



## Report to West Area Planning Committee

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<b>Application Number:</b>	20/07802/FUL
<b>Proposal:</b>	Erection of a retail unit for use as supermarket (Class E), and erection of restaurant/takeaway unit with drive thru (sui generis), with associated access, car parking and hard/soft landscaping
<b>Site Location:</b>	Site Of Former Park and Ride Facility Crest Road High Wycombe Buckinghamshire
<b>Applicant:</b>	Aldi Stores Limited
<b>Case Officer:</b>	Declan Cleary
<b>Ward(s) affected:</b>	Booker, Cressex & Castlefield
<b>Parish-Town Council:</b>	High Wycombe (Unparished)
<b>Date valid application received:</b>	23 <sup>rd</sup> November 2020
<b>Statutory determination date:</b>	22 <sup>nd</sup> February 2021
<b>Recommendation:</b>	Approve subject to conditions and completion of a memorandum of understanding

### 1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

- 1.1 The application seeks the construction of 1801sqm retail unit for use as supermarket (Class E), and erection of 517sqm restaurant/takeaway unit with drive thru (sui generis), with associated access, car parking and hard/soft landscaping
- 1.2 The site is unallocated for any land use however the scheme proposes main town centre uses in an out of town location. The application has been supported by a sequential test and retail impact assessment, the scope of which are considered to be proportionate to the scale of the development proposed. Following independent critique of the submissions, the LPA is satisfied that the proposals satisfy these tests, and that the proposed uses are acceptable in this sustainable location. The proposed development is considered to be a compatible land use with surrounding developments, and would not cause harm to the character and appearance of the area, the amenity of sensitive users, or highway safety.
- 1.3 The scheme would fail to deliver a policy compliant level of canopy cover, however the under provision in this instance is not significant and is maximised, furthermore, it is considered that the under-provision is outweighed by other environmental, social and economic benefits of the development when considered as a whole. The

development would not achieve a net gain in biodiversity on site, however following the mitigation hierarchy an off-site contribution in lieu is considered to be acceptable in this instance.

- 1.4 The land is currently owned by Buckinghamshire Council. The constitution confirms that a planning application which is submitted “by the Council”, ought to be determined by the relevant committee. While the application has not been submitted “by the Council”, the Council will retain significant interest in the land and as such, for transparency, the application ought to be determined by the relevant planning committee.
- 1.5 Consequently, the application is recommended for approval subject to conditions, and the completion of a memorandum of understanding to secure a financial contribution to deliver an off-site net gain in biodiversity, monies towards Real Time Passenger Information improvements to bus stops on John Hall Way, and monies to secure Travel Plan monitoring for a period of 5 years.

## **2.0 Description of Proposed Development**

- 2.1 The application site represents a vacant parcel of land measuring approximately 1ha in area. The site lies within the settlement boundary for High Wycombe, and is unallocated in the Development Plan for any specific land use. The site is adjoined by further vacant land to the west, residential properties to the north on the opposite side of John Hall Way, the Next retail shop to the west and other commercial, community and recreational facilities to the south on the opposite side of Crest Road. The surrounding area comprises a wide mix of uses.
- 2.2 The site is in part laid to hardstanding while large areas of the site is grassland. The hardstanding which is present on the site relates to the former park and ride use of the land. There are significant land level changes on the site and in relation to the public highways to the north and development to the east. There are a number of trees and shrubs on site, particularly along the site boundaries.
- 2.3 This is a full planning application for the construction of a retail unit to be used by a discount supermarket. The retail unit would have a gross floorspace of 1801sqm. The scheme also includes the erection of a restaurant/takeaway and drive through, which would measure 517sqm in gross floor area. The scheme includes the construction of a new access from Crest Road to serve the development, along with areas of car parking, manoeuvring and servicing spaces to serve the units. Landscaping is proposed within the development and along the site boundaries and within the scheme.
- 2.4 The application is accompanied by:
  - a) Planning Statement (Including Sequential Test and Retail Assessment)
  - b) Drainage Strategy
  - c) Geological Insight Report
  - d) Store Travel Plan (McDonalds)
  - e) Arboricultural Impact Assessment
  - f) Construction Method Statement
  - g) Statement of Community Involvement
  - h) Transport Assessment
  - i) Design and Access Statement
  - j) Landscape Maintenance & Management Plan

- k) Flood Risk Assessment
- l) Ecological Assessment
- m) Addendum to Planning and Retail Statement
- n) Canopy Cover Calculator
- o) BNG Calculator

2.5 During the course of the application amendments to the scheme and supporting documentation were provided to address comments raised by the LPA and consultees.

### **3.0 Relevant Planning History**

- 3.1 21/05938/FUL - Application for commercial development for five buildings comprising 8 flexible use units for light industrial (Class E), general industrial (Class B2), and storage and distribution (Class B8) uses, with ancillary offices, associated car parking, and landscape planting together with the provision of a new vehicle access onto Crest Road - Undetermined. This application relates to the parcel of land to the west of the application site but is relevant to the determination of the application.
- 3.2 16/05216/FUL - Erection of warehouse club (Use Class Sui Generis), incorporating tyre installation, sales and associated facilities, together with associated accesses, parking and landscaping – Withdrawn – 09/01/18
- 3.3 13/07702/R9FUL - Temporary use of land as a park and ride facility, with a temporary surface providing up to 200 parking spaces and associated facilities, together with lighting and CCTV columns (regulation 3 application) – Approved – 31/01/14
- 3.4 13/06239/R9FUL - Temporary use of land as a park and ride facility, with a temporary surface providing up to 200 parking spaces and associated facilities, together with lighting and creation of pedestrian access off John Hall Way (regulation 3 application) – Withdrawn – 08/08/13
- 3.5 05/06923/R9FUL - Temporary use of land as a public car park, with a temporary surface providing 240 parking spaces, together with the erection of perimeter fencing. (the temporary parking will be adjacent to, and function as part of, the existing permanent public car park that supports the operation of the park and ride service) – Approved – 11/11/05

### **4.0 Policy Considerations and Evaluation**

#### **Principle and Location of Development**

Wycombe District Local Plan (August 2019): CP1 (Sustainable Development); CP2 (Overall Spatial Strategy); CP3 (Settlement Strategy); CP6 (Securing Vibrant and High Quality Town Centres); DM33 (Managing Carbon Emissions, Transport and Energy Generation)

Wycombe District Adopted Delivery and Site Allocations Plan (July 2013): DM1 (Presumption in favour of sustainable development); DM7 (Town Centre Boundaries); DM8 (The Primary Shopping Areas); DM10 (Thresholds for the Assessment of Schemes for Town Centre Impact)

- 4.1 The application site forms a vacant parcel of land which lies within the settlement boundary for High Wycombe as defined by the Local Plan Policies Map. The site was formerly used as a park and ride facility, and is considered to be previously developed land. The application proposes the construction of a retail unit (Class E) to be used as a supermarket, and a drive through restaurant (Sui-generis). The application site is

not allocated for any specific land use within the Development Plan and is surrounded by a mix of commercial and residential uses.

- 4.2 Wycombe District Local Plan (LP) Policy CP3 identifies High Wycombe as being a Tier 1 settlement and which is the prime focus for housing and new economic development within its urban area, through the redevelopment of suitable previously developed sites. LP Policy CP6 seeks to direct proposals for town centre uses to town and district centres. Policy DM7 of the Wycombe District Delivery and Site Allocations Plan (DSA) states that proposals for main town centre uses outside of the designated town centres will only be permitted where they satisfy national planning policy tests, including the sequential test. Policy DM10 of the DSA states that any retail proposals which are not in a designated centre will require an impact assessment above an identified threshold. Development proposals with a gross floorspace of more than 1000sqm will require an assessment of the impact on High Wycombe Town Centre.
- 4.3 Paragraph 87 of the NPPF (2021) states that applications for main town centre uses which are neither in an existing centre, nor in accordance with an up to date plan should be subject to a sequential test. Paragraph 88 states that when considering edge and out of centre locations preference should be given to accessible sites which are well connected to the town centre. Paragraph 90 states that local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold.
- 4.4 The application site is located outside of the designated town centre for High Wycombe, and is not located within an alternative designated centre. The retail element of the proposals is more than 1000sqm in gross retail floorspace and as such it is necessary for both a sequential test and impact assessment to be carried out in regard to this element of the scheme. The proposal also includes a drive through restaurant which is also an identified main town centre use, as confirmed by the NPPF, which would require a sequential test.
- 4.5 The application has been supported by a Planning and Retail Statement which includes a sequential assessment, and retail impact assessment. In light of the specialist nature of retail planning considerations and for impartiality, the LPA has sought an independent Retail critique of the information presented.

#### Sequential Assessment

- 4.6 Planning practice guidance states that the application of the test will need to be proportionate and appropriate for the given proposal. Paragraph 88 of the NPPF requires LPAs to demonstrate flexibility on issues such as format and scale, while the PPG confirms that it is not necessary to demonstrate that a site can accommodate precisely the scale and form of development proposed. In this instance, as advised by the independent review, it is considered that opportunities that can accommodate a discount foodstore and a drive through in general should be considered rather than specifically an Aldi or McDonalds drive through.
- 4.7 A number of High Wycombe town centre sites have been identified within the submitted sequential test, the scope of the sites selected is considered to be a proportionate and appropriate in the context of the scheme proposed. Sites within other town centres would not serve the same catchment as the application proposals. A review of the identified sites is considered below.

#### HWTC10 – Swan Frontage

- 4.8 This site appears to be large enough to accommodate the application proposals in their entirety. However, the site is currently in active use and there is an extant permission for alternative uses on part of the site. Therefore, the site does not appear to be available within a reasonable time.

#### HWTC12 – Chilterns Shopping Centre and Frogmore East

- 4.9 The available vacant units within the shopping centre are not large enough or suitable to accommodate the proposed food store and/or a drive through.

#### HWTC13 – Lilys Walk

- 4.10 This site is currently being developed for a residential led scheme and includes commercial space of 1,472sqm. The commercial element is within four separate blocks. The site is unsuitable for a discount food store of a similar size to that proposed or a drive through.

#### HWTC14 – Buckingham House and Castle House

- 4.11 This site appears to be large enough to accommodate the application proposals in their entirety. However, the site is currently in active use and there is an extant permission for alternative uses. The site does not appear to be available.

#### HWTC15 – Collins House and corner of Bridge Street/Desborough Road

- 4.12 While availability of this site is unclear, the size and configuration of this site is not suitable to accommodate the proposed development.

#### HWTC16 – Oxford Road Roundabout

- 4.13 This site appears to be large enough to accommodate the application proposals in their entirety if part of a comprehensive redevelopment. The site does not appear to be available.

#### HWTC17 – Bridge Street

- 4.14 This site appears to be large enough to accommodate the application proposals in their entirety. However, the site is currently in active use and the site does not appear to be available within a reasonable period.
- 4.15 The redevelopment of the site would require a comprehensive development to be delivered including links through the site.

#### HWTC19 – Rapid House

- 4.16 This site appears to be large enough to accommodate the application proposals in their entirety. However, the site is currently in active use and the site does not appear to be available within a reasonable period.

#### Sequential Test Conclusions

- 4.17 The LPA's independent analysis has confirmed that there are a number of sites within High Wycombe town centre that are large enough to accommodate the discount foodstore and a drive through restaurant. However, these sites are either occupied by a number of existing uses, where their availability within a reasonable period is uncertain, or the sites have development proposals for alternative uses. The independent critique confirms that the sequential test has been addressed and satisfied. The extent and scope of the sequential test has been proportionate in the

context of the scale of the scheme proposed. In the absence of information to the contrary, the LPA would therefore concur with this view.

- 4.18 The site is in a wholly accessible location which is accessible to a local community by means of foot, cycle and public transport, and has good connections to the town centre.

Disaggregation

- 4.19 Consideration has been had to disaggregation in terms of whether the town centre elements can be separated and accommodated on more than one site in a sequentially preferred location. It is noted that there is no policy requirement within local or national policy to disaggregate the uses. Furthermore, it is considered that there is sufficient synergy between the two uses for them to be considered together, particularly given the relatively small scale and complementary nature of both uses.

*Retail Impact Assessment (RIA)*

- 4.20 Following concerns raised by a competitor, an updated Town Centre Health check was carried out by the applicants in December 2021. A summary of the position is outlined below:

Category	Number of Units in High Wycombe	High Wycombe (%)	UK Average (%)
Comparison	109	26.01	27.06
Convenience	25	5.96	9.20
Retail Service	51	12.17	15.64
Other Retail	0	0	0.07
Leisure Services	99	23.62	24.69
Financial & Business Services	42	10.02	9.08
Vacant	93	22.19	14.12

- 4.21 With regard to multiples this accounts for 45% of the units accommodated which is above the national average of 40.98%. There remains a good balance between multiple occupiers and independents.
- 4.22 December 2021 health check identifies that there are a total of 22.19% of units within the town centre are vacant which is above the national average of 14.12%. A number of these vacancies are located within the Chilterns Shopping Centre which is proposed to be regenerated as part of a comprehensive redevelopment of the site. In addition, the level of floorspace which is identified as being vacant is 15.11% which is marginally above the national average of 13.91%.
- 4.23 The implications of the Covid-19 pandemic have been considered and there would be a spike in vacancy rates within the town centre regardless of whether the application proposals were implemented or not (as identified above). Furthermore, Lichfields have advised that the evidence suggests that the convenience sector have not been significantly impacted as a result of the lockdowns.
- 4.24 It is acknowledged that there has been no updated householder survey carried out which has been raised as a concern by representations received, however, in the context of proportionality, given the scale of the scheme it is not considered that updated surveys are necessary in this instance. The LPA's independent advisor is satisfied in this regard.
- 4.25 The LPA's independent critique, prepared by Lichfields, of the submitted RIA identified some areas of concern with regard to the methodology carried out,

however they have reanalysed the situation with regard to price base, population and expenditure, projected actual convenience goods turnover levels, and benchmark turnover. Based on the updated analysis Lichfields projected convenience facilities are expected to be trading satisfactorily in 2024.

- 4.26 The RIA identifies that 80% of net floorspace would be food and grocery goods, while the remaining 20% would be comparison goods. These levels are realistic for the size of the store proposed and comparative with Lichfields experience of such stores. Lichfields consider that the sales density figures are also reasonable for the scale of the store proposed and comparative to other retailers who would occupy a store of this size. Asda and Waitrose are unlikely to occupy the proposed store as they have units close by, while Tesco and Morrisons due to scale and gross floorspace ratio. The turnover of the site is unlikely to significantly increase if an alternative retailer occupied the store.
- 4.27 The projected trade diversion of the proposed Aldi store is summarised below:
- Asda, Holmers Farm £3.25 million (25%)
  - Waitrose, Handy Cross £1.62 million (12.5%)
  - Morrisons, Temple End £1.30 million (10%)
  - Sainsbury's, Oxford Road £1.30 million (10%)
  - Tesco, town centre £1.30 million (10%)
  - Aldi, Baker Street £1.30 million (10%)
  - Aldi, Tannery Road £0.97 million (7.5%)
  - Lidl, Richardson Street £0.65 million (5%)
  - Marks & Spencer, Eden Centre £0.26 million (2%)
  - Marks & Spencer, Wycombe RP £0.13 million (1%)
  - Iceland town centre £0.13 million (1%)
  - Other town centre £0.26 million (2%)
  - Other High Wycombe £0.52 million (4%)

The trade diversion set out within the RIA have not been underestimated and appear to be reasonable. Those stores closest to the site would see most diversion.

- 4.28 With regard to the drive thru takeaway trade diversion is likely to be from existing sites within High Wycombe. It is unlikely that trade would be diverted from the town centre given the nature of the proposal, however even if it was then the maximum impact in diversion would be less than -5% according to Lichfields.
- 4.29 In terms of implications on the town centre, the main store impacted by the development would be the Aldi at Baker Street (-10.73%), while other town centre stores would experience impacts of between -2.09% and -4.31% of resultant turnover. These impacts are considered to be reasonable assumptions.
- 4.30 The proposed Aldi is expected to divert £4.55m from the High Wycombe Town Centre. This would represent an average impact of -3.6%. Lichfields' sensitivity figures suggest convenience goods facilities within the town centre may trade on average -11.6% below benchmark in 2024, and the Aldi proposal will increase under performance to -14.8%.
- 4.31 The 2013 Household Survey identified that convenience goods retailing within the town centre was trading at about -13% below the 2013 benchmark, with Sainsbury's

and Tesco's trading well below the benchmark. Lichfield's have advised from their experience that town centre Tesco's and Sainsbury's typically trade at 20% or more below their company average. The available evidence suggests that these store will continue to trade viably and would not experience difficulties should the application proposals be implemented.

4.32 Lichfields' have advised that the indirect trade diversion (through loss of linked trips to other town centre units) would result in a loss of £1.4m which represents a -0.3% trade diversion of comparison goods, which is considered to be insignificant.

4.33 The direct and indirect impacts on the town centre are not considered to be significant.

#### Retail Impact Conclusions

4.34 It is considered that the proposed development is unlikely to result in significant adverse impacts on High Wycombe town centre and that the retail impact assessment test has been passed.

#### Overall Conclusions

4.35 The LPA is satisfied that there are no more sequentially preferable sites to the application site, allowing for flexibility and scale. Furthermore, while it is acknowledged that there are some differences in opinion with regard to the impact that the development would have on designated centres, your officers are satisfied that the proposals would not have a significant adverse impact on the vitality and viability of centres which have been independently reviewed. The assessments which have been carried out are considered to be proportionate for the scale of the proposed development. Therefore, it is considered that the relevant tests are passed and the proposed development is acceptable in this location, subject to compliance with other policies.

#### **Transport matters and parking**

Wycombe District Local Plan (August 2019): CP7 (Delivering the infrastructure to support growth); DM33 (Managing Carbon Emissions, Transport and Energy Generation)

Wycombe District Adopted Delivery and Site Allocations Plan (July 2013): DM2 (Transport requirements of development site)

#### Access and Highway Safety

4.36 Access to the site would be via an upgraded access from Crest Road. BC Highways have reviewed the proposed point of access and are satisfied, following amendments, that the access can be provided in this location which would be suitable and not give rise to highway safety issues.

4.37 The amended proposals demonstrate that all vehicles, including HGVs, can enter and exit the site in a forward gear and as such would ensure that no vehicle is required to reverse onto the public highway. Additionally, such servicing vehicles can now manoeuvre within the site without the need to pass over parking spaces. Servicing of both the retail unit and drive through restaurant will be internally within the site requiring servicing vehicles manoeuvring within publically accessible areas. Amended proposals have been provided which minimise the potential conflict between HGV's and pedestrians. It has been highlighted that one servicing vehicles will visit each day during normal operating hours, while the arrangements for the drive through

restaurant minimise movements within the site. BC Highways are satisfied that the amendments minimise the potential conflict between servicing vehicles and the public and recommend a condition be attached to any permission requiring the submission of a servicing management plan. The concerns of the Urban Design Officer with regard to internal conflict are noted, however in the absence of concern by the Highway Authority the proposals are deemed to be acceptable in this regard.

- 4.38 Consideration has been given to the impact that the development would have on the local highway network, including the cumulative impacts with the proposed adjacent retail development (which remains undetermined). BC Highways are satisfied that the proposed developments would not materially impact the signalised John Hall Way/Crest Road junction, and that the junction can accommodate the additional traffic movements.
- 4.39 Due to the proximity of the site to junction 4 of the M40, consideration has been given to the impact on the Strategic Road Network (SRN). Highways England have reviewed the submitted information and have confirmed that they are satisfied that the development is unlikely to have significant impact to the safe and efficient operation of the SRN, in this case the M40 motorway.
- 4.40 The scheme includes the creation of a new pedestrian crossing on John Hall Way to allow for better connectivity between the site and the residential area to the north of John Hall Way. The crossing will require dropped kerbs and tactile paving and its delivery can be secured by condition.
- 4.41 The application proposals will also require the continuation of a pavement on the northern side of Crest Road to ensure that the pavement connects with that to be delivered under the adjacent employment development scheme. The delivery of which can also be secured by condition.
- 4.42 The proposed development can therefore be satisfactorily provided through the provision of safe and convenient access, and the impacts of traffic movements from the development would not cause harm to the operation or effectiveness of the Local or Strategic Road Networks.

#### Proposed Parking Provision

- 4.43 The application proposes a total of 126 parking spaces to serve the development. The Highway Authority have reviewed the parking provision and are content that the level of provision to serve the development is satisfactory. It is observed that the size of the proposed parking spaces is below that of the size set out in the county wide parking standard. However the Highway Authority is content that the necessity to provide a satisfactory level of parking, on site, without the excess parking on the highway is an acceptable compromise in this instance.

#### Connectivity/Travel Plan

- 4.44 The application site is located within a mixed use area with a residential community which is within close proximity to the site. It is likely that the development would serve residents at the southern side of High Wycombe. The site is accessible by means of foot, cycle and public transport with bus stops located on John Hall Way adjacent to the site. Pedestrian connectivity is proposed from John Hall Way to provide direct access to the site.

- 4.45 The application has been supported by a Travel Plan which has been reviewed by the Highways Authority who consider that its scope ought to be widened to all persons accessing the site. An updated Travel Plan can be secured by condition while money for its monitoring by the Council can be secured via a memorandum of understanding.
- 4.46 In addition, to support the Travel Plan objectives the Highways Authority have recommended that a contribution be sought to improve the bus stop provision on John Hall Way to provide Real Time Passenger Information at the nearest bus stops. This contribution would amount to £16,000.00 which would necessitate enhanced connectivity and attractiveness of public transport as a viable alternative.

#### **Raising the quality of place making and design – including landscape considerations**

Wycombe District Local Plan (August 2019): CP9 (Sense of place); DM30 (Chilterns Area of Outstanding Natural Beauty); DM34 (Delivering Green Infrastructure and Biodiversity in Development); DM35 (Placemaking and Design Quality)

Wycombe District Adopted Delivery and Site Allocations Plan (July 2013): DM11 (Green networks and infrastructure)

- 4.47 The application proposes the construction of a detached supermarket building which would be sited towards the northern end of the site. The building would be a total of 65m in length at its widest, 35m in maximum depth and includes a lean-to roof with maximum height of 8.3m. Due to land level changes between the site and John Hall Way, the proposed retail unit would site at a lower land level than the public highway to the north.
- 4.48 The proposed McDonalds would be sited at the southern end of the site and would have a maximum length of 31m, maximum depth of 14m and maximum height of 8.1m. The building would be part two storey and part single storey with flat roofs.
- 4.49 The development proposes a mix of facing materials to the elevations, which includes a mixture of cladding materials, green wall and glazing. It is considered that a mixed palette of materials would help to break up the mass of the buildings and provide some interest, as such the materials are important to the success of the scheme from a design perspective. Material details can be secured through condition
- 4.50 The site in its entirety would be accessed from Crest Road. Internally the scheme includes an access road, and parking, manoeuvring and servicing areas to facilitate the units. Due to land level changes, the scheme includes an element of cut and fill to level parts of the site, this would require the provision of and retention of the retaining wall to the east. The Landscaping would be provided predominantly around the perimeter of the site with some landscaping provided internally to help to break up the expanse of car parking.
- 4.51 The surrounding area is characterised by buildings of various forms and scales with no prevailing uniformity which is indicative of the mixed nature of uses in the area. The Next building to the east and ASDA to southwest are large buildings and the scale of the proposed buildings would be comparable to these existing buildings. Planning permission has recently been granted for commercial development to the west of the site and the proposals would be compatible with the design of these units. Given the mixed character of the area it is not considered that the development would cause undue harm to the character and appearance of the area or adjacent building. The retail unit

- 4.52 The scheme proposes the delivery of landscaping along the northern and southern boundaries of the site which help to screen the extent of the proposals. The scheme includes appropriate levels of landscaping around the development to achieve this desired screening effect. Furthermore, John Hall Way is identified as a Corridor Opportunity Area as detailed by DM11 of the DSA. The scheme proposes landscape enhancements along this route which satisfies the requirements of this policy.
- 4.53 The application site is not located within a designated landscape area, however views of the site from the AONB would be available from the south on the opposite side of the M40. The development would be sited within an urban setting within the context of large commercial buildings within the immediate area. Furthermore, the lighting of the site would appear in the context of an urban area and is unlikely to be a prominent addition to the townscape in this respect. The proposals therefore would not have a detrimental impact on the setting of the AONB.
- 4.54 In summary, the proposed development is considered to be policy compliant in respect of design, subject to conditions.

#### **Amenity of existing and future residents, and Environmental Issues**

Wycombe District Local Plan (August 2019): DM35 (Placemaking and Design Quality); CP7 (Delivering the infrastructure to support growth); DM20 (Matters to be determined in accordance with the NPPF)

- 4.55 The site layout, and proximity to nearby residential properties is such that the development is unlikely to result in any adverse amenity issues for nearby residential properties through loss of daylight, privacy, overshadowing or overbearing.
- 4.56 The main consideration would be the impact that the development would have on noise sensitive uses from noise and disturbance arising from the proposed development. The application has been supported by a noise report which has been reviewed by BC Housing & Regulatory Services. The proposed development would result in potential noise and disturbance considerations arising from the comings and goings associated with the proposed development. The impact on residential amenity would be acceptable subject to imposing conditions on the development to restrict the opening hours of the Aldi, and conditions restricting the timings of any servicing of the site.
- 4.57 The proposed McDonalds would be sited on the southern side of the site, further away from the residential properties on the northern side of John Hall Way. Noise and disturbance arising from the McDonalds element of the scheme is deemed to be acceptable and would not have an adverse impact on the amenity of residents.
- 4.58 It will be necessary to ensure that the light of the site would not result in any unacceptable light spillage, while also ensuring that lighting provides a safe and secure environment, particularly with regard to the pedestrian access from John Hall Way. A lighting scheme could be conditioned.
- 4.59 The submitted ground investigation reports have been reviewed by BC Housing & Regulatory Services, who have no objections subject to a further condition relating to unexpected contamination.

#### **Flooding and drainage**

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth); CP12 (Climate Change); DM39 (Managing Flood Risk and Sustainable Drainage Systems)

- 4.60 The site lies within Flood Zone 1, part of the site is identified as being susceptible to surface water flooding. No concerns have been raised with regard to the impact on the development from the risk of flooding.
- 4.61 The application has, been supported by a Drainage Strategy which considered the options for incorporating a Sustainable Urban Drainage System within the development. The LLFA have reviewed the submitted information and, subject to the imposition of conditions, are satisfied that the site an appropriate drainage scheme can be achieved on the site.

#### **Green networks and infrastructure**

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth); CP9 (Sense of Place); CP10 (Green Infrastructure and the Natural Environment); CP12 (Climate Change); DM34 (Delivering Green Infrastructure and Biodiversity in Development); HW8 (Land off Amersham Road including Tralee Farm, Hazlemere)

Wycombe District Adopted Delivery and Site Allocations Plan (July 2013): DM11 (Green Network and Infrastructure); DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance); DM14 (Biodiversity in development)

- 4.62 Policy DM34 confirms that all development is required to protect and enhance both biodiversity and green infrastructure features and networks both on and off site. Development is required to achieve a future canopy cover of 25% on sites of the scale of the application site.
- 4.63 The application proposes a future canopy cover provision of 20% which falls below the standard set out in Policy.
- 4.64 There has been consideration of the use of green roofs but, in this instance, this has been discounted by the applicants due to the expense of the development and changes to the scheme which would be needed to facilitate such features. The scheme includes significant landscaped boundaries which are essential to help to screen the development which is a significant benefit of the scheme, while opportunities have been provided within the site to provide for some green infrastructure within the development. Furthermore, the development would deliver landscaping along the Corridor Opportunity route which in itself is a benefit. Given the nature of the use, much of the land within the development will be dedicated to manoeuvring space, parking and internal routes which limits the space available for additional planting (unlike a housing scheme which may have areas of private or communal amenity space which could provide additional cover).
- 4.65 The applicants have explored the use of other Green Infrastructure elements within the scheme and have included a green wall which would be provided on the eastern elevation. However, the extent to which this contributes towards canopy cover is limited.
- 4.66 Insisting on additional canopy cover within the development, in this instance, is likely to compromise the delivery of the scheme and resulting in other technical issues, relating to parking standards. The LPA is satisfied that canopy cover on this site has been maximised and therefore, on balance, when weighed against the economic benefits, the structural screening proposed and the contribution towards the Corridor Opportunity area it is considered that the slight under provision is acceptable in this instance.

## **Ecology**

Wycombe District Local Plan (August 2019): CP10 (Green Infrastructure and the Natural Environment); CP12 (Climate Change); DM34 (Delivering Green Infrastructure and Biodiversity in Development)

Wycombe District Adopted Delivery and Site Allocations Plan (July 2013): DM11 (Green Network and Infrastructure); DM13 (Conservation and enhancement of sites, habitats and species of biodiversity and geodiversity importance); DM14 (Biodiversity in development)

4.67 With regard to biodiversity implications, Policy DM34 requires that developments should deliver measurable net gains within the development. The existing site comprises areas of hardstanding, while large areas of greenspace is existing which contribute towards the existing habitat value of the site. A Biodiversity Impact Assessment has been carried out which demonstrates that the development would not deliver a net gain of biodiversity on site with the extent of biodiversity habitat loss being 0.8 units (using the Warwickshire metric). It is the applicant's intention to compensate for the loss of biodiversity value through a financial contribution to deliver net gains off site. It is regrettable that net gain cannot be delivered on site, however, given the economic, social and other environmental benefits that the development would bring, the nature of the site and its context, it is considered in this instance that a financial contribution towards off site compensation in lieu, together with a net gain, is appropriate in this instance.

4.68 The submitted PEA and species surveys do not identify that the development would have an adverse impact upon protected species or their habitats. A Construction Environment Management Plan (CEMP) and Landscape and Ecology Management Plan (LEMP) will can be secured by condition.

## **Infrastructure and Developer Contributions**

Wycombe District Local Plan (August 2019): CP7 (Delivering the Infrastructure to Support Growth)

Planning Obligations SPD (POSPD)

4.69 As detailed in the above sections it will be necessary for the development to compensate for the loss of habitat on site, which can be secured through a financial contribution towards off site delivery of habitat enhancement.

4.70 With regard to transport matters, £16,000 will be necessary to upgrade nearby bus stops to deliver Real Time Passenger Information. Travel Plan monitoring, at £1000/year for five years will also need to be secured via s.106.

## **5.0 Weighing and balancing of issues / Overall Assessment**

5.1 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
- b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
- c. Any other material considerations

- 5.2 As set out above, after satisfying the sequential test and retail impact test, it is considered that the proposed development is acceptable and would represent a sustainable land use in the settlement of High Wycombe. As conditioned, it is considered that the proposed design, impact on residential amenity and impact on highway safety are all acceptable. There is concern that the development would not provide 25 % canopy cover, however this is outweighed by other factors in this instance. Furthermore, the development would fail to deliver a net gain in biodiversity on site and it is proposed to compensate for this loss through a financial contribution towards off site compensation. As above, the conflict with policy in this regard is also outweighed by the economic, social, and other environmental benefits of the development and as such the contribution proposed is acceptable.
- 5.3 The proposed development is in accordance with the Development Plan when taken as a whole, and national guidance contained within the NPPF, and represents sustainable development.
- 5.4 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

## **6.0 Working with the applicant / agent**

- 6.1 In accordance with paragraph 38 of the NPPF (2021) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 6.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications / agents of any issues that may arise in the processing of their application.
- 6.3 In this instance:
- pre-application advice has been given;
  - the applicant/agent was informed of issues arising with the development during the application process and given the opportunity to address the concerns raised;
  - Following addressing the issues, the application was determined without delay.

## **7.0 Recommendation**

- 7.1 The application is recommended for approval subject to entering into a memorandum of understanding agreement to secure:
- i. A financial contribution towards biodiversity net gain by compensating for the loss of 0.8units, as calculated by the Warwickshire metric (plus a net gain);
  - ii. A financial contribution of £16,000 towards Real Time Passenger Information upgrades to bus stops;
  - iii. Travel Plan monitoring fees for a period of 5 years.

And subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As amended).

2. The development hereby permitted shall be built in accordance with the details contained in the planning application hereby approved and plan numbers:

- 180997-1100 – Rev P1 – Location Plan
- 180997-1150 – Rev P2 – Existing Site Plan
- 180997-1200 – Rev P2 – Existing Site Sections
- 180997-1400 – Rev P11 – Site Plan as Proposed
- 180997-1401 – Rev P2 – Floor Plan as Proposed Aldi
- 180997-1402 – Rev P3 – Ground/First Floor & Roof Plan McDonalds
- 180997-1403 – Rev P1 – Roof Plan as Proposed Aldi
- 180997-1500 – Rev P2 – Proposed Site Sections
- 180997-1501 – Rev P4 – Proposed Elevations Aldi
- 180997-1502 – Rev P3 – Proposed Elevations McDonalds
- 180997-1503 – Rev P1 – Proposed Streetscenes
- 1377-01 Rev K – Soft Landscape Proposals

Unless amended pursuant to the requirements of any condition attached, or otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development hereby approved shall be constructed in strict accordance with the elevation materials and specifications as detailed on the approved plans, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory appearance of the development in the interest of visual amenity.

4. All hard surfacing materials shall be carried out in strict accordance with the details hereby approved, unless otherwise first agreed in writing by the Local Planning Authority. All hardsurfacing shall be provided prior to first occupation of the development hereby approved, and shall thereafter be retained.

Reason: To ensure the satisfactory appearance of the development in the interest of visual amenity.

5. All planting, seeding or turfing comprised in the landscaping scheme, shall be provided in full accordance with the details hereby approved, and shall be implemented and maintained in accordance with the details set out in the LEMP to be approved pursuant to condition 9.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping, and to ensure that tree planting becomes established.

6. Notwithstanding the proposed site level details hereby approved, before the development is commenced (with the exception of site clearance), full details of the proposed levels, including detailed sections, shall be submitted to the Local Planning Authority for approval.

The details shall include:

- a) Existing ground levels on site (spot heights) including a datum point that is located off site.
- b) Levels should be Above Ordnance Datum (AOD).
- c) The level of the road outside the site. (AOD).
- d) The proposed levels on site following completion of the development (for each existing height a proposed height should be identified).

- e) The location and type of any retaining structures needed to support ground level changes.
- f) The Finished Floor Level of the buildings.
- g) Cross sections within the site taken up to the site boundaries. The information supplied should clearly identify if land levels are being raised or lowered.

The development shall be carried out only in accordance with the approved details.

Reason: This condition is necessary to ensure accurate information can be provided regarding the levels for the development and thereby to ensure that the work is carried out at suitable levels in relation to adjoining properties and highways, to ensure that the impact on surrounding views is as assessed and in the interests of the street scene.

7. With the exception of site clearance, before the development hereby approved is commenced, full details of all means of enclosure (including cycle shelters and sub stations), boundary fencing and retaining walls, including their heights, materials and colour finish, shall be submitted to the Local Planning Authority for approval. The development shall be carried out in strict accordance with the approved details which shall be provided prior to first occupation of the development hereby approved, and thereafter retained.

Reason: To ensure the satisfactory appearance of the development in the interest of visual amenity.

8. No development shall take place until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall be informed by the recommendations and conclusions detailed within the Ecological Assessment (dated 13<sup>th</sup> July 2021). The CEMP shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of wildlife and supporting habitat.

9. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to commencement of the development hereby approved. The content of the LEMP shall include the following.

- i. Description and evaluation of features to be managed.
- ii. Ecological trends and constraints on site that might influence management.
- iii. Aims and objectives of management.
- iv. Appropriate management options for achieving aims and objectives.
- v. Prescriptions for management actions.
- vi. Preparation of a work schedule (including an annual work plan capable of being rolled forward).
- vii. Details of the body or organisation responsible for implementation of the plan.
- viii. Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The approved plan will be implemented in accordance with the approved details.

Reason: To ensure appropriate protection and enhancement of biodiversity, to make appropriate provision for natural habitat and landscaping within the approved development and to provide a reliable process for implementation and aftercare.

10. Prior to the commencement of any works, details of tree pit design shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the tree pits shall be constructed in accordance with the approved details.

Details to include:

- where/how the required soil volume will be provided, where underground infrastructure is to be located to avoid clashes,
- details of monitoring and supervision of the tree planting process including provision to take photographs of each tree pit/soil volume space, prior to filling with soil,
- details of how the tree planting is to be phased across the development so that planting takes place in line with the occupation of the development,
- details of maintenance and management (and replacement procedure if necessary) of trees for at least 5 years after planting.

Reason: To ensure satisfactory landscaping of the site in the interests of amenity to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development.

11. No other part of the development shall begin until the new means of access has been altered in accordance with the approved drawing and constructed in accordance with the Buckinghamshire Council guide note "Commercial Vehicular Access Within the Public Highway".

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

12. The scheme for parking and manoeuvring and the loading and unloading of vehicles shown on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

13. No part of the development shall be occupied until a full Travel Plan for the site has been submitted to and approved by the Planning Authority. The plan shall set out measures to reduce single occupancy journeys by the private car and indicate how such measures will be implemented and controlled. The Travel Plan shall include a full analysis of the modal split at existing sites and indicate targets for modal shift in the forthcoming year. The Travel Plan shall be subject to annual review thereafter. For the avoidance of doubt the Travel Plan will require the appointment of a Travel Plan Co-ordinator.

Reason: In order to influence modal choice and to reduce single occupancy private car journeys and comply with national and local transport policy.

14. Prior to the commencement of any works on the site, a Construction Traffic Management Plan detailing the management of construction traffic (including vehicle types, frequency of visits, expected daily time frames, use of a banksman, on-site loading/unloading arrangements and parking of site operatives vehicles) shall be submitted and approved in writing by the Planning Authority in consultation with the Highway Authority. Thereafter, the development shall be carried out in accordance with such approved management plan.

Reason: This is a pre-commencement condition as development cannot be allowed to take place, which in the opinion of the Highway Authority, could cause danger, obstruction and inconvenience to users of the highway and of the development.

15. Prior to occupation of the site an informal crossing point shall be provided on John Hall Way.

Reason: To provide a safe and suitable crossing facility on to enable access to the site.

16. Prior to first occupation of the development, the proposed pedestrian/cycle route through the site from John Hall Way shall be provided and made available for use, and shall thereafter be retained for the lifetime of the development.

Reason: In the interest of connectivity and sustainable travel.

17. Development shall not begin until a surface water drainage 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 shall also include:

- Assessment of SuDS components as listed in the CIRIA SuDS Manual (C753) and provide justification for exclusion if necessary
- Demonstrate that water quality, ecological and amenity benefits have been considered
- Full construction details of all SuDS and drainage components
- Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.

Reason: The reason for this pre-start condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 163 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

18. Prior to the occupation of the development a whole-life maintenance plan for the site must be submitted to and approved in writing by the Local Planning Authority. The plan shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SuDS component), with details of who is to be responsible for carrying out the maintenance. The plan shall also include as-built drawings and/or photographic evidence of the drainage scheme carried out by a suitably qualified person. The plan shall subsequently be implemented in accordance with the approved details.

Reason: The reason for this prior occupation condition is to ensure that arrangements have been arranged and agreed for the long term maintenance of the drainage system as required under Paragraph 165 of the NPPF.

19. The retail unit shall not be open to the public outside the hours of 08:00 to 22:00 Monday to Saturday and 10:00 to 18:00 on Sundays and Bank Holidays.

Reason: In the interest of the amenity of nearby residential properties.

20. The rating level of noise emitted by all fixed plant on the site shall not exceed 49 dB(A) between 0700 and 2300 hours and 43 dB(A) between 2300 and 0700 hours. The noise levels shall be determined by measurement or calculation in connection with a noise sensitive premises. The measurements and assessment shall be made according to BS4142:2014+A1:2019.

Reason: To protect the occupants of nearby residential properties from noise disturbance.

21. No deliveries or the collections shall take place in connection with the supermarket between 23:00 and 07:00.

Reason: To protect the occupants of nearby residential properties from noise disturbance.

22. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

Before development recommences on the part of the site where contamination is present a scheme outlining appropriate measures to prevent the pollution of the water environment, to safeguard the health of intended site users, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation and approved conclusions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be implemented otherwise than in accordance with the approved remediation scheme.

Reason: To ensure that the potential contamination of this site is properly investigated and its implication for the development approved fully taken into account.

23. Prior to the occupation of the development hereby permitted, eleven 32amp and two rapid (43kW/50kW) electric vehicle charging points (13 in total) must be installed. The developer must ensure that the National Charge Point Registry is updated.

Reason: To comply with the air quality SPD and, to reduce the carbon emissions and the impact on the health of Nitrogen Dioxide emissions from the development.

#### INFORMATIVE(S):

1. In accordance with paragraph 38 of the NPPF (2021) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

In this instance:

- pre-application advice has been given;
  - the applicant/agent was informed of issues arising with the development during the application process and given the opportunity to address the concerns raised;
  - Following addressing the issues, the application was determined without delay.
2. The permission is subject to a memorandum of understanding to secure the delivery of financial contributions towards achieving a net gain in biodiversity; RTP1 upgrades to bus stops; and Travel Plan monitoring.
  3. The attention of the applicant is drawn to the requirements of section 60 of the control of pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application under Section 61 of the Act, for prior consent to the works, can be made to the environmental Services Division of the Council.
  4. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land

forming part of the highway. A period of 28 days must be allowed for the issuing of the licence, please contact Transport for Buckinghamshire at the following address for information.

Transport for Buckinghamshire (Streetworks)  
10th Floor,  
Walton Street Offices  
Walton Street, Aylesbury,  
Buckinghamshire  
HP20 1UY  
01296 382416

5. The applicant is advised that the off-site works will need to be constructed under a Section 184 of the Highways Act legal agreement. This Small Works Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. A minimum period of 3 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact Highways Development Management at the following address for information:-

Highway Development Management (Delivery)  
Buckinghamshire Council  
6<sup>th</sup> Floor, Walton Street Offices  
Walton Street,  
Aylesbury  
Buckinghamshire  
HP20 1UY

6. It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

## **APPENDIX A: Consultation Responses and Representations**

### Councillor Comments

None received

### Parish/Town Council Comments

N/A

### Consultation Responses

**Buckinghamshire Council Arboricultural Officer** – Further Comments: Canopy cover calculations are incomplete, but indicate that the development falls short of the requirements set out in policy DM34. Please refer to ecology comments to see how this could be addressed through green roof and/or other green infrastructure.

It will be essential to demonstrate that the tree planting is feasible and that it will be able to reach its full potential and match the aspirations of the design. Tree pit design will need to ensure sufficient good quality soil and will likely require below ground support to create soil vaults. Given the complexity coupled with the shortfall in canopy cover, it may be advisable to request these details ahead of a decision. (15/09/2021)

**Buckinghamshire Council Arboricultural Officer** – Initial Comments: It is acknowledged that removal of category C trees will be necessary in order to develop the land. The loss of trees could be mitigated through landscape proposals. However, the site is larger than 0.5 hectares, so will need to demonstrate that 25% canopy cover (and associated soil volume) can be achieved in order to satisfy policy DM34

It is recommended that canopy calculations are submitted ahead of a decision. (14/12/20)

**Buckinghamshire Council Ecology Officer** – Further Comments 2: I am satisfied with the updated surveys.

There is some confusion over the extent of biodiversity loss. The image of the Amended Biodiversity Impact Assessment and the table on p18 of the Ecological Assessment show a loss of 0.73, however the image of the Biodiversity Impact Assessment shows the loss as 0.77. A copy of the spreadsheet is needed so that the detail can be checked.

It is clear that there will be a net loss in Biodiversity, however there is lots of potential to incorporate green roofs on the buildings. Incorporating green roofs will likely make a significant difference to the biodiversity calculations and will likely result in a net gain. Incorporating Green roofs will also help meet the canopy cover requirements where there is currently a significant shortfall.

Green Roofs could also contribute towards SuDS requirements if appropriately designed.

The landscaping does not show much ecological consideration. For instance the inclusion of the non-native Photinia Red robin to the rear of the store is inappropriate and the seeding/turf claims to be species rich, but no details are given of what species will be included. It is unclear what habitats are to be created and what condition they are expected to achieve.

No obvious consideration has been given to the Green Infrastructure corridor as identified in policy DM11.

## RECOMMENDATIONS:

The proposals do not contain sufficient information about ecological proposals to make full judgements on the accuracy of biodiversity accounting claims. However, from what has been submitted it is clear that biodiversity net gain requirements will not be reached and nor will canopy cover targets. The Green Infrastructure opportunity corridor has not been given consideration and it appears that little attempt has been made to maximise the ecological value of the site. The proposed enhancements are ok but they only make a small part of the picture and do not contribute to biodiversity accounting.

Therefore, the proposals need to either be quite significantly amended, or it would be appropriate to include failure to meet requirements of DM34 and DM11 as part of reasons for refusal. (03/08/2021)

**Buckinghamshire Council Ecology Officer** – Initial Comments: The Ecological Assessment includes information from a Phase 1 Habitat survey which was undertaken about a month before the start of the survey season. Therefore, the fact that only limited species were found in the grass land does not give an accurate indication of their quality.

The report concludes that the habitat is of negligible value and does not need compensating for. However, this is clearly wrong as there is possibility that reptiles use the site, stag beetles have been found on site and there is bird nesting habitat too.

Reptile surveys need to be undertaken to understand the impact the proposals might have on this protected species.

The headline figures from the Biodiversity Impact Assessment (BIA) have shown that there would be a net loss. However, the calculator itself has not been submitted so that the detail can be checked.

The site has a Green Infrastructure Opportunity Area running across the north edge of the site (which is highlighted in policy DM11). This needs to be taken into account in the design of the proposals.

It has already been mentioned in the Tree Officer's comments that there is a requirement for 25% Canopy Cover from DM34. This should have come in at validation stage, the fact it didn't is not the end of the world but it is needed before decision as I think it's likely that a significant redesign will be needed to accommodate that and Biodiversity Net Gain.

## RECOMMENDATION(S)

The Extended Phase 1 Habitat Survey needs to be redone, in the survey season (likely starting beginning of April, but weather dependent).

We need the Spreadsheet for the Biodiversity Impact Assessment, so it can be checked (but this will need updating following the Phase 1 resurvey).

The Green Infrastructure Opportunity Area needs accommodating as per DM11.

Canopy Cover details need to be submitted as per the table on page 16 of the Canopy Cover SPD.

Once the above details have been submitted, further conversations can be had over the design and layout of the site, following the mitigation hierarchy. (14/12/20)

**Buckinghamshire Council Landscape Officer** – Further Comments: In landscape terms there is little change from the previous submission. Previously I highlighted that:

"The 2 x Pyrus Chanticleer and 3 x Carpinus betulus shown on the western boundary seem to be located in a very constricted area between the boundary and the parking. As with the 5 trees on the eastern boundary where there is currently a high retaining wall. More detail is needed to

understand what conditions these tree will be planted into. The site sections do not detail this enough to see if there is room or what the levels are. Further information and/or a layout revision may be required to ensure these trees can be planted with the necessary soil volume and space to thrive”.

The technical aspects of this would be better dealt with by our tree officer, so I defer to them as to whether these trees can be successfully accommodated. From a landscape point of view, their inclusion is preferred as they will soften the impact of the built form and provide green relief between this and neighbouring developments. I see our ecologist commented that they would prefer to see more native species included within the soft landscape proposals and I have no objection to this. (04/08/2021)

**Buckinghamshire Council Landscape Officer** - Initial Comments: The height of the development is limited enough to remove concerns about visual impact on the AONB to the south. Lighting will be designed in line with ILE guidance and a condition should be applied to any permission requiring it to take account of views from the AONB.

As the tree officer notes, existing trees of importance have been retained and protected. There are ample opportunities within the layout to provide further tree planting, as the Soft Landscape Scheme demonstrates. However, the 2 x Pyrus Chanticleer and 3 x Carpinus betulus shown on the western boundary seem to be located in a very constricted area between the boundary and the parking. As with the 5 trees on the eastern boundary where there is currently a high retaining wall. More detail is needed to understand what conditions these tree will be planted into. The site sections do not detail this enough to see if there is room or what the levels are. Further information and/or a layout revision may be required to ensure these trees can be planted with the necessary soil volume and space to thrive.

The inclusion of native tree and hedgerow species is welcomed as it will provide ecological as well as visual benefits. (27/01/21)

**Buckinghamshire Council Urban Design Officer** – Further Comments 2: Pedestrian/Cycle access - The path proposed at the western side of the site is not wide enough for safe shared access; it incorporates sharp angular turns rather than a curved layout; and it leads from John Hall Way to the centre of the car park but does connect to Crest Road.

Furthermore, pedestrian movement through the site is poorly served in general, especially to the ALDI store. There is no safe and convenient direct access to the front door of the ALDI store, instead requiring a circuitous route through the car park; pedestrians are likely to walk directly through the car park along unprotected routes. Service areas to both ALDI and McDonalds require vehicles to reverse across pedestrian crossings, where this also comes into conflict with vehicles using the McDonalds drive-thru and car park.

Resolution: provision of pedestrian and cycle routes that are simple, direct and safe, with sufficient width (minimum 3.0 metres) for shared use where required. Two potential approaches to this are indicated on the attached sketch plans: the first is broadly a modification of the current arrangement, while the second proposed an alternative footpath/cycleway route along the eastern boundary instead, which would substantially simplify matters.

Crest Road FP - None is proposed. This must be provided for continuity along Crest Road.

Pedestrian/Vehicle Conflict - Proposed arrangements are unsatisfactory. Tracking should be included on drawings to indicate how service vehicles intend to enter and leave the currently proposed service location for McDonalds.

The attached sketch plans indicate suggested alternative arrangements. A shared footpath/cycleway to the eastern boundary (rather than the west) would help remove pedestrian conflicts with all of these arrangements.

Elevation Details - There is little change since the original submission, though a green wall has been added to the east-facing façade near Joh Hall Way. Further breakdown of the long north-facing façade is needed, most probably with contrasting materials as previously suggested.

Canopy Cover - Rationalising pedestrian (and cycle) movements through the site as suggested above would free up more space for tree planting within the car park.

Soft Landscaping - Item 5 above addresses planting within the car park.

Regarding site margins, it is noted that a long narrow strip of land lies outside the proposed red line boundary at the eastern boundary, adjoining the retaining wall to the NEXT building / car park. While it is outside the red line boundary, it is proposed to reduce the levels here (as indicated on the proposed sections). However, no planting is proposed and it seems likely this area will go unmanaged. Views from the car park of the retaining wall and unmanaged landscape will have an adverse visual impact.

This area should be included within the red line boundary and proposed for planting and maintenance. This could contribute significantly to achieving the canopy cover target of 25%. It could also usefully incorporate the footpath and cycleway needed between John Hall Way and Crest Road, as discussed in Point 1 above.

Green Walls - A small green wall has been added to the eastern elevation. This is a minor addition to canopy cover calculations.

Service Diversions - The Soft Landscape Proposals drawing indicates existing services to be diverted along the site's western boundary. In the northerly part of the site, this shows what appears to be a wayleave crossing into the adjacent site to the west - this is not acceptable, as it interferes with the boundary fencing and adjacent soft landscape, and must be accommodated within the site itself.

Parking Standards - It is noted that proposed parking spaces are 5.0 x 2.5 metres, falling short of the Buckinghamshire Parking Standards that apply in this area. Unless this has already been agreed with the Case Officer, perhaps as part of pre-application discussions, the Buckinghamshire Standards should be applied.

McDonalds Fence - This is not needed, as a paladin fence runs along the site boundary. If a timber finish is sought, this can be applied to the face of the paladin fence as already proposed for the fence where it faces the ALDI store / car park.

Aldi Signage - This appears to conflict with retained tree T9, where the sign should be moved unless visibility to users approaching from the east is not required. The high-level signage to the north-eastern corner of the building is noted, which is likely to be visible from the east.

Substation - The masterplan drawings indicate a service vehicle parking bay on John Hall Way. This is not included within the red line boundary. Safe and convenient provision must be made for pedestrians (and cyclists if applicable) travelling along John Hall Way. (06/08/2021)

## **Buckinghamshire Council Urban Design Officer – Initial Comments:**

### **SITE LAYOUT**

Space for the required 10m landscape strip along John Hall way has been provided. An electricity sub-station has been indicated within this area, but the visual impact of this could be mitigated by landscape treatment.

Servicing has been tucked to the sides of buildings.

The layout fails to provide pedestrian or cyclist accommodation through the site to Crest Road, or through the car park to Aldi, for those traveling from the residential area or bus stops on or north of John Hall Way. The need for this was raised at the planning advice stage.

The layout fails to continue the pavements along the Crest Road frontage.

It isn't clear how deliveries to McDonald's deliveries will take place, or how they relate to the drive-through and use of McDonalds or Aldi car park. Para 4.2.2 of the Transport Assessment indicates that deliveries take place during normal operational hours, while Figure 4.2 only provides swept path for HGVs exiting the car park, not entering it, and indicates that the HGV will rely upon 8 customer parking spaces being empty and available for use by the HGV. It appears likely that deliveries will have an impact on customer access to McDonalds and Aldi. I defer to Highways DM on this point.

### **RESPONSE**

In terms of pedestrian and cyclist access, and possibly deliveries to McDonalds, the layout does not currently comply with the requirements of DM35, and there does not appear to be scope for this to be addressed by condition. If the applicant wished to amend their proposal to comply with policy, I recommend:

Safe and convenient pedestrian and cyclist provision should be made through the site from John Hall Way to Crest Road, and a pavement continued along Crest Road. Safe pedestrian provision should also be made through the car park to the main entrance of the Aldi store.

An HGV parking area for McDonalds could more conveniently be provided to the north of the drive through pick up window for the McDonalds store, within the Aldi car park (subject to Aldi parking requirements, and advice from Highways DM)

### **DESIGN**

The proposal would lack a good quality active frontage facing the car park and Crest Road; the active frontage instead faces the flank of Next, with only high level windows along the elevation facing the car park and Crest Road. This is however the standard design, as highlighted at the Planning Advice Stage, and is a design and relationship that has been accepted on other sites including at Baker Street High Wycombe.

In contrast with Next, the Aldi elevation along John Hall Way is the purely functional approach for the back of their standard design. Planning advice recommended that greater consideration be given to this prominent elevation.

Elevational drawings indicate Kingspan KS1000MR metallic silver cladding RAL 9006. This appears to be the same cladding used on the Baker Street store, and appears suitably matt in finish, minimising wider landscape impacts.

## RESPONSE

The elevation facing John Hall Way is not of sufficient quality to comply with policy DM 35 for this highly visible location. At a minimum, creation of bay rhythm and interest could be achieved by condition through materials, as per the southern elevation.

Inclusion of high level windows would further improve the elevation, but would require amendment of plans.

Finally, soft landscape planting would be beneficial to improve the appearance of the development from John Hall way, and could be secured by condition.

## LANDSCAPE

The proposal does not illustrate the level of soft landscape which is expected to deliver good quality placemaking, or required by policy DM34.

The site lies outside the town centre, and the area is 1.034 ha. Policy requirements of DM 34 therefore apply in respect to the need to provide 25% canopy cover on the site. This need has been highlighted in both Arboricultural and Ecological comments, and will also be important from a landscape impact urban design placemaking point of view.

The Canopy Cover SPD includes guidance on how canopy cover can be achieved on site, and on page 16 sets out the supporting documentation required to demonstrate that the requirements can be delivered. Although much of the required supporting documentation has not been submitted with this application, para 7.32 of the Planning and Retail Statement acknowledges that the proposal will not meet the 25% canopy cover requirement as currently designed, but that canopy cover has been maximised.

Insufficient information has been provided to support the claim that canopy cover has been maximised on this site. Furthermore, if 25% canopy cover has not been achieved on site, the policy requires the shortfall to be made up with other Green Infrastructure elements (green roofs and green walls) and the SPD sets out how this may be done. Such elements have not been provided.

Tree and soft landscape planting required by policy DM34 would also meet the requirements of the Concept Statement, and significantly improve the placemaking quality of the proposal. Green Infrastructure elements such as a green wall could be used to address concerns about the northern elevation of the Aldi store, facing John Hall Way.

## RESPONSE(S)

Tree planting will need to be demonstrably maximised, and any shortfall met through provision of other GI elements, including green walls or green roofs. The proposal may need to be redesigned to deliver these requirements, in particular any necessary GI elements. I note that green walls may also resolve concerns regarding the poor quality of the northern elevation.

The SPD sets out that a number of documents which are required to demonstrate that the policy requirements can be met. They should not be required by condition, as there may not be scope or flexibility to meet the policy requirement once the site layout and building design are approved.

## ADDITIONAL INFORMATION REQUESTED

The Canopy Cover SPD includes guidance on how canopy cover can be achieved on site, and on page 16 sets out the supporting documentation required to demonstrate that the requirements can be delivered, prior to determination. (14/01/21)

**Buckinghamshire Council Lead Local Flood Authority** – No objection subject to conditions relating to the submission of a SUD's scheme and maintenance. (11/12/2020)

**Buckinghamshire Council Highways** – Further Comments: No objection subject to conditions and legal agreement.

Parking spaces remain of a size that is below that of the county wide parking standard, however given the considerations of the compromise between the need to achieve a suitable level of parking and prevent a situation of excess parking taking place on the local highway.

The revisions present in the parking arrangement have also overcome concerns relating to the movement of pedestrians through the car park, with particular reference to children and those with disabilities that may lead to greater hazard being present should an HGV be present within the car park. The amendments to the layout also ensure that the requirement for an HGV is minimised to a level that must be considered to be the minimum practical within the constraints of the site. HGV's are also able to circulate through the car park without needing to pass over parking spaces preventing a situation of a vehicle becoming stranded within the car park.

Servicing management are found to be acceptable for minimising the risk of interaction between the public and HGV's across the site, with a maximum of one delivery taking place during normal operating hours of the store. In addition it has been discussed that those parking spaces within the store area of the car park will be used for overnight delivery vehicles for the drive-thru restaurant element to minimise manoeuvring within the site.

With respect to the footway amendments at the access point I can confirm that the revisions at the access are acceptable and create a safe and suitable access. However I do note that these drawings do not show a continuous footway along the whole frontage of the site.

satisfied that this application does not exceed the traffic generation and impact that has previously been mitigated by the scheme to deliver traffic signals at the junction of Crest Road and John Hall Way.

It should be secured by condition that the John Hall Way crossing point is improved to present dropped kerbs and appropriate tactile paving to ensure that any persons seeking to use this facility can do so safely, as it is reasonable to expect that this will now become a desirable location to cross John Hall Way.

Recommend Travel Plan widened and its monitoring secured by s.106. To support the TP objectives it is recommended that a contribution be sought to improve the bus stop provision on John Hall Way to provide RTPI at the nearest bus stops. This contribution would amount to £16,000.00. (22/09/21)

**Buckinghamshire Council Highways** - Initial Comments: The Highway Authority requires the following information before support can be given. The principle of this access is acceptable however the Swept Path Analysis shows that HGVs are not able to negotiate this entrance without using both sides of Crest Road and the site access. This represents a highway safety concern for all users of the highway, including pedestrians on the south side of the road. Therefore it is required that the geometry of the access be reviewed to ensure that access can be achieved in a safe manner.

It appears that not all of the information has been provided within the TA for the AM peak periods. Therefore it is requested that the full data is presented for the distributions and it be confirmed that the modelling has been checked comprehensively by the applicants before the Highway Authority carries out an assessment of this aspect of the application documents.

Concerns regarding the proposal to use each of the parking elements to supplement parking for the opposing site uses given the proposed layout. This proposal has the potential to cause circling of vehicles and additional manoeuvres within the site that have the potential to cause congestion and confusion that would then lead to delays at the junction of Crest Road and the site.

That the parking spaces proposed are at a size of 2.4m X 4.8m, these spaces are of inadequate size. Swept path analysis of the internal movements of HGV's indicates that a delivery vehicle cannot complete the requirements of the delivery manoeuvres without striking parking spaces. It is also designed in such a way as to require reversing past parent and child parking spaces. Given that deliveries are proposed within operating hours of the site, this arrangement is not considered acceptable. Servicing of the drive thru deliveries present similar issues and will require the effective closure of the site to allow for HGV manoeuvres. (01/02/21)

**Buckinghamshire Council Environmental Health** – Further Comments: Environmental Noise. Noise from customer activity to supermarket is unlikely to have an impact on local amenity. The liberation from noise from plant, including substation can be adequately controlled by way of condition. A condition restricting night time deliveries is necessary. Impact from noise from McDonalds is modest and do not recommend any additional specific controls.

Contaminated Land. Support the conclusions of the Environmental Assessments subject to imposition of condition relating to unidentified contamination. (08/04/21)

**Buckinghamshire Council Environmental Health** – Initial Comments: Air Quality SPD requires 10% EV charging points to be delivered with a minimum rating of 32amp prior to occupation. As there are 126 spaces proposed 13 Ev charging points shall be installed. (25/11/20)

**Environment Agency** – No comment (03/12/20)

**Highways England** – No objection (10/12/20)

**Thames Valley Police (Crime Prevention Design)** – Footpath entering site lack suitable surveillance. Appropriate lighting should be provided. Footpath exacerbates the potential for antisocial behaviour. Landscaping should maximise surveillance and CCTV plan should cover this area (15/12/20)

**Thames Water** – No objection with regard to foul water. No objection to surface water drainage subject to following sequential approach and consultation with LLFA on use of SUD's. Public sewer close or crossing site, applicant is advised to follow guidance on diversion or works close to pipes. (10/12/20)

### Representations

41 letters received in general support on following grounds:

- Aldi needed on this side of town
- Will enhance look of area
- Will be great for area
- Turn derelict land into something useful
- Will tidy up site
- Great for community

- Handy for those who cannot travel/accessibility
- Will create jobs
- Land an eyesore
- Good place to build
- Competition will be good for retail
- Support but needs careful traffic management
- Happy for Aldi, not sure about another McDonalds

2 letters of objection received from residents on the following grounds:

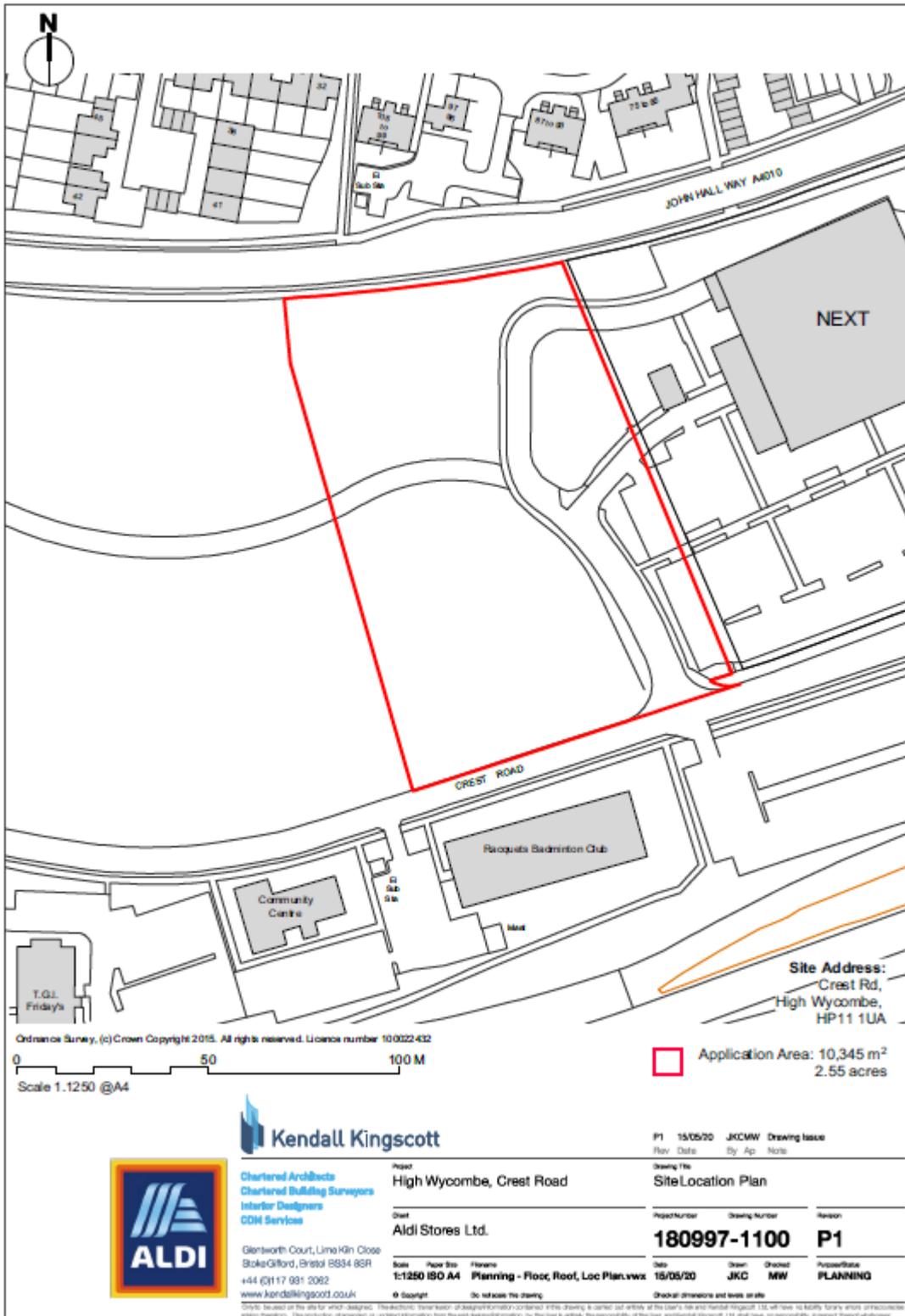
- Increased traffic throughout day
- Also occasional increase in traffic from Adams Park home games and John Lewis events
- Drive through will increase unsocial activity
- Increased litter
- Lorry traffic and noise/pollution issues
- It is a residential area
- Impact on property prices
- Too much junk food in area

3 letters of objection received from competitors:

- Based on the information provided, do not consider there is sufficient information to provide an informed assessment of the impact of the proposed development
- There has been a change in philosophy towards that of a traditional supermarket, with turnover more akin to traditional foodstore operators
- Foodstore could ultimately be occupied by any food retailer
- Need to be satisfied with the use of land as retail space, not just specific retailer
- A sensitivity test would be required to give clear impact on other centres in area
- A further scenario for a retailer with higher sales density required
- Assessments have not taken into account impact of Covid as centres may have been weakened and more vulnerable to out of centre impacts
- Difficult to predict how pandemic has affected vitality and viability of centres and that the Council can conclude the development would not have a significant adverse effect on vitality and viability of any centre
- Morrisons and wider town centre are vulnerable to trade diversion
- Could be significant adverse impacts as a result of an alternative town centre destination
- Health of Chiltern Shopping Centre has declined and has high vacancies
- Resolution to grant permission for retail warehouse club does not set a precedent for retail development on site
- Delivery of new retail floorspace under CP6 is for town centre sites, not capacity for sites elsewhere
- The 2013 household survey is old and doesn't include more recent developments, and not a robust evidence base
- Convenience split for Sainsburys and Tesco is too low – should be 65% convenience floorspace
- Trade diversions from the out of centre stores has been over estimated. 12.5% diversion from Waitrose is too high given space in market they operate. Which is reflected in 2% trade diversion from town centre M&S

- Trade diversion from Tannery Road Aldi, at 7.5%, is too high as they serve different catchments, while town centre Aldi only 2.5% diversion
- The applicant's sequential assessment is inappropriately limited in scope and only town centre opportunity sites in an ageing Local Plan document have been reviewed
- Relevant case law on the sequential approach has been misapplied and the advice issued by the Council's retail advisor lacks necessary rigour
- The uncertainties in the applicant's assessment of the impact of the proposal on the town centre: The health check of High Wycombe town centre is significantly out-of-date and a new household survey of shopping patterns should be commissioned due to the age of existing data in order to accurately capture existing shopping patterns.
- Site is not well connected, other better connected sites need to be considered
- Reliance on an ageing local plan document is not robust review of sites
- Bridge Street site solely reflects proximity to existing Aldi
- Disaggregation has not been applied
- No good reason why drive-thru cannot be sited in edge of centre or more accessible site elsewhere
- Lichfields' review is not sufficiently robust
- Health check is well out of date

# APPENDIX B: Location Plan



**Kendall Kingscott**



Chartered Architects  
Chartered Building Surveyors  
Interior Designers  
CDM Services

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Project  
High Wycombe, Crest Road

Client  
Aldi Stores Ltd.

Scale: Floor Plan: Planning - Floor, Roof, Loc Plan.vws  
1:1250 ISO A4

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P1 15/05/20 JKC/MW Drawing Issue  
Rev. Date By Ap. Note

Drawing Title  
Site Location Plan

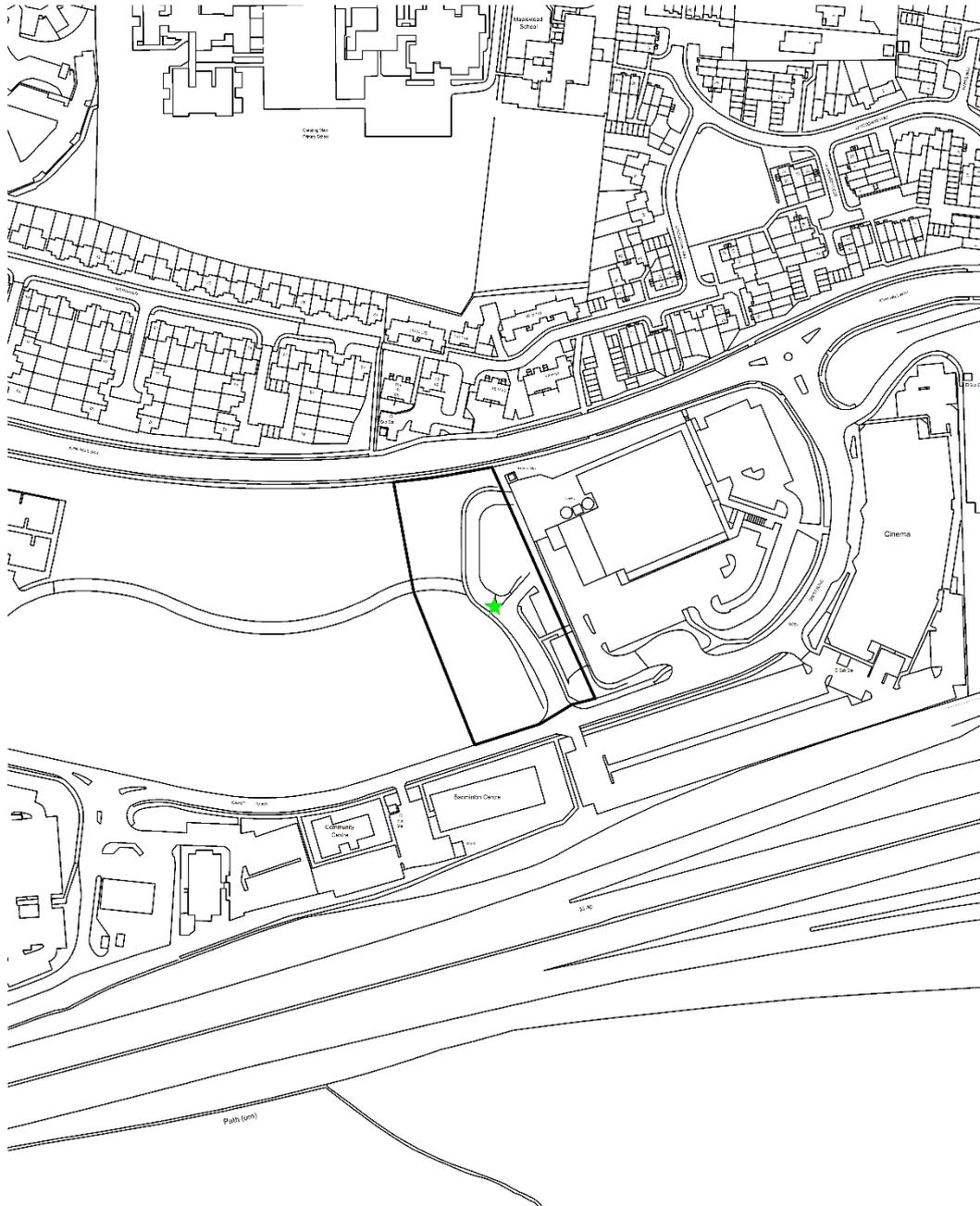
Project Number Drawing Number Reason  
**180997-1100 P1**

Date Drawn Checked  
15/05/20 JKC MW

Approval/Status  
PLANNING

Check all dimensions and levels on site

20/07802/FUL  
Scale 1/2500



Planning Committee  
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Ordnance Survey 100062456