

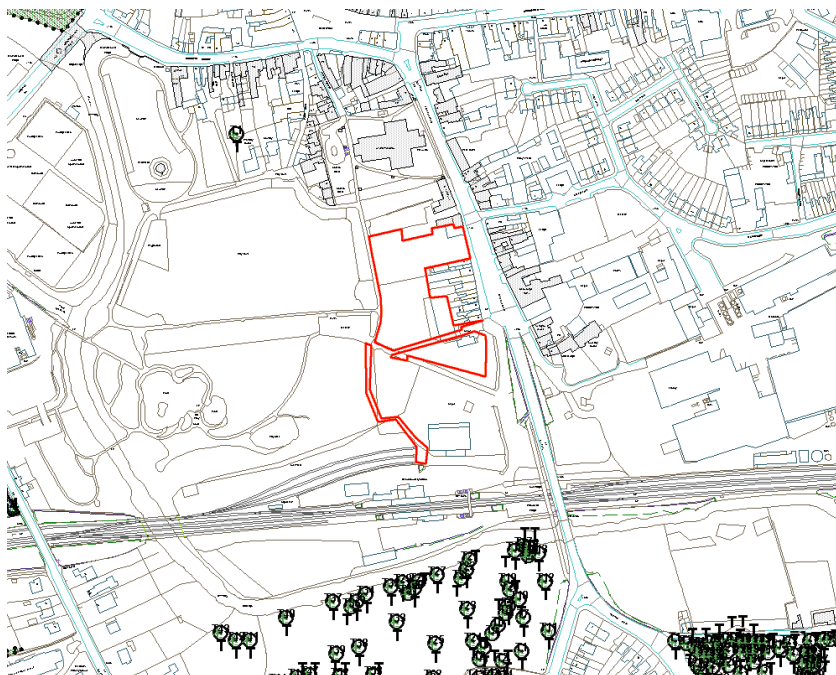
Reference: 12/00824/FUL

Date Submitted: 19th November 2013

Applicant: Melton Borough Council

Location: Car Park Burton Street, Melton Mowbray LE13 1GH

Proposal: Engineering works to improve surface layout and drainage of existing car park and footpath link to the railway station



Introduction:-

The Burton Street carpark is currently an unmade pay and display parking area situated north of and adjacent to the Council Parkside offices. The proposal is to resurface and kerb the carpark formalising the parking arrangements and providing 179 parking spaces to include 13 disabled spaces and 4 parent and child bays. In addition a segregated pedestrian route is proposed between Burton Street to the railway station.

The site has three distinct sections:-

1. Area A – The principal section of the site is located between Burton Street and Play Close, to the north of Mucky Lane. It comprises the footprint of several demolished buildings, and abuts the rear boundary of No's 22-34a Burton Street, several of which have vehicular access through the site. This section has an area of approx. 4900m², and is currently used as a public pay and display car park.
2. Area B – The second section of the site is a triangle to the south of Mucky Lane up to the boundary of the Parkside offices. This section has an area of approx. 1100m², and is currently used as a public pay and display car park.
3. Area C – The third section of the site is a strip of land between Play Close and the railway station car park, on the western edge of the Parkside offices site. This section has an area of approx. 450m² and comprises part of the Play Close grassland, part of the Parkside offices landscaping, and part of the railway sidings to the north of the station.

Prior to the submission of this application a public consultation exercise was undertaken from the 16th February until the 28th February to seek the views of the public on the future use of Burton Street car park prior to recommending to committee any expenditure on resurfacing the car park. There were a total of 83 responders. The vast majority considered that the car park (89%) should remain as a car park and be resurfaced/ improved. Also that views remain open from the carpark to Park Close.

It is considered that the main issues relating to the application are:-

- **The impact of the proposal upon the setting of the Grade 1 St. Marys Church**
- **The impact of the development upon the flood plain**

The application is required to be considered by the Committee as it represents a major development by the Council.

Relevant History:-

None relevant

Planning Policies:-

Adopted Melton Local Plan (Saved Policies)

Policies OS1 and BE1 allow for development within Town Envelopes providing that:-

- the form, character and appearance of the settlement is not adversely affected;
- the form, size, scale, mass, materials and architectural detailing of the development is in keeping with its locality;
- the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and,
- satisfactory access and parking provision can be made available.

The National Planning Policy Framework was published 27th March and replaced the previous collection of PPS. It introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; *or*
 - specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that **whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail.** It also offers advice on the weight to be given to ‘emerging’ policy (i.e the LDF) depending on its stage of preparation, extent of unresolved (disputed) issues and compatibility with the NPPF.

It also establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- Proactively drive and support sustainable economic development to deliver the homes (etc) that the country needs
- Always seek to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings
- recognising the intrinsic character and beauty of the countryside and supporting thriving communities within it

- Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Consultations

Consultation Reply	Assessment of Head of Regulatory Services
Highway Authority: No objection,	Noted.
English Heritage: No comments – please rely on local expertise.	Noted. Please see comments of Conservation Officer below.
<p>Conservation Officer:- The car park is adjacent to the most important listed building within the town centre, namely the grade I listed St Mary’s Church. As such due consideration must be given to the setting of the listed building as part of these proposals.</p> <ul style="list-style-type: none"> • The surfacing of the area immediately represents a vast improvement on its current uneven surface which often puddles etc. Likewise the definition of kerbing and parking spaces gives a formality to the appearance. • The lighting proposed in the original submission would result in a ‘sea’ of lighting columns which would have an adverse effect on the setting. However the number and heights of the lighting columns has been considerably reduced, notably in the direct line of sight of the Church. By arranging the taller columns on the perimeters of the site and the smaller ones within the centre, sometimes with two lighting heads to a single column, it has overcome that particular concern. 	Noted. An amended plan has been submitted to ensure that low level lighting be provided to the front of the church and all the lighting columns be painted black.
<p>Environment Agency Objected but plans have been submitted including sustainable drainage.</p> <p>Advise that the drainage details follow the principles of SUDS and the requirements of the NPPF but additional detail is required as to design capacity to demonstrate impact on run off. This can be secured by means of a condition.</p>	<p>Noted. The drainage arrangements comprise surface drainage and an underground attenuation tank to prevent increased run off entering the nearby river during times of spate or flooding. These were developed in conjunction with the EA.</p> <p>The condition requested by the EA to secure the details of the scheme is acceptable and can be applied.</p>
Severn Trent Water Authority; No objections.	Noted.
Network Rail: No objection in principle to the development; however we cannot support the scheme in its current format until the specific detail of how the proposed footpath links to the station is submitted and approved by Network Rail.	These concerns relate to the how the footpath would integrate into the Station complex and will be the subject of further detailed discussions between the applicants, Network Rail and Mars. General advice from Network Rail can be incorporated into an informative.

<p>Archaeology; High archaeological potential. Whilst much of the site's archaeology will, in all probability, lie below the depth to which the groundworks for a future car park would penetrate, particularly at the Burton Street frontage they are close to the existing ground surface and will certainly warrant careful consideration (design solution or archaeological investigation).</p>	<p>Noted. Conditions can be imposed to ensure these safeguards are incorporated into the development.</p>
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Representations:

Site notices were posted and the application was advertised in the press. Neighbouring properties were also notified of the proposal. One letter has been received not objecting but concerned the lights were to be turned off at 11.00pm.

Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
<p>Impact upon Listed Building:</p>	<p>St Mary's Church is a Grade 1 listed Church and its southern elevation dominates views from the carpark and indeed the Council offices. It is considered that this view should be protected as far as practicable. The lighting of the carpark has been addressed to protect this vista. The lamp standards will be 5-7 metres in height painted black and the numbers kept to a minimum. For reference the existing galvanised light columns around the council offices are 10 metres in height. The surfacing of the carpark will significantly improve the area visually.</p>
<p>Impact upon flood plain:</p>	<p>Both Severn Trent Water and the Environment Agency were consulted prior to the application being submitted and the site is susceptible to flooding on a 1 in 100 year standard. The use of sustainable drainage systems (SUDS) will help reduce the risk of localised flooding and impacting on its severity elsewhere. However although the site is defended from flooding by the Brentingby Flood Storage Reservoir during a 1 in 100 year event there remains a residual risk of flooding should it fail or be overwhelmed. Whenever it appears that flooding may be imminent the Council will close the carpark and signs will be displayed to warn users that the site may be liable to flooding such that vehicles could be at risk.</p>

Conclusion:-

The proposals will significantly improve the area and assist in regenerating this part of Melton Town Centre. In particular the links to the station and the town centre will be improved raising the profile of the area for residents and visitors to Melton and preserving the aspect to St. Marys Church. The flood risk will remain but will be ameliorated by the use of sustainable drainage systems to reduce the risk of localised flooding and exacerbating flood issues elsewhere. The proposal is considered to accord with all relevant policy requirements and there are no grounds to justify departing from the Development Plan.

RECOMMENDATION: Permit, subject to:

(a) Confirmation from the Environment Agency that the drainage arrangements are satisfactory, including the imposition of any conditions they recommend and;

(b) the following conditions:-

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.
3. The lighting of the carpark shall be carried out in accordance with the plan received by the Local Planning Authority on the 14th January 2013.
4. The development shall be carried out in accordance with the revised drainage details for the site received by the local planning authority on the 15th January 2013.
5. No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and:
 - The programme and methodology of site investigation and recording
 - The programme for post investigation assessment
 - Provision to be made for analysis of the site investigation and recording
 - Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - Provision to be made for archive deposition of the analysis and records of the site investigation
 - Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
6. No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (1).
7. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (1) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
8. Development shall not begin until a surface water drainage limitation scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:
 - surface water run-off generated up to and including the 100 year plus climate change critical storm will be at least 20% less than the undeveloped site following the corresponding rainfall event;
 - priority has been given to incorporating sustainable drainage elements with attenuation, storage and treatment capacity in accordance with best practice set out in CIRIA publication 'The SuDS Manual' (C697); and responsibility for the future maintenance and management of drainage features.

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. To ensure a satisfactory standard of external appearance.
3. For the avoidance of doubt .
4. For the avoidance of doubt.
5. 6. And 7. To ensure satisfactory archaeological investigation and recording
8. To ensure an adequate means of drainage and to mitigate against flood risk.

Informatives

1. The applicant should be aware of the email of the 11th December 2012 concerning the requirements of Network Rail with regard to fencing , access and lighting.

Officer to contact: **Paul Green**

Date: 16th January 2013