

WINCHESTER CITY COUNCIL  
DEVELOPMENT CONTROL COMMITTEE AGENDA

**Item No:** 1  
**Case No:** 07/01294/FUL / W04183/20  
**Proposal Description:** Single and partial two storey building to provide food store (Class A1); alterations to access, car park and landscaping (Site also includes No:2 Burnett Close)  
**Address:** The Chimneys 1 Burnett Close Winchester Hampshire SO22 5JQ  
**Parish/Ward:** Winchester Town  
**Applicants Name:** Aldi Stores Ltd (Swindon)  
**Case Officer:** Mr Dave Dimon  
**Date Valid:** 22 May 2007  
**Site Factors:**  
  
**Recommendation:** Permission Refused

### General Comments

This application is reported to Committee because of the number of objections received and it is for a major development

The current application follows the refusal of a previous similar scheme and the dismissal of a subsequent appeal against the refusal. (SEE HISTORY SECTION BELOW)

The revised proposal differs from the previous application in the following respects.

- Reduction of the retail sales area from 850sq.m. to 760sq.m.
- Omission of the previously proposed dental surgery at first floor and use of the reconfigured first floor space to provide secure storage, staff welfare and staff training room.
- Reconfiguration of the first floor area from a square to an L shaped plan form, maintaining the appearance of the principal public elevations to Stockbridge Road and the footpath but reducing the overall mass of the first floor element.
- An overall reduction of the car parking numbers from 73 to 56 (now 52 spaces as a result of amended plans).
- An increase of the area provided for soft landscaping from 12% to 24% of total site area.
- Amendment to the colour of feature panels of the building from terracotta to a more muted grey tone.

Since the receipt of the application further amended plans have been received to modify the access to disabled spaces within the car park and to change the site levels at the western end.

### Site Description

The site is located in Stockbridge Road adjacent to the eastern entrance of Burnett Close and adjoins the former Honda garage and filling station at the junction with Stoney Lane, which has recently been granted permission to be redeveloped for a Waitrose store, retail shop units, healthcare facility and 7no. dwellings with associated car parking and landscaping. (W02246/25 refers see PDC 687).

The application site, which extends to 0.453 hectares, was formerly occupied by the Chimneys public house, but following its demolition in 2005 it has become a neglected and overgrown site enclosed by Herras fencing. The first dwelling in Burnett Close, number 2, which also forms part of the site, remains standing, albeit unoccupied, and now also in a neglected and overgrown condition.

The land rises to the north west with number 2 Burnett Close being about 2 metres higher than the

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site level at its south eastern boundary. The level steps down sharply at the south western boundary to the adjoining Waitrose site and there is presently a further step in the site that coincides with the boundary between on the former public house and number 2 Burnett Close.

Access to the site is off Burnett Close at the point where it forms a right angle junction with Stockbridge Road.

Burnett Close runs parallel to Stockbridge Road and serves detached housing on its northern side. It is a narrow road, generally being of inadequate width for two vehicles to pass, and is set back behind a wide grass verge that also contains a tree belt which defines the northern side of Stockbridge Road.

To the south east side of the application site a footpath runs between Burnett Close and Orchard Walk / Weeke Methodist Church in Fromond Road and also links to Stoney Lane opposite the existing parade of shops. On the south east side of the footpath the proposed Waitrose development is set about a metre below the footpath with the building being between 4 and 6m from the boundary and screened by a landscaped strip of between 2 and 5 metres width.

To the north east (rear) side of the application site are properties in Fromond Road and particularly numbers 38 and 40 which lie parallel to the site at a distance of about 4 metres from the boundary and have first floor and dormer windows that overlook the site. At ground level a 1.8m timber fence defines the boundary and the end elevation number 36 also has first floor windows facing towards the site.

The site does not contain any existing trees of merit, although there are some small trees along the rear boundary and the boundary with number 3 Burnett Close.

### **Proposal**

The proposed development provides for a foodstore of 1,193sq metres footprint (760 sq. m. net sales area) which is set to the rear of the site and towards the south eastern boundary with car parking provided to the front and north west sides of the building. Vehicular access is from Burnett Close at the south east corner of the site and separated from the access to the Waitrose site by the footpath, which also provides the main pedestrian access into the store at the eastern end of its frontage.

The loading bay is at the opposite (north western) end of the building adjoining the warehouse part of the building which forms an 'L' shape along the back and eastern end of the sales area. At the rear eastern end of the store is a staircase to the first floor area which is 'L' shaped and set above the south eastern corner of the building. The first floor accommodation provides a gross floor area of 214 sq. m. and includes staff room, plant room, training room and secure storage.

It is proposed that the site be levelled which involves slight raising at its south east side and substantial cutting in at its north west side (adjoining no 3 Burnett Close) to form the car park which would, as a result, be surrounded by a criblock retaining wall that at its maximum would be 2.0m high.

The design of the building remains largely the same lightweight contemporary architectural approach as was previously proposed, but with reduced footprint and first floor accommodation, and the colour of the concrete panelled and rendered elevations has changed from terracotta to grey and white. The fenestration detailing remains powder coated aluminium in silver grey finish and the canopy in grey finish.

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Comparison with previous proposal

	<u>Current Proposal</u>	<u>Appeal Proposal</u>
Gross Footprint	1,193 sq.m.	1,363 sq.m.
Net Sales Area	760 sq.m.	850 sq.m.
Warehouse Area	329 sq.m.	300 sq.m.
First Floor gross area	214 sq.m	380 sq.m.
Car parking area	52 spaces (as amended)	73 spaces
Soft Landscape area	1,100sq.m (24%)	555 sq.m. (12%)

### Relevant Planning History

**W04183/18** Demolition of No2 Burnett Close; erection of single and two-storey building to provide food store (classA1) and health care facility (dentist surgery, class D1); alterations to access, car park and landscaping (land at No's 1 & 2 Burnett Close) (AMENDED DECSCRIPTION) - The Chimneys & 1 Burnett Close, Winchester, SO22 5JQ  
Application REFUSED 16/09/06 (COMMITTEE DECISION) Appeal Dismissed 19 March 2007.

**W04183/19** Demolition of No. 2 Burnett Close; erection of single and two storey building to provide food store (class A1) and health care facility (dentist surgery, class D1); alterations to access, car park and landscaping (RESUBMISSION) - NB. These amended plans were considered at the above appeal.

### Consultations

Engineers: Drainage:

The proposal is broadly similar to the previous scheme to which no drainage objection was raised subject to the granting of building regulations approval for the submitted drainage layout, which should promote sustainable drainage schemes and the use of soakaways for the disposal of storm water.

Engineers: Highways:

Further to the initial response amended plan 6660/1 D103 Rev A has been received which adequately addresses the disabled parking bay access concerns and removes the staff parking spaces within the delivery access.

Previously concerns regarding the adequacy of parking provision and the servicing manoeuvring arrangements were expressed in the engineer's response highway. These matters are dealt with in the Highway Authority (HCC) response.

HCC Environment Department (Highways)

Traffic Generation:

The new application significantly changes the land use on site. The main difference being the removal of the Healthcare facility which amounted to 383 sq. m and the reduction of the retail floor area by 90 sq. m.

As the proposed traffic impact of the current proposal has decreased it has not been necessary for the applicant to submit a further transport assessment of the proposals.

Previously the applicant overcame concerns about cross town traffic by quantifying the cross town traffic and its impact together with offering a contribution towards the local transport strategy in mitigation. In this case the applicant has agreed to provide a pro-rata financial contribution of £97,680 towards the Winchester Town Access Plan which will be used to provide improvements to the junction of Chilbolton Avenue and sustainable transport improvements.

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Sustainable Transport:

A previous objection that the applicant was inadequately promoting sustainable modes of transport was overcome by their agreement to make a financial contribution to the Winchester Movement and Access Plan (WMAP) and, as mentioned above, the financial contribution in this case also addresses this issue. The WMAP being a city wide transport strategy that aims to reduce the impact of traffic on the environment; reduce traffic accidents; reduce air pollution, noise and vibration and reduce the visual intrusion of traffic.

Servicing

In response to initial concerns about manoeuvring space for service vehicles and conflict with staff car parking, plus concerns about the accessibility of some parking spaces, an amended plan has been provided. Additionally a time limit during which service vehicles can enter and leave the site during the busiest hours has been agreed together with a limit of not more than two service vehicles per day and arrangements to monitor the movement of service vehicles to the site. These matters to be secured through the provisions of a legal agreement in the event of planning permission being granted.

Highway Works

Offsite highway works are required to enable a delivery vehicle to exit Burnett Close to the left and further works to improve pedestrian facilities in the vicinity of the site are required. These are shown on an amended plan and in the event of planning permission being granted would be covered by an appropriate condition.

Traffic Management – Burnett Close

Previous concerns about the impact of traffic associated with the development on Burnett Close were addressed by the applicant offering contributions to the Winchester Town Access Plan. In this case a £15,000 financial contribution specifically allocated towards traffic management/parking improvements along Burnett Close is required.

Car Parking

Car parking provision, although reduced from that proposed in the preceding application by 21 spaces, is considered to be in line with the County's 'Hampshire Parking Strategy and Standards'. This view is derived from the applicants submitted parking accumulation survey which shows a weekday requirement for 32 spaces rising to 49 spaces on a Saturday.

In the event that any on-street parking occurs as a result of the development, the financial contribution towards Winchester Town Access Plan will pay for any parking measures or traffic management deemed necessary.

Accordingly the Highway Authority has no objection to this planning application being granted provided the applicant enters into a Section 106 Agreement to secure the following.

- A financial contribution of £97,680 towards the Winchester Town Access Plan.
- A financial contribution of £15,000 towards Traffic Management Improvement, including parking restrictions, on Burnett Close.
- An obligation that requires the on-site servicing to be limited to three per day

Additionally the following conditions should be attached in the event of planning permission being granted:

1. The development hereby approved shall be carried out solely in complete accordance with the amended details shown on drawing T0014-SK20 unless otherwise agreed by the Local Planning Authority.
2. No part of the development shall commence until such time as the details of highway works as shown on drawing T 0014-SK21, including alterations to the junction of Burnett Close and Stockbridge Road, to facilitate left hand turns, have been submitted to and approved in writing by the Highway Authority.
3. No part of the development shall be opened to trade with the public until such time as the highway works as shown indicatively on drawing T0014-SK21, including alterations to the junction of Burnett Close and Stockbridge Road, to facilitate left hand turns, have been completed to the satisfaction of the Highway Authority.

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4. No service vehicles shall enter or leave the site during the hours of 10.00 and 14.00 on Saturdays.
5. Delivery vehicles manoeuvring on site must be supervised at all times by a member of staff.
6. Details of the means of access, including the layout, construction and sight lines shall be submitted to and approved by the Local Planning Authority (in conjunction with the Highway Authority) in writing before development commences. The agreed details to be fully implemented before the development is opened to trade.

Environment Agency:

The Environment Agency has assessed this site as having a low environmental risk and state that due to work prioritisation they are unable to make a full response to this application.

Environmental Health:

No objection but have concerns about the potential for noise disturbance to nearby residents from vehicles / people using the food store, from deliveries and air conditioning / refrigeration equipment. Would therefore recommend that conditions be attached controlling opening hours from 9.00am to 7pm weekdays and from 8.30am to 5.30pm on Saturdays and 10.00am to 4.00pm on Sundays. Also controlling times of deliveries to 7.00am to 10.00pm Monday to Saturday and 10.00am to 4.00pm on Sundays and Bank Holidays and that an acoustic report on air conditioning / refrigeration plant be provided, also recommend that informatives be included.

Southern Water:

A public sewer crosses the site and will need to be diverted at the applicant's expense. Alternatively the applicant may wish to amend the site layout, or combine diversion with amendment of the site layout. The suggested diversion of the foul sewer shown on plan D106 is not acceptable to Southern Water. In the event permission is granted a condition to protect drainage apparatus is required. Initial investigations suggest that there are no public surface water sewers in the area to serve the development. Alternative means of draining surface water, which do not involve disposal to a public foul sewer, will be required. Water can be supplied to the site and in the event of permission being granted the applicant will be required to make a formal application for connection to Southern Water.

Strategic Planning:

Policy SF1 WDLPR and PPS 6.

The report of the council's retail consultants in November 2006 considered that there was sufficient demand for both the Waitrose and Aldi applications and that in fact there was likely to be a small under-provision by 2011. There is therefore an identified demand for additional convenience store floor space. The scale of the proposed supermarket is appropriate for a site in a local centre and is considered acceptable in sequential terms, there being a lack of more centrally located sites. The consultants identified possible positive and negative effects on the shops in Weeke centre but concluded, on balance, that the Aldi store would benefit the local centre.

Appeal decision. The previous appeal Inspector agreed with the retail consultant's assessment of the sequential issues regarding the location and lack of available sites to accommodate demand for convenience shopping. He noted the concern about the scale of the Waitrose store in relation to the local centre but made no comment on the scale of the Aldi proposal.

Policy SF6 & 7. The consultants report and Appeal Inspector identified that the Aldi store would provide a discount food operator that may benefit less affluent residents. In this respect the proposal could be considered to complement the Waitrose store that has been permitted on the adjacent site, providing for more consumer choice in accordance with PPS6.

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Landscape:

The proposals are considered unacceptable in landscape terms.

The revised proposals do allow for a larger strip of landscaping to the rear of the site, which will be of benefit to the properties. It is encouraging to see that the existing trees are to remain to provide valuable immediate screening, however there are gaps and further planting will be required.

The changes in level and the proposed retaining wall on three sides of the site are of concern. Sections CC and AA indicate that the ground level within the site will be two metres below the surrounding ground levels. The required retaining walls and the safety barrier on top will create a three metre wall enclosing the site which will appear an alien feature within the site cutting off access and views to and from the surrounding areas and screening the majority of the proposed landscaping from the users within the site.

In addition the parking layout is unsatisfactory. The turning area for delivery lorries seems to dominate the layout and has resulted in a large open area of tarmac to the centre of the car park, creating a non pedestrian friendly space surrounded by high retaining walls.

If the layout of the building were redesigned with the service delivery area located to the SE end of the site close to the entrance, separating it from the main car parking area, perhaps a gradual slope could be accommodated within the site, reducing the need for such high retaining walls and increasing the land available for parking and tree planting. This would also bring the tallest section of the building away from the boundary with the Honda site, allowing more room for the amenity tree planting proposed along the footpath.

Others:

**Representations:**

City of Winchester Trust:

The Trust continues to consider that this is an inappropriate location for a store such as this, as it is for the Waitrose store on the adjoining site.

The strong horizontal lines of the structure are felt out of keeping with the residential character of the area, as is the area of hard-standing for parking cars around the building. It is also wondered whether the access provided for deliveries would be adequate.

Despite assurances that these two stores would not cause traffic difficulties, the Trust continues to fear that the additional car movements generated by them would result in this already busy junction becoming overloaded to an unacceptable degree.

The Trust objects to this application.

Winchester City Residents Association

In our view the new application does not provide an acceptable proposal bearing in mind the reasons given by the Inspector for his refusal of the appeal report and we urge that the application is rejected.

216 letters received objecting to the application for the following reasons:

- Lack of consultation.
- Does not address previous reasons for refusal.
- Will harm character of the area.
- Parking issues – inadequate amount of parking proposed.
- Dental surgery omitted so no community facility
- Change of use from residential to retail unacceptable

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- No real need for development.
- Design inappropriate.
- Visual impact is unacceptable
- Traffic congestion
- Service vehicles manoeuvring not safe
- Unsuitable location
- Commercial viability of Co-op threatened.
- Scale of development inappropriate
- Noise levels increase
- Pedestrian / cycle/ safety compromised
- Loss of facility / service that is required
- No.2 Burnett Close should remain in residential use.
- Serious impact on neighbour amenity
- Infringement of Human Rights Act
- Light pollution next to residential properties
- Negative effect on Winchester City Centre.
- Change of Use from facility (pub) to retail unacceptable.
- Illuminated signage unacceptable.

1 letter of support received.

- Plans suited to the site which is currently derelict and a disgrace to the area and Aldi will be an asset to the area.

**Relevant Planning Policy:**

Hampshire County Structure Plan Review:

UB3, S1, S2, S3, S4, T1, T2, T3, T4, T5, T6, E16

Winchester District Local Plan Review

H.2, DP.1, DP.3, DP.5, DP.6, SF.1, SF.2, SF.6, T.1, T.2, T.3, T.4, T.5, W1, W.5, W.7, W8,

National Planning Policy Guidance/Statements:

PPS 1 Delivering Sustainable Development

PPS 6 Planning for Town Centres

PPG 13 Transport

Supplementary Planning Guidance

Winchester District Landscape Character Assessment

Other Planning guidance

Assessment of retail Floorspace Needs in Winchester (Llewellyn Davies)

Movement, Access, Streets and Spaces

Parking Standards 2002

The Future of Winchester Study

The Hampshire Landscape: A Strategy for the future

Winchester City and its Setting

Winchester District Landscape Assessment

Winchester Retail Study (Nathaniel Lichfield & Partners)

**Planning Considerations**

Principle of development

Design Layout

Impact on the character of area and neighbouring property

Landscape / Trees

Highways/Parking

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Principle of development

The principle of this development needs to be assessed having regard to both national and development plan policy guidance. This concerns two main factors, retail need and the provision of facilities and services.

In terms of retail need this has been examined in detail in the context of both the advice of PPS6 and local plan policy SF1. A revised retail study undertaken for the Council by Nathaniel Lichfield and partners in November 2006 found that although there was insufficient need for all the current retail proposals at the present time, by 2011 there would be adequate need and taking into account likely timescales of delivery, especially as regards the Silver Hill proposal, there would be insufficient justification to refuse the application.

This issue was contested by the developer of the adjoining site at the appeal against the refusal of the earlier application for this site and was examined in some detail by the Inspector who concluded at paragraphs 29 and 30 of his decision letter as follows. *“This report advised that given the potential timing of the town centre development and the extent of the quantitative need for retail floorspace (comparison and convenience), the sequential approach would not be a sound reason for refusing any of the proposed applications. The Aldi store would have the smallest impact in terms of absorbing expenditure capacity, whilst addressing a niche market not currently available within Winchester; i.e. a discount food operator which may benefit the less affluent residents.”*

*“Consequently, in principle I do not consider that the proposed Aldi store would be harmful in retail policy terms to the proposed Waitrose development.”*

With regard to the matter of retention of a ‘facility or service’ use on the site, which has drawn some comment in the representations received, it is noted that the incorporation of a dental surgery as part of the previous application addressed the objectives of policy SF.7 of the local plan but that the current proposal does not incorporate such a facility. The re-provision of a public house, as some respondents have suggested, is not something that the policy can require. Notwithstanding that, the viability of the former use has not been tested.

The fact that retail use is proposed is considered to conform with the policy objectives that SF 6 and SF.7 promote, and as explained by paragraph 8.36, shops to primarily serve a local function are deemed to be a facility or service. Nevertheless, the view has been expressed by objectors that the proposal does not meet policy objectives because the store does not ‘primarily serve a local function’. In practice however it would not be possible to determine that the retail facility provided by the store, which is mostly of a convenience nature, is compromised in policy terms by virtue of merchandising a small percentage of goods that attract customers from a wider area. This might be of more relevance in the case of a very specialist type of trade that clearly relied primarily on a catchment customer profile extensively larger than the resident population of the west side of Winchester, but this is not the case. Accordingly, officers do not believe that a reason for refusal based on SF.7, arguing that the development is not primarily serving or intended to serve a local function, could be justified.

Design/layout

As mentioned under the proposal section of this report, the architectural design principles remain as for the previous application but with a change from terracotta coloured panels to grey panels. The applicants explain in the accompanying supporting statement and design and access statement that, whilst the scale of the development has been reduced in response to the appeal decision, and the colour changed in response to concerns expressed by the Council and objectors, the design has remained the same. Since the Inspector, in considering the previous proposals, supported the design, commenting at paragraph 16 of his decision letter that he considered the building would have *“an attractive contemporary appearance”* and that *“it would make a pleasing addition to the architectural vocabulary of the locale”*, objection to the proposal on design grounds would not be reasonable.



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The retention of the two storey element to the building, despite the removal of the dentist facility previously proposed, is felt by the applicant to provide visual interest and punctuation to the building and to reinforce its presence at the south eastern end of the site nearest to the other commercial uses within the Weeke local centre. Whilst along the remainder of the single storey the element of the elevation columns, and a slightly higher, coloured end bay, add relief and interest to the elevation. The elevation to the footpath has also incorporated glazing at ground floor level to create an active frontage with views into the building and this extends to the first floor fenestration details.

The applicant contends that the building is modern in its design approach and employs a simple, lightweight structure expressed in elegant modern materials to complement the locality and recede into the street scene.

Despite the reduction to the building size, the reduced car parking and the improved soft landscaping that this amended proposal provides, as described in the proposal section above, the impact of the development as seen in the street scene is little different. The profile of the building will be much the same, as will its height and the extent to which it fills the site width. The re-arranged north western end, which reduces the retail area, replacing it with a set back area for warehousing, does little to reduce the built form impact. The reduced car parking and improved soft landscaping is an improvement on the previous proposal, albeit that this has its biggest impact at the back of the site and adjacent to the main entrance. Unfortunately there is no material improvement to the north western boundary of the site with the residential properties of Burnett Close, although the front boundary is partly improved and the area of car parking at the front of the store is broken up by further planting.

These changes do not significantly address the primary reason that led the Inspector to dismiss the previous appeal, which at paragraph 20 of his decision letter was expressed as follows "*the appearance and character of the car park/service access would significantly and unacceptably extend the visual impact of commercial/retail activities into the adjacent residential area*".

Impact on character of area and neighbouring property

As noted above, the main impact of the development on the character of the area and neighbouring property that was previously found unacceptable was its unsatisfactory interface with the adjacent residential area. This was largely attributable to the extent of hard surfaced area for parking and manoeuvring space and the lack of soft landscaping to relieve it. The Inspector, in dismissing the appeal, commented as follows at paragraph 18 of the decision letter "*The proposed car park and associated access to the service area would 'wrap around' the western and northern sides of the proposed development. Consequently, with the exception of narrow planting strips adjacent to the necessary retaining walls, the former curtilage of no 2 Burnett Close would be virtually all hard surfaced*". He went on to observe that the ratio of soft landscaping for this part of the site would be only some 11% compared to its former residential situation which was about 30% of the site.

The Inspector found this aspect of the development to be particularly unacceptable and in paragraph 20 drew the following conclusion. "*The City Council contends that the resultant landscaping scheme would be urban in character with isolated trees 'parked' in areas of landscaping, giving no lower level soft landscaping necessary to produce an appropriate character in the context of the site. I agree; notwithstanding my conclusion with regard to the design of the proposed building, the appearance and character of the car park/service access would significantly and unacceptably extend the visual impact of commercial/retail activities into the adjacent residential area.*"

Although this proposal is stated to address this issue, and in numerical terms it is accepted that the area of soft landscaping has virtually doubled, the perception one would get of the

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development from the street scene in Burnett Close is not markedly different. The parking / delivery manoeuvring area at the north western end of the site is the same, but for a couple of planted areas and the landscaping to the rear. The narrow strip that interfaces with the adjoining residential development in Burnett Close is the same and so is the retaining wall. Parking to the front of the store is relieved by additional planting but overall the perception remains that of a largely hard surfaced commercial development filling the full plot width.

Landscape/Trees

Further to the landscape comments, discussions with the applicant's agent have resulted in a draft proposal to remove much of the criblock retaining wall by raising the ground level slightly and battering back the levels change by a steep embankment on which planting would be undertaken.

In responding to this the landscape response dated 7-08-07 stated that such amendments will not be acceptable as regards the north west boundary as the resultant gradient would be too steep to successfully allow for the establishment of the proposed tree and shrub planting and too narrow at the top to allow for hedge planting. On the front and rear boundaries the gradient would be significantly less and could possibly be acceptable but more details are needed to demonstrate if this would be acceptable.

Highways/Parking

Despite the considerable reduction of the parking provision and the concerns that have been expressed regarding adequacy of parking and the conflict that the service delivery arrangement creates with pedestrians and car park users, the Highway Authority has not raised objection to the proposals. Similarly, in the case of the previous appeal, there was no highway objection as the highway authority negotiated an acceptable proposal and contribution provision before the inquiry.

Subject to the recommendations cited in the Highway Authority consultation response there is no highways objection in this case.

The surfacing of parking and access areas is shown as tarmac for the access areas and concrete paving for the parking bays. This will provide some visual contrast to help mitigate the visual impact of hard surfaced area, as will the further planting that is shown, but there will still be a perception of the site being a hard urban feature encroaching into a residential area with little softening of the interface between the two. This is exacerbated by the landscape concerns. There is also an absence of any dedicated pedestrian route from the main parking area on the north west side of the site to the store entrance on the east side of the site, leading to pedestrian vehicular conflict which is especially of concern as regards large delivery vehicles.

Conclusion

In the circumstances it is therefore considered that, notwithstanding the acceptable aspects of the proposed development, the fundamental concerns that led the previous appeal to be dismissed remain in so far as the visual impact of the development will be detrimental to the character and the residential amenities of the area.

Other Matters

There has been considerable criticism in the representations received that the applicant has not undertaken any meaningful community consultation exercise in accordance with the Councils Statement of Community Involvement objectives.

The applicant has responded to this by circulating a Community Briefing Note and covering letter to 224 properties in the vicinity of the site on 16 July, i.e. nearly 2 months after the application was registered. This resulted in 14 responses over the 3 week response period that

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was given. This level of response equates to just 6% and the level of support, 2 responses, equates to 1%. The applicant has derived from the responses that the concern relates principally to the closest properties and that the absence of response further away from the site, particularly when considering the location of those who offered support to the proposals, means that the majority of residents who reside within the 225 metre radius from the centre of the application site do not object to the proposed food store.

**Recommendation**

REFUSE for the following reasons:

**Reasons**

- 1 The proposal is contrary to policy UB3 of the Hampshire County Structure Plan Review and policies DP3 and DP5 of the Winchester District Local Plan Review in that the proposed development would constitute an undesirable over-intensive use of the site. Due to the amount of built development and hardstanding proposed, which does not allow for adequate space about the building and car parking, to achieve an effective setting and spatial arrangement to interface acceptably with the adjacent residential development by use of hard and soft landscaping, the proposal is out of keeping with the suburban area, significantly and unacceptably extending the visual impact of the commercial/retail activities into the adjacent residential area, to the detriment of its visual amenities and character.
  
- 1 The proposal would have an adverse impact in highways terms in regard to cross town traffic impact, sustainable transport considerations, the need for off site highway improvements, servicing management and traffic management provisions, which would be contrary to the objectives of the Winchester Town Access Plan, and for which no mitigating provisions have been made.

**Informatives:**

- 1 The Local Planning Authority has taken account of the following development plan policies and proposals:-  
Hampshire County Structure Plan Review: UB3, S1, S2, S3, S4, T1, T2, T3, T4, T5, T6 and E16; Winchester District Local Plan Review: H2, DP1, DP3, DP5, DP.6, SF1, SF2, SF6, T1, T2, T3, T4, T5, W1, W5, W7 and W8.