

Contact: Sarah White DDI No. 01494 421517 (part time)  
App No : 18/08330/FUL App Type : FUL  
Application for : Creation of additional egress only from the existing car park onto Bellfield Road  
At Morrisons, Bellfield Road, High Wycombe, Buckinghamshire, HP13 5XX  
Date Received : 09/01/19 Applicant : Wm Morrison's Supermarkets Plc  
Target date for decision: 06/03/19

## 1. **Summary**

- 1.1. The proposed development would not be considered to have a detrimental impact upon the character and appearance of the area, wider landscape views, or the safety or convenience of pedestrians or other users of the adjacent highway.
- 1.2. The proposed development is considered to be in accordance with the relevant Development Plan Policies and is therefore recommended for approval subject to conditions.

## 2. **The Application**

- 2.1. Full planning permission is sought for the construction of a new vehicular egress from the north of the existing car park onto Bellfield Road. The proposal would involve the loss of 3 parking spaces, and area of walling and some soft landscaping.
- 2.2. The application relates to an existing supermarket situated on the junctions of Bellfield Road, Glenisters Road, and Parker Knoll Way, within the Town Centre boundary. The site is also located within Flood Zone 2. The site is also subject to an area Tree Preservation Order, No. 27/2019.
- 2.3. The application is accompanied by:
  - a) Transport Statement
  - b) Flood Risk Assessment Map
- 2.4. This application has been amended through the submission of a Technical Note, to be read in conjunction with the Transport Statement, in response to the initial objections of the County Highway Authority.

## 3. **Working with the applicant/agent**

- 3.1. In accordance with paragraph 38 of the NPPF (2019) Wycombe District Council (WDC) 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. WDC 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.
- 3.2. In this instance the applicant/agent was updated of any issues as they arose and provided the opportunity to submit amendments to the scheme/additional information to overcome the issues raised by the County Highway Authority. The agent responded by submitting additional information that was found by the County Highway Authority to be acceptable. The application was therefore recommended for approval.

## 4. **Relevant Planning History**

- 4.1. 19/06733/TPO - Crown raise to approximately 4m and crown reduction to 1 x Dawn Redwood (T1) to improve the lighting under the tree. Reduce branches on eastern side by maximum of 2m to 1 x London Plane (T2) to avoid the new signage to be obscured as needs to be visible from both sides of the road – Approved

- 4.2. 19/06491/TPO - Fell 1 x Salix growing at a dangerous angle - Approved
- 4.3. 18/07628/FUL - Change of use of 9 parking spaces for use as Car Park Valeting Service with erection of associated canopy and portakabin – Approved and implemented
- 4.4. 10/07281/FUL – Erection of two storey side extension to existing store to provide enlarged shop floor and new staff/administration facilities (alternative scheme to 09/06913/FUL) - Approved
- 4.5. 09/06913/FUL - Erection of single storey and two storey side extensions to existing store to provide enlarged shop floor, new staff/administration facilities, mezzanine floor & frozen store – Approved
- 4.6. 93/06869/OUT& 96/07191/REM – Permission granted by the secretary of state for the existing food store.

## **5. Issues and Policy considerations**

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

Wycombe District Local Plan (August 2019): DM20 (Matters to be determined in accordance with the NPPF), DM33 (Managing Carbon Emissions, Transport and Energy Generation), DM37 (Small Scale Non-Residential Development)

- 5.1. The proposal relates to alterations to the car park of an existing supermarket in order to provide an additional egress for users of that supermarket. The proposal is therefore considered acceptable in principle, subject to compliance with the relevant policies of the development plan and all other material planning considerations.

### **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)

- 5.2. The site is identified within the Buckinghamshire Countywide Parking Guidance as falling within Non-Residential Zone 1. Within Zone 1 parking for the existing foodstore would be required at a level of 1 space per 17 square metres of floor space.
- 5.3. The existing store has a gross floor area of 6006 m<sup>2</sup> resulting in an on-site parking requirement of 354 spaces. The application details submitted in respect of planning permission 18/07628/FUL indicated that a total of 393 spaces would be retained on-site following the creation of the carwash to the north of the car park.
- 5.4. The drawings submitted in respect of the current application for the new access indicate that a further 3 spaces would be removed in connection with the creation of the new egress. The proposal would not therefore result in a shortfall of on-site parking for users of the existing store.
- 5.5. A holding objection was initially received from the County Highway Authority on the grounds that the Transport Assessment provided insufficient information to enable the Highway Authority to provide a substantive response.
- 5.6. Further information was subsequently submitted in the form of a Technical Note, to be read in conjunction with the Transport Statement. Having considered that additional information, the County Highway Authority has removed its objection, confirming that the proposed development would not be considered to have a detrimental impact upon safety and convenience of users of the local highway network.
- 5.7. Several representations received request the installation of a new crossing point of light controlled pedestrian crossing. The County Highway Authority confirm that its comments take account of other developments with access permitted onto Bellfield Road.
- 5.8. The County Highway Authority has assessed the impact upon pedestrians and concluded that as the access has demonstrated the required 2 x 2 metre visibility splays, and the applicant has also committed to the provision of signs to be secured by way of condition to provide visual prompts to drivers in addition to the available visibility

splays, the proposal incorporates the required built safety features and additional mitigation that can be secured by way of condition.

- 5.9. Should local residents feel these measures to be insufficient, a request for a new pedestrian crossing can be submitted directly to Transport for Buckinghamshire.
- 5.10. Concerns were also raised by Members in respect of a street trader that operates within the vicinity of the site. In terms of the impact of the street trader upon the proposed visibility splays, Bellfield Road is subject to parking and waiting restrictions within the vicinity of the proposed site egress. Were the street trader to be parked upon these parking and waiting restrictions it would be an enforcement issue rather than a planning issue.
- 5.11. Information provided by the Environmental Health team has confirmed that a street vendor consent, under section 3 of the Local Government (Miscellaneous Provisions) Act 1982, does not override highways matters such as the enforcement of parking and waiting restrictions.

### **Raising the quality of place making and design**

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM34 (Delivering Green Infrastructure and Biodiversity in Development), DM35 (Placemaking and Design Quality)

- 5.12. The proposed creation of a new egress would result in the loss of a small section of walling and some landscaping. Taken in the context of the site as a whole, the proposed development would not be considered to have a significant impact upon the visual amenities of the site or those of the surrounding area.
- 5.13. The proposal was not accompanied by any elevation drawings, to specify the exact amount of wall to be removed, or the works which would be undertaken to make good the remaining sections of wall. Therefore, in this instance, it would be considered appropriate to impose a condition requiring the prior approval of such details, to enable the Council to retain control over this aspect of the proposed development.

### **Flooding and drainage**

Wycombe District Local Plan (August 2019): DM39 (Managing Flood Risk and Sustainable Drainage Systems)

- 5.14. Officers are mindful that the proposed egress is located in an area with a significant risk of ground water flooding. However, in this instance the majority of the red edged area is already hard surfaced. Therefore, having regards to the level of works necessary to create the new egress, the proposal would not be considered to pose a significant risk in respect of ground water flooding.

### **Landscape and visual impact**

Wycombe District Local Plan (August 2019): CP9 (Sense of place), DM30 (Chilterns Area of Outstanding Natural Beauty) DM32 (Landscape character and Settlement Patterns)

- 5.15. Concerns have been raised with regards to the recent works undertaken to the landscaping and the visibility of the supermarket building from the opposite hillside.
- 5.16. Officers are aware that the site is subject to an area Tree Preservation Order, No. 27/2019. Whilst the proposal would result in the loss of a small section of walling and some landscaping, the impact of the proposed development upon the wider landscape views would not be considered significant.

### **Weighing and balancing of issues – overall assessment**

- 5.17. This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.
- 5.18. 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 (in this case, CIL)
- c) Any other material considerations

5.19. As set out above it is considered that the proposed development would accord with the development plan policies.

#### **Other matters**

5.20. Comments have been received in respect of a street trader that operates on Bellfield Road. According to Environmental Health records the street trader operates under a Consent issued by Wycombe District Council under section 3 of the Local Government (Miscellaneous Provisions) Act 1982, and has operated from this location since 01/04/2005.

5.21. The Consent allows the sale of Take Away Hot Food, 7 days a week with the following trading hours: Sundays to Wednesdays: 18:30 - 02:30, Thursdays: 18:30 - 03:00 Fridays and Saturdays: 18:30 - 04:00. The Consent allows trading on Bellfield Road, although the exact location is not specified.

5.22. The conditions attached to the Consent state that the Consent does not override any Regulations regarding parking. The Consent holder is therefore required to comply with all highway and parking restrictions in force.

5.23. Having regards to the nature of the Consent granted under section 3 of the Local Government (Miscellaneous Provisions) Act 1982, Officers do not consider the current location of the street vendor to be a material consideration in this case.

### **Recommendation: Application Permitted**

- 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 18-338-SKH-001, 18-338-SKH-002, 18-228-SKH-003 and 18/338/LOC/005; unless the Local Planning Authority otherwise first agrees in writing.  
Reason: In the interest of proper planning and to ensure a satisfactory development of the site.
- 3 No alterations shall be undertaken to the boundary wall until a 1:50 elevation drawing, clearly identifying the section of wall to be removed and any associated works to make good the remaining areas of walling, has been submitted to and approved in writing by the Local Planning Authority. The new egress shall not be brought into use until such time as the above works have been carried out in accordance with the approved details, which shall thereafter be permanently retained.  
Reason: To ensure a satisfactory form of development and to avoid any detriment to amenity or environment by reason of works remaining uncompleted.
- 4 No other part of the development shall be utilised for egress of the application site until the new means of access has been sited and laid out in accordance with the approved drawing and constructed in accordance with Buckinghamshire County Council's guide note "Commercial Vehicular Access Within Highway Limits" 2013.  
Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

- 5 No other part of the development shall be utilised for egress of the application site until visibility splays have been provided on both sides of the access between a point 2 metres back along the carriageway edge of the access measured from the back line of footway and a point 2 metres along the back line of footway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.  
Reason: To provide adequate intervisibility between the access and the existing public footway for the safety and convenience of pedestrians and users of the access.
- 6 No other part of the development shall be utilised for egress of the application site until the vehicular junction visibility splays of 2.4 x 43 metres shown on the approved drawings have been provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction exceeding 0.6 metres in height above the nearside channel level of the carriageway.  
Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.
- 7 No other part of the development shall begin until a scheme for the erection of "Pedestrian Crossing" signs within the application site at the newly proposed access visible to vehicles egressing the site has been submitted to and approved by the Local Planning Authority.  
Reason: To secure the safety and convenience of users of the highway footway and of the access.

#### INFORMATIVE(S)

- 1 In accordance with paragraph 38 of the NPPF2 Wycombe District Council (WDC) 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. WDC 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 the applicant/agent was updated of any issues as they arose and provided the opportunity to submit amendments to the scheme/additional information to overcome the issues raised by the County Highway Authority. The agent responded by submitting additional information that was found by the County Highway Authority to be acceptable. The application was therefore recommended for approval.
- 2 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 Development Management at the following address for information:-  
  
Development Management  
6th Floor, County Hall  
Walton Street, Aylesbury,  
Buckinghamshire  
HP20 1UY  
Telephone: 01296 382416  
Email: dm@buckscc.gov.uk
- 3 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.