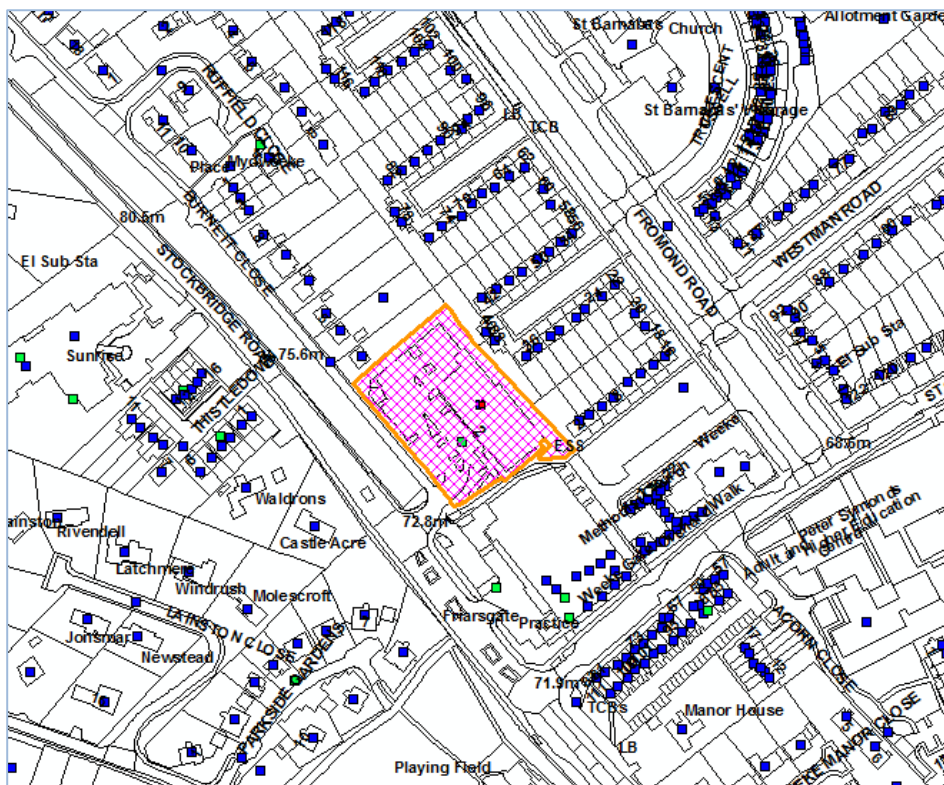


Item No: 08
Case No: 17/03223/FUL
Proposal Description: Removal of minor landscaping areas to create 6 additional car parking spaces.
Address: Aldi Foodstore Ltd, 2 Burnett Close, Winchester, Hampshire, SO22 5JQ
Parish, or Ward if within Winchester City: St Barnabas
Applicants Name: Mr Rob Jones
Case Officer: Catherine Watson
Date Valid: 21 December 2017

Recommendation: Application Permitted



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General Comments

Application is reported to Committee due to the number of objections received, contrary to the officer's recommendation to permit.

Site Description

The site contains a single and part two-storey Aldi foodstore, with a gross building area of approx. 1305 sq.m, and associated parking space with landscaping. It is situated approx. 2km north-west of Winchester City Centre and vehicular access to the site is located to the southern boundary via Burnett Close.

To the north-west and north-east of the site, it is bounded by the residential areas of Burnett Close and Fromond Road. To the south-east of the site is a Waitrose store, along with assorted retail premises and a doctor's surgery. To the south-west lies Stockbridge Road, a classified road and a main route into Winchester city centre.

Proposal

The proposal is for the removal of seven trees and some of the associated, low level landscaping in order to facilitate the creation of eight new parking spaces, two of which are to be reserved for staff parking.

Relevant Planning History

08/00279/FUL - Erection of single and part two-storey building to provide food store (Class A1), alterations to access, car park and landscaping (Site also includes No:2 and part of no. 3 Burnetts Close) (RESUBMISSION). Application allowed at appeal 26.02.2009.

Consultations

Engineers: Drainage: No objection to the application on drainage grounds. This will be adding a small amount of impermeable surface to an existing, larger area of impermeable surface and there are no existing flooding issues. The application will not have any significant impact upon the existing drainage system.

Engineers: Highways: No objection to the principle of adding additional car parking at this site. It is noted that there are two new spaces shown for staff provision in what is currently the turning and manoeuvring area for an articulated vehicle. The Inspector's appeal decision placed great weight on the service vehicle requirements of the development and any cars parked within this area will therefore impede the ability of a large Artic to manoeuvre in to the service bay. Before consent is granted, it needs to be ensured that the development and its associated conditions will not be compromised by the inclusion of these two parking spaces.

Engineers: Highways – Further comments: If conditions 17 and 18 of the original consent are re-imposed on any permission for the additional car parking spaces, there would be no objections.

Landscape: “The proposal to replace trees and shrub planting with parking spaces would be detrimental to the amenity of Stockbridge Road. The trees are a necessary part of the scheme as they provide softening of the building, which ensures that visual amenity from Stockbridge Road is not negatively affected by the development. Trees are also an essential part of the landscape character of Stockbridge Road and therefore these trees form part of the character of the area. The trees have not had chance to mature yet but when they do they will have a much more significant impact on the street scene than they presently do. The landscape of this site was an important part of the approval given at appeal and therefore the removal of almost half of the trees (and their associated planting) cannot be considered acceptable in policy terms.”

Representations:

City of Winchester Trust: The landscaping proposed to be removed was an important condition of the planning consent for this site and it is felt that it should not be compromised for a handful of extra parking spaces that will add little benefit and will possibly add further to traffic congestion. The Trust OBJECTS on the grounds that the landscaping should be fully maintained for both environmental reasons and respect for the character of the wider area.

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

- Detrimental impact on air quality by removal of the trees;
- The loss of soft landscaping and the introduction of more parking spaces will urbanise the site;
- Increase in volume of traffic, noise and resultant air pollution at the store site and surrounding roads;
- Increased surface water run-off;
- The removal of seven trees for six parking spaces (plus two staff parking spaces) will not solve the parking problem;
- Frequently unable to access the bottom of Burnett Close due to cars queuing there and on Stockbridge Road waiting to get into Aldi's car park. Cars frequently park in restricted residential permit areas and six additional spaces will not solve the problem;
- The council needs to be focussing on ways to reduce traffic in the city – not increase it;
- Removal of landscaping does not accord with the Inspector's decision;
- Aldi should be encouraging its customers to make alternative transport arrangements.

Reasons aside not material to planning and therefore not addressed in this report:

- If the site is too small, the store should find another, larger site in Winchester.

1 letter of support received.

- A sensible simplification of an over-complicated parking layout at the cost of a trivial amount of isolated and incongruous landscape planting. The important planting on the perimeter of the site will be retained and there are adequate facilities for cycle parking.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

- Policy DS1 – Development Strategy and Principles;
- Policy CP10 – Transport.

Winchester Local Plan Part 2 – Development Management and Site Allocations.

- Policy DM7 – Town, District and Local Centres;
- Policy DM18 – Access and Parking.

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Planning Considerations

Principle of development

The site is located within the settlement boundary of Winchester and therefore the presumption is in favour of development, provided it accords with the relevant policies.

DS1 of LPP1 states that the Council will work proactively to find solutions which mean that proposals that accord with planning policies can be approved wherever possible. CP10 of LPP1 states that improvements to accommodate additional traffic should be undertaken (or funded) where necessary.

DM7 of LPP2 identifies the Aldi and neighbouring Waitrose sites as within a local centre where development under use classes A1-A5 is supported and consideration should be given to parking within the local centres.

DM18 states that parking should be provided in accordance with the relevant standards and the needs of the development for cars and other vehicles as necessary. It also states that access to, and movement within, the site should be in a safe and effective manner and makes provision for access to the site in accordance with any highways requirements on the grounds of safety.

The removal of some of the existing landscaping is acknowledged as a loss but is balanced with any benefit to the highway that may arise. The additional parking spaces are considered by the applicant to be necessary in response to the increased popularity of the store. The existing car park is compact and is often over-subscribed, with vehicles parking outside of the designated spaces and spilling out into Burnett Close, and with queuing sometimes onto Stockbridge Road. The applicant is concerned about the negative impact of this on highway safety both within and without the site. It is therefore proposed to remove some of the minor landscaping in order to provide an additional six

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customer spaces. The existing access to the site will be retained, as well as the key peripheral landscaping.

A number of objections were received in response to the application, raising some common themes. These will be further addressed below.

Landscape/Trees and impact upon the character of the area.

The landscape officer stated that the removal of the identified shrubs and trees would be detrimental to the amenity of Stockbridge Road, of which they are a part of the landscape character. The trees have not yet had a chance to mature but when they do, they would create a significant impact upon the street scene.

In dealing with the impact upon the character and appearance of the area, the Inspector for the allowed appeal (ref: 08/00279/FUL), acknowledged that the site was in a transition zone “between the hard urban forms of the existing local centre and the softer domestic appearance of the residential area to the north, with its verdant gardens...(it) needs to successfully bridge the transition through the extent and quality of its landscaping”. It was also noted that most of the additional areas of landscaping are along the north-eastern and south-western boundaries, which were considered to be the most appropriate locations for it, protecting the living conditions of the residents from Fromond Road and improving the visual appearance of the site from Burnett Close. These areas of landscaping are to be retained.

Whilst the landscape officer's comments are acknowledged, it is considered that the removal of immature trees and sparse understorey planting from the centre of the site would not cause such harm to the overall appearance and character of the landscaping as to justify a refusal in this respect. The majority of the trees and associated planting proposed to be removed are located within the centre of the car park, with just two small trees to be removed from the western corner and one tree to be removed from north of the car park. Whilst it is acknowledged that the landscaping was an integral part of the original permission, it is not considered that any harm to visual amenity from Stockbridge Road can be demonstrated if the Aldi building was not softened by the trees shown as being removed and the additional hardstanding. It is considered that the trees on the front (south-western) and rear (north-eastern) boundaries have more amenity value and particularly at the front boundary where they can be seen in conjunction with the mature trees along Burnett Close/Stockbridge Road.

Highways/Parking

It is considered that the addition of the six customer parking spaces would help to mitigate the overuse of the car park as identified above. It is not considered that there would be any negative impact upon highway safety caused by the increase in traffic.

Data pertaining to the capacity of the car park was submitted in March 2018. The car park's Automated Number Plate Recognition (ANPR) system produced data for the month of October 2017. This period was considered most appropriate as it represents a pre-Christmas period. The data shows that on the majority of the days during October, there was at least one period when car park capacity was exceeded. Aldi's highways consultant advised the applicant that it is always appropriate to have some excess capacity within a car park and the data shows that between 10am and 6pm on every day during the assessed period, the threshold was breached.

Subsequent correspondence indicated that in the month of October there were 47 occasions when the number of vehicles exceeded the supply of car parking spaces. With the six additional spaces, the threshold would have been exceeded on only sixteen occasions from 47 in one month, a significant improvement. Therefore, it can be demonstrated that the additional spaces represent a materially significant improvement to the site in terms of capacity, which justifies the removal of some of the minor landscaping. It cannot be demonstrated that there would be any additional harm to highway safety both within the site and on surrounding roads as the car park is already over-subscribed and the proposed parking spaces should help to alleviate this problem, as well as helping to prevent additional parking on Burnett Close and a build up of traffic queueing to enter the site.

Other Matters

Concerns were raised with regards to the increase in surface water run off caused by the additional area of hardstanding. The Council's drainage engineer was consulted and did not consider that there would be any significant further run off caused by the relatively small additional hardstanding.

Several comments indicated that if the level of business generated at the site is not commensurate with the available facilities, a new location within Winchester should be sought. The applicant has indicated that no such sites were available at the time of the application, nor are there likely to be in the near future.

Recommendation

Application Permitted subject to the following condition(s):

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 provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2. The development hereby approved shall be constructed in accordance with the following plans:

- Location Plan received 21.12.2017
- Existing Site Plan dated 05.09.2017 Dwg No 170795 P(0)01 received 21.12.2017
- Proposed Site plan dated 05.09.2017 Dwg No 170795 P(0)02 received 21.12.2017

Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990.

3. The materials to be used in the construction of the parking spaces hereby permitted shall match those used in the existing car park.

Reason: To ensure a satisfactory visual relationship between the new development and the existing.

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4. The trees shown to be retained on the approved site plan (drawing ref: 170795 P(0)02) shall not be lopped, topped, felled or uprooted without the prior written approval of the Local Planning Authority. If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

Reason: To prevent inappropriate work being undertaken to retained trees.

Informatives:

1. In accordance with paragraphs 186 and 187 of the NPPF, Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- offer a pre-application advice service and,
- update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Local Plan Part 1 - Joint Core Strategy: DS1, CP10;

Local Plan Part 2 – Development Management and Site Allocations: DM7, DM18.

3. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out above, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

4. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

5. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice, please refer to the Construction Code of Practice

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

6. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement

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Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.