimise off-site light spillage. Nevertheless, a condition limiting the hours of demolition and construction works is recommended. Consequently, officers are content that there would be no materially harmful impacts, having regard to Policy EN15.

9. Conclusion:

From the preceding text of this report, it is evident that the loss of the existing building, as a non-designated heritage asset and as a positive feature of the Conservation Area, is considered to cause harm, although that harm has been identified by both Historic England and the Council's officers as 'less than substantial'. As a result, it is important that, in accordance with Local Plan Policy EN10 and paragraph 196 of the NPPF, the assessment of that harm is balanced against any public benefits that might weigh in favour of the proposed development. A copy of the agent's response letter (dated 13.02.19) to Historic England's objection is attached to this report.

Policy EN10 requires that three criteria are taken into account in assessing the balance of material considerations. These are:-

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

i) The importance of the asset

In terms of its importance, the building is considered to make a positive contribution to the Conservation Area, although the visual merits of the remaining building, following a succession of alterations, are now largely limited to the building's frontage. It is clear that disuse is further denuding the fabric of the building over time. An additional merit of the existing building is that it provides a partial screen for the unattractive rear/side elevation of the Tesco Superstore building. Although there are as yet no current proposals to replace the building to meet the objective of the Local Plan site allocation under Policy S1, the principle of the loss of the building has nevertheless been established within the production of the Local Plan. The current temporary nature of the proposals does not sterilise the future redevelopment of the site to meet the objectives of the Local Plan allocation. Indeed, it is arguably the case that the site will become more attractive to the redevelopment market by the removal of the existing building.

Additionally, public views across the car park from Sheep Street towards the Tesco's building are filtered by existing trees along the site frontage and additional boundary planting would be introduced to further mitigate the more exposed view.

The heritage interest of the building also extends to the original purpose of the building as a cottage hospital and the family and memorial associations associated with it. Clearly, the demolition of the building would result in a loss of this physical association, which is regrettable. As can be seen from the report, however, the Council has donated the memorial staircase from within the building to Limerick in Ireland, from where the origins of the historic association with the building began.

ii) The scale of harm

The proposals are for the demolition of the entire building and therefore there would be a complete loss of the non-designated asset and that of a feature of the Conservation Area's character and appearance. In this sense, the scale of loss is significant.

As discussed earlier in this report, the scale of harm overall is, however, considered to be 'less than substantial', although possibly at the higher end of the spectrum of that harm. As identified under the preceding heading, although the loss of the façade would be regrettable, the building's character and appearance have suffered over time from unsympathetic alterations and the majority of the building is considered to have a neutral, rather than positive, impact upon the Conservation Area.

Whilst it is a fact that public views through the site will be more uninterrupted, the site already largely has the established character and appearance of an open car park. Nevertheless, under the proposals views would be filtered by increased landscaping to a degree that would provide some material mitigation.

iii) The nature and level of the public benefit

The importance of the proposals as part of the implementation of the parking strategy has been detailed earlier in this report. Although the site in itself would not provide a single solution for the expected need to decant parking during the longer-term construction phases of the strategy, it is a significant, viable and deliverable part of that combination of options that will need to be used. It is clearly beneficial that this site is already in use as a public car park and, as such, is integrated within the highway infrastructure and has well-established convenient pedestrian linkages to town centre facilities.

Through the work undertaken in the production of the relatively recently adopted Local Plan, as illustrated within its supporting evidence base, the delivery of the parking strategy is a central strategic priority for the Council in delivering public benefits of accessibility to facilities and services, maintaining and enhancing the vitality and viability of the town, and to allow growth for the wider local economy. The supporting text for strategic policy delivery within the Local Plan identifies that *"opportunities within and adjoining the town centre are largely limited to the*

potential redevelopment of certain car parks and service areas, notably at the Brewery and Forum" (para 7.4.19). As a result, part 6 of Local Plan Policy S3 requires that "Subject to any land that is currently used for off-street public car parking becoming surplus to requirements, and sufficient off-street parking has been provided elsewhere in the town centre to meet current and future parking needs, consideration should be given to redevelopment for alternative, beneficial, town centre purposes." The current application is therefore a key element of sequentially 'unlocking' the potential for the other identified redevelopment sites that would need to begin with the provision of additional permanent parking facilities, principally at The Waterloo.

As the current application site is itself allocated for redevelopment in the longer term, officers have recommended a condition that requires the production of a marketing strategy following the completion of the 10 year temporary permission.

In this case, whilst every attempt should be made to avoid harm to heritage assets and to deliver development, in this instance officers consider that appropriate justification has been provided to demonstrate that the public benefits of the development outweigh the harm to the heritage assets. Having regard to all of the policy considerations discussed within this report, officers are able to recommend that the application should be permitted, subject to the Secretary of State's satisfaction.

10. Proposed conditions:

The development hereby approved shall be implemented in accordance with the following drawing number(s):

21809-101 Rev B, 21809-102, 21809-103, 21809-104, and 21809-105.

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with the National Planning Policy Framework.

The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

By, a Marketing Strategy, including relevant timescales, for the site's mixed use redevelopment in accordance with the site-specific allocation (site ref. CIR_97) stated under Cotswold District Local Plan Policy S1, shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: The loss of the existing building without beneficial redevelopment proposals to visually mitigate impact upon the streetscene and Conservation Area would detract from the amenity of the area and permission is given only to meet the special, temporary needs of the applicant or to enable the Local Planning Authority to give further consideration to the use after the temporary period has expired in accordance with Cotswold District Local Plan policies S1, S3 and EN11, and the provisions of the NPPF.

No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the submission of the findings, which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To ensure that items of archaeological interest are properly recorded. Such items would potentially be lost if development was commenced prior to the implementation of a programme of archaeological work. It is therefore important that such a programme is agreed prior to the commencement of development.

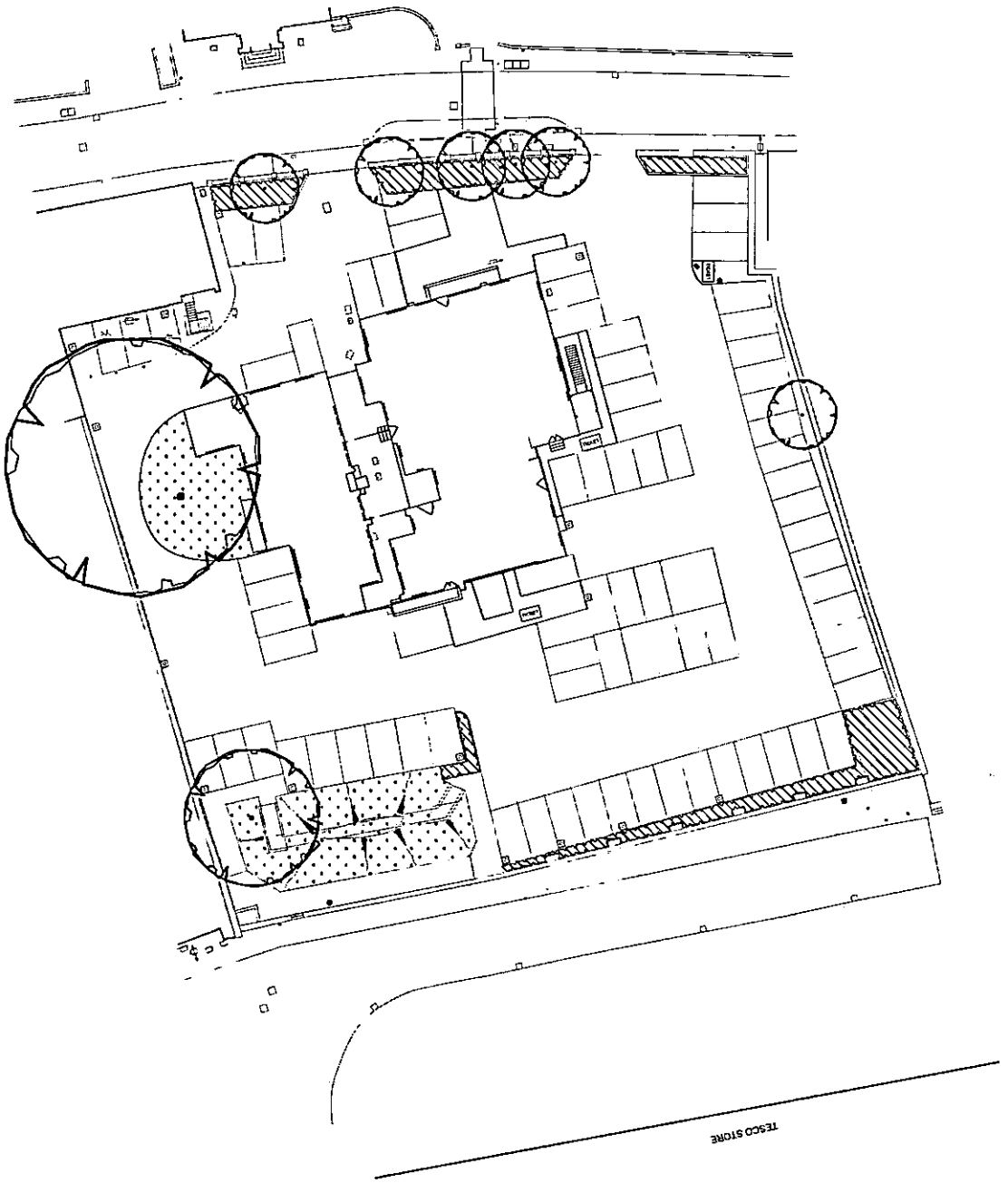
The development shall not be occupied or brought into use until the vehicle parking and manoeuvring facilities have been completed in all respects in accordance with the approved details and they shall be similarly maintained thereafter for that purpose.

Reason: In the interests of highway safety, and in order to ensure that the development complies with Cotswold District Local Plan Policy INF4.






The entire landscaping scheme shall be completed by the end of the first planting season following the completion of the first building on the site.

Reason: To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policy EN2.

EXISTING SITE PLAN.



KEY:

-  Existing Ticket Machine & Associated Signage
-  Existing Drainage
-  Existing Tree Planting
-  Existing Ornamental Shrub Planting
-  Existing Grass Area

NOTES
 1. The site plan is the property of the Council and is not to be used for any other purpose without the written consent of the Council.
 2. The site plan is not a contract and does not constitute an offer of any services or facilities.
 3. The site plan is not a guarantee of any services or facilities.
 4. The site plan is not a guarantee of any services or facilities.
 5. The site plan is not a guarantee of any services or facilities.
 6. The site plan is not a guarantee of any services or facilities.
 7. The site plan is not a guarantee of any services or facilities.
 8. The site plan is not a guarantee of any services or facilities.

A1 Original

<p>ilmanyong The Mayor of Cotswold District Council Cotswold District Council Old Memorial Hospital Cirencester Gloucestershire GL7 7JF Gloucestershire GL7 7JF</p>	
<p>STATUS: Final</p>	<p>DATE: 19/04/19</p>
<p>PROJECT: EXISTING SITE PLAN</p>	
<p>1:200</p>	<p>NOV 18</p>
<p>21/08/100</p>	<p>10/11/19</p>



OLD MEMORIAL HOSPITAL
 CIRENCESTER 19/04/19



Historic England
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SOUTH WEST OFFICE

OLD MEMORIAL
HOSPITAL, CIRENCESTER
18/04977/FUL.

Mr Mike Napper
Cotswold District Council
Planning Services
Trinity Road
Cirencester
Gloucestershire
GL7 1PX

Direct Dial: 0117 975 0742

Our ref: P01021570

1 February 2019

Dear Mr Napper

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**OLD MEMORIAL HOSPITAL, SHEEP STREET, CIRENCESTER,
GLOUCESTERSHIRE, GL7 1QW
Application No. 18/04977/FUL**

Thank you for your letter of 15 January 2019 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Summary

In summary, we advise that the historic core of the former hospital retains heritage value that contributes to its significance, the character and appearance of the Conservation Area and the setting of other nearby heritage assets. We do not consider that the wholesale demolition of the hospital is justified or passes the 'preserve or enhance' test. On this basis we **object strongly** to the proposals and advise that alternative proposals to re-develop the site, to include at least the partial retention of the building, are considered.

Historic England Advice

The original hospital, founded in 1873 to the memory of the first wife of Lord Bathurst, has evolved in several building phases, but retains the scale of a modest cottage hospital. Architecturally, the original nineteenth century hospital has been enveloped with later additions, although the Arts and Crafts characteristic forms remain quite legible and could be better revealed through modest intervention. Internally, we understand that the majority of the architectural interest and fabric has been lost or obscured. However, a very good oak staircase, known as the Bannatyne Memorial Staircase, survives intact, which was presented to the hospital as a private war memorial in 1917. Since we provided our pre-application advice we understand that



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the staircase has been gifted to the Limerick Civic Trust and may have already been located. We would be grateful for confirmation that this is indeed the case.

The hospital sits back from Sheep Street (the line of the former Roman walls), within the Conservation Area and immediately to the north of a terrace of houses, designated Grade II. Directly opposite the hospital site is the Brunel-designed former railway station and a former Congregational Chapel, both Grade II listed. The land to the front (west) and north of the hospital site is also designated as part of Corinium Roman Town, Scheduled Ancient Monument.

We are satisfied that an appropriate and proportionate assessment of the significance of the hospital and its setting has been carried out in accordance with Para. 189 of the National Planning Policy Framework (NPPF). We concede to conclusions of the assessment that the building holds moderate historical value/significance, and high evidential and communal value/significance. However, we differ somewhat in our views on its aesthetic value and its contribution to the character and appearance of the Conservation Area, and the setting of other heritage assets. We consider that it contributes positively to the group of historic buildings that line the southern approach into the centre of Cirencester, despite its ad-hoc additions and present redundant condition. It also provides a degree of screening of the rear, blank elevation of a supermarket and its service yard from Sheep Street.

The Cirencester Conservation Area Appraisal has also identified the core historic fabric of the hospital as being a **positive contributor**, and the later early twentieth century additions as being of neutral contribution. The appraisal defines positive buildings as those which contribute 'positively to the special architectural and historic importance of the conservation area.'

The application submission proposes the wholesale demolition of the hospital in order to create a total of 113 parking spaces for Sheep Street car park. We understand that this would amount to an increase of 36 additional spaces over the existing parking provision. However, we note that a temporary permission for ten years is applied for, after which the council has aspirations for a mixed use development. Therefore, in the long term, the proposals would fail to contribute towards the total number of parking spaces required for the town centre. On this basis, we advocate that alternative sites, envisaged for long-term car parks, are re-examined for expansion or adaptation. The site has potential for positive 'place-shaping' and delivering a development that could enhance the character and appearance of the Conservation Area while retaining the most significant elements of the former memorial hospital. We also draw your attention to the paragraph 126 of the Planning Inspector's report in regard to this site allocation in your local plan. This summarises that '*Policy S1 proposes that the Memorial Hospital site (C_97) is suitable for mixed use development that includes 11 dwellings. The site comprises a non-designated heritage asset and a car park, and any mixed use development scheme would be subject to various policies aimed at preserving or*



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enhancing the historic environment and achieving high quality design including EN2 and EN12. The Council's latest evidence indicates that 9 dwellings could be satisfactorily accommodated on the site and I agree that the policy should be modified accordingly to ensure that it is effective in delivering development whilst protecting the environment [MM11]. 66 ED046 paragraphs 4.37 to 4.45 (Cotswold District Local Plan 2011-2031: Inspector's Report June 2018).

We consider that the proposals, as they stand, would result in harm to the character and appearance of the Conservation Area, by virtue of the loss of a positive and characterful historic building, the fragmentation of the historic urban grain, and the resulting loss of screening of a large non-active elevation of a town centre supermarket. We would cite Para 201 of the NPPF when measuring the degree of harm as a result of the loss of the hospital. This states that the '*Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.*' We therefore need to take a view on the relative contribution of the hospital to the Conservation Area as a whole. Based on its contribution to the character and appearance of the Conservation Area, we consider that the contribution is such that although the harm would be determined as 'less than substantial', demolition would fail to preserve or enhance the Conservation Area's character or appearance in contravention of the requirements of the 1990 Planning Act.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local authority to "have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses". Section 72 of the act refers to the council's need to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in the exercise of their duties. When considering the current proposals, in line with Para 189 of the NPPF, the significance of the asset's setting requires consideration. Para 193 states that in considering the impact of proposed development on significance great weight should be given to the asset's conservation and that the more important the asset the greater the weight should be. Para 194 goes on to say that clear and convincing justification is needed if there is loss or harm. We fail to see clear and convincing justification for these proposals.

~~We would task you with looking at alternative options that would result in significantly less harm. We acknowledge that some of the rear and south side additions to the former hospital contribute less to the overall aesthetic value of the building. We believe that by exploring options that remove some of these elements may provide sufficient additional space for the car parking arrangement to be re-designed and provide a meaningful addition to the total number of spaces. We also advise that a sustainable~~



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~~use for the hospital building is explored, perhaps, as para 195 advocates, by grant-funding or charitable or public ownership. An appropriate use of the building would enliven the redundant nature of the site and include some additional benefits associated with its landscaping and public realm.~~

~~With regard to demonstrating a need for an increase in town centre parking, we advise that any justification includes an assessment of existing sites that may be expanded or new sites that would result in less overall impact and harm. The Design and Access Statement refers to the Cirencester Town Off-Street Parking Study (2017). However, while this provides a projected shortfall in parking spaces across the town, it does not prescribe alternative options for providing the required additional 347 spaces for the town.~~

~~The majority of the existing car park lies within Corinium Roman Town, scheduled monument. This is an archaeological site that is protected under the Ancient Monuments and Archaeological Areas Act 1979. Under Section 2 of that Act any works within the protected area require the consent of the Secretary of State for the Department of Culture Media and Sport. We have now received an application for Scheduled Monument consent which is unlikely to raise any significant concerns in regard to archaeological impact. However, this does not, by any means, prejudice our views on the proposals set out in the planning application.~~

Recommendation

~~Historic England objects to the application on heritage grounds. We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 197, 200 and 201. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.~~

~~Your authority should take these representations into account in determining the application. If you propose to determine the application in its current form, please inform us of the date of the committee and send us a copy of your report at the earliest opportunity.~~

~~Please contact me if we can be of further assistance.~~



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Yours sincerely

Electronic signature

Stephen Guy

Inspector of Historic Buildings and Areas

E-mail: stephen.guy@historicengland.org.uk



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Carter Jonas

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29 Queen Square
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BS1 4ND

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256 Banbury Road
Oxford
OX2 7DE
T: 01865 511444
F: 01865 404433

Your ref:
Our ref: J0000667

13th February 2019

Dear Stephen,

RESPONSE TO HISTORIC ENGLAND CONSULTATION RESPONSE DATED 1ST FEBRUARY 2019 – OLD MEMORIAL HOSPITAL, CIRENCESTER

On behalf of Cotswold District Council ('the applicant'), I write in response to your consultation submission that we received on 1st February 2019 pursuant to the application for the following proposed development at the above referenced site (LPA REF. 18/04977/FUL):

"Demolition of the Old Memorial Hospital, and the creation of additional car parking spaces to create 113no. spaces in total, and associated landscaping for a temporary period of 10 years."

Principle of Development

The site has long been allocated for redevelopment by Cotswold District Council, with acknowledgment that the Old Memorial Hospital building will eventually be lost to a mixed use scheme, following the site being used for public parking provision as part of the wider redevelopment of Cirencester ('Policy S1: Cirencester Town').

I note in your objection that Historic England has reservations regarding the proposals in the longer term, as permission has been applied for a temporary period of 10 years only. Indeed in your response you state the following:

"We [Historic England] understand that this would amount to an increase of 36 additional spaces over the existing parking provision. However, we note that a temporary permission for ten years is applied for, after which the council has aspirations for a mixed use development. Therefore, in the long term, the proposals would fail to contribute towards the total number of parking spaces required for the town centre. On this basis, we advocate that alternative sites, envisaged for long-term car parks, are re-examined for expansion or adaptation."

To provide further clarity on the proposals and the wider vision for parking within Cirencester Town Centre, I would outline for you the agreed wider strategy for parking. The application before you is for a temporary period of 10 years in order to reduce the interim shortfall in parking, which will be made more critical during

the construction of a permanent decked car park at the Waterloo Car Park site, which is itself allocated in the adopted Local Plan for a decked car park (Policy CIR.7: The Waterloo Car Park, Cirencester). That scheme is now coming forward for development through its own application process.

During construction of the Waterloo Car Park scheme and other committed/windfall developments in Cirencester, there would be a critical need for 'decant' parking spaces in the town centre, in order to maintain the boost to the vitality and viability of the Town Centre. The proposal therefore accords with Paragraph 106 of the NPPF which states that *"in town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists"*

As I say, this application for temporary planning permission for 10 years to provide additional car parking spaces at the site would serve a critical short to medium-term need in the Town Centre, as identified within the Cirencester Town Centre Off-Street Parking Study, 2017. There is no intention for the application site to be used for car parking in the long term, as per the site's Plan allocation, the site will be subject of a mixed use scheme, following the site being used for public parking provision as part of the wider redevelopment of Cirencester ('Policy S1: Cirencester Town').

As such, the demolition of the Old Memorial Hospital building and use of the site for additional car parking effectively represents 'Phase 1' of development on this allocated site. No built structures are proposed and so the site will effectively be ready for a mixed use scheme in the medium/long term future as per the site's allocation which will form the second and final phase of development on the site.

It is acknowledged that the demolition of the Old Memorial Hospital would result in a relative exposed view of the rear of the supermarket building to the east. However, given the expected future redevelopment of the site as described above, it is fully anticipated that this view would be mitigated or screened on a more permanent basis as part of such proposals in the future when they come along and which will then effectively represent the second phase of development on the site.

Notwithstanding this, the car park proposals submitted have been designed in a way that would provide considerable visual interruption in the interim to any observer from the west. This would be achieved through the existing tree planting on the site frontage and the proposed additional layers of planting both within and on the eastern boundary of the site to the rear of the supermarket.

As such, it is considered the principle of the development proposal is entirely acceptable in accordance with national and local planning policy, notably Policy S1 which allocates the site for mixed use development following the site being used for public parking provision as part of the wider redevelopment of Cirencester.

Level of Harm

I note in your response that the demolition of the Old Memorial Hospital is deemed to constitute *"less than substantial harm"* and as such, in accordance with Paragraph 196 of the NPPF the following public benefits should be weighed against the *less than substantial harm* caused by the proposed development. Those benefits include:

- Delivering much needed additional car parking capacity in Cirencester Town Centre in line with the Council's adopted Parking Strategy in the short to medium term, which is now more pressing given that an application at the Waterloo Car Park for a decked car park is being progressed and which will reduce Cirencester's parking capacity significantly during construction.
- Improving the quality of the car park layout will consequently improve public safety and the pedestrian route between Sheep Street and Brewery Street.

- Additional landscaping will mitigate views to the rear of the Tesco Superstore.
- Salvaging of the Bannatyne Staircase and the inclusion of a memorial plaque to commemorate it at the site.
- The preservation of the air raid shelter with safe access to it.
- Increase in the provision of disabled car parking spaces within the Town Centre.
- The clearing of the site to allow for a future mixed use scheme as per the site's allocation which will contribute to meeting an identified housing need within the Town Centre.

Bannatyne Oak Staircase

I note that in your response you wish to seek clarification on the removal of the Bannatyne Oak Staircase.

In April 2017 the applicant met with the Limerick Civic Trust, who expressed a strong interest in becoming custodians of the staircase. The Trust proposed that the staircase be relocated and installed at Saint Munchins Church in Limerick, which has strong associations with the Bannatyne family including a crypt and graves. At a Cabinet meeting in January 2018, it was resolved that the staircase be gifted to the Limerick Civic Trust and relocated as per their proposals. I can confirm that the relocation was undertaken sensitively and safely in April 2018.

As such, following the removal of the staircase, the Old Memorial Hospital is now devoid of any real architectural interest.

Summary

The proposal will contribute towards rectifying a demonstrable shortfall in car parking in Cirencester over the next 10 years, and ensure the vitality of the town centre is both maintained and enhanced in this respect, whilst more permanent car parks are constructed elsewhere within the Town Centre.

The retention and relocation of the Bannatyne Staircase to an appropriate site has also been secured, meaning the demolition of the building does not result in the loss of important memorial associations. The proposals also demonstrate other key benefits beyond meeting a decant need for parking; including enhanced pedestrian access and permeability, increase in the provision of disabled spaces and visual mitigation planting. The proposals will also contribute positively to the Masterplan approach both for the allocated redevelopment of the site itself, through representing the first phase in clearing the site for future mixed use development and beyond that in terms of the wider town centre.

Taking into consideration the above, we are therefore of the firm view that the planning balance between the *'less than substantial harm'* to heritage assets and the many and significant public benefits of the proposal would clearly lie with a decision to approve the proposed scheme.

Yours sincerely



Oliver Neagle MRTPI
Senior Planner

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