

SUBJECT DEVELOPMENT APPLICATION REPORTS ITEM 8

REPORT OF Head of Planning & Building Control

APPLICATION NO.	P09/W0029
APPLICATION TYPE	Minor
REGISTERED	19 January 2009
PARISH	In the parishes of Wheatley and Great Milton
WARD MEMBER(S)	Mr John Nowell-Smith Ms Janet Carr Mr Andrew Hodgson
APPLICANT	ASDA Stores Ltd
SITE	ASDA Store, London Road, Wheatley
PROPOSAL	Single storey storage building for use in connection with internet homeshopping and proposed pedestrian footpath.
AMENDMENTS	Drawing no. P003 B
GRID REFERENCE	461107 / 204999
OFFICER	Mrs E Hamerton

1.0 INTRODUCTION

- 1.1 This planning application has been referred to Planning Committee as the views of Wheatley Parish Council differ from the Officers recommendation.
- 1.2 **Attached** at Appendix 1 is an OS plan showing the site location. This site lies within the Green Belt. To the south of the existing supermarket building is a disused railway embankment.

2.0 PROPOSAL

- 2.1 This application is for a single storey storage building that will be linked to the existing store by a canopy, and used in connection with the proposed internet home shopping service. The proposed new building will be to the south of the current supermarket building and will be cut into the disused railway embankment. Amended plans were submitted that now include a green roof / sedum blanket for the storage building. Adjoining the storage area and the existing supermarket is a canopy that will lead to the delivery van parking area. This proposed building will have an office area, chill store, large freezer area and general storage for goods purchased on the internet awaiting delivery. The hours of operation will be 8:00am – 8:00pm Monday to Saturday and 10:00am until 4:00pm on Sunday. The collection of goods from the main store will be between 5:00am – 8:00am. The shopping delivery times will be from 8:00am until 10:00pm.
- 2.2 A new pedestrian footpath from the car park area to London Road is also proposed. **Attached** at Appendix 2 is a copy of the plans, the supporting information is available on the Council's website.

- 2.3 The proposed storage building is a flat roof structure that is approximately 15 metres wide and 8 metres deep. It is 3.1 metres high. Around the building to the south, east and west is a retaining wall that is 3.6 metres high. The proposed canopy is 2.3m high, this also has a retaining wall around it that is 0.8m high.

3.0 **CONSULTATIONS & REPRESENTATIONS**

3.1 **Wheatley Parish Council**

- Refusal
- The new building is an encroachment into the historic embankment within the village and the Green Belt
- The delivery area for the internet shopping will be by the very nature of the business be wider than just Wheatley village and the committee has concerns over additional traffic movements at an already busy junction through residential areas of the village. Even if the development is allowed robust compensatory and safety measures would be required
- There is concern about the issue of flooding upstream and in the fields around Asda
- The committee welcomes the proposed footpath but this should be provided regardless of the outcome of the application. It is necessary for safe access to the current Asda store. Such a footpath has been sought by the Parish Council for a number of years. The committee would like to see the path start from the NW boundary of the property and go across the exit to the petrol station.

Great Milton Parish Council

- Approved

Highways

- No objection
- The traffic generation of the site would not be increased significantly and appropriate parking and turning facilities are available for delivery vehicles. The pedestrian footpath and cycleway would be of benefit to non-motorised highway use.

Forestry Officer

- The current proposal shows some improvements to the withdrawn scheme.
- The latest submission has confirmed the extent of the excavation and as such, the number of trees affected.
- Whilst this is still significant and will impact on the belt of trees and the screening they will provide, the arboricultural assessment proposes more detailed planting to mitigate this loss.
- In addition to on site planting, three specimen trees are offered for planting on a nearby site that might offer increased public amenity value.

Countryside Officer

- No objection

Economic Development

- Recommend the application is approved
- This will support job creation, 29 jobs is a significant number at a time when a significant number is being lost in the district

Environment Agency

- Standing Advice
- Part of the site is within Floodzone 3
- Mitigation details in the construction of the building shall be submitted

Neighbour – 1 letter of objection

- Last years the back garden was under water and it was close to coming in the bungalow, this was the first time in eleven years since we lived here
- Because of all the new buildings that have been built here in the last couple of years at the back of our garden we are now having flood problems. When it was just an open field we had no problems with flooding, with another building built, we feel we have the high possibility of being flooded out.

4.0 **RELEVANT PLANNING HISTORY**

- 4.1 P08/W0763 Single storey storage building. Withdrawn.
P07/W0490 New main entrance lobby to front of existing entrance of store

5.0 **POLICY & GUIDANCE**

5.1 **Oxfordshire Structure Plan 2016**

- G2 Quality and design of development
G4 Green Belt

South Oxfordshire Local Plan 2011

- G6 Promoting good design
C6 Biodiversity conservation
C9 Landscape features
GB2 New buildings in the Green Belt
T1 Transport requirements for new development
T7 Cycling and walking

Planning Policy Guidance Note 2

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues to consider are:

1. Impact on the Green Belt
2. Impact on the trees / biodiversity
3. Flooding
4. Highway Safety and convenience

Impact on the Green Belt

6.2 Within the Green Belt the basis of the policies is a presumption against inappropriate development. This is set out in Policy GB2 that also sets out the forms of development which, under certain circumstances may be acceptable within the Green Belt. This reflects advice set out in PPG2.

6.3 A storage building for a supermarket is not identified under GB2 as appropriate development that is usually allowed within the Green Belt. Therefore, in accordance with Policy GB2 this is inappropriate development that should not be permitted within the Green Belt. Inappropriate development is, by definition harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

- 6.4 The applicant's, in their supporting statement have explained that this new storage building will be a minor addition to the size and scale of the existing store (some 120 sqm). In addition, this is not a new separate use, but will be linked to the existing retail store.
- 6.6 The applicants have also explained that the purpose of this new building is solely connected to the new internet shopping facility that Asda want to start from this store. This would allow the store to increase its custom, but limiting vehicle generation as the shopping will be delivery by vans as opposed to customers coming to the store. Also, the creation of the internet shopping facility from this store would generate 29 new jobs and will therefore bring economic benefits to the area.
- 6.7 Therefore, although this development is inappropriate and not permitted under Policy GB2, your Officer considers that the modest size of the building, the economic benefits this will bring through the creation of new jobs, and that the site is already in a retail use are very special circumstances that would justify this inappropriate development. Therefore, the harm of this development is clearly outweighed by other considerations.
- 6.8 As set out in Policy GB4 of the adopted Local Plan, where development is permitted in the Green Belt it should be designed and sited in such a way that its impact on the open nature, rural character and visual amenity of the Green Belt is minimised. Wheatley Parish Council has concerns about the encroachment of this proposed building into the historic railway embankment. Whilst it is clear this is an encroachment and the storage building would be set some 6.4m into the embankment, the height of the building is 3.6m; therefore, it will not be seen above the embankment.
- 6.9 Along this embankment there is a substantial amount of trees and vegetation. This restricts views of the development to the north from the open countryside. As part of this proposal the applicant's arboricultural statement identifies that 9 trees will be cut down and a number of others coppiced to stump level. Replacement planting is also proposed. Therefore, the screening in this area will be less substantial until the new trees are more established.
- 6.10 As a result of negotiations with the applicant, amended plans have been submitted that now include a sedum roof on the proposed storage building. Your Officer considers that this will help to mitigate the overall impact of the building and the siting, design and materials of the storage building and canopy have been sited in such a way as to reduce the impact on the visual amenity of the Green Belt.
- Impact on trees**
- 6.12 The disused railway embankment is covered with vegetation and trees. The construction of the storage building and the excavation associated with this will result in the loss of trees and vegetation in this area. The arboricultural assessment that the applicant's submitted in support of the application states that 9 trees will be removed and according the tree survey drawings a number of others will be coppiced to stump level. The arboricultural survey also shows that there will be the replanting of trees around the storage building and within the area that was excavated.
- 6.13 The Council's Forestry Officer is less concerned about the quality of the trees lost, more the number and the impact this may have on the currently strong screen. The embankment does limit development in this area and there is concern about breaking into this and creating a loss of trees and vegetation that could open this area up and allow development to the north to become more visible. Officers are negotiating with

the applicants as to how replacement planting in the wider area may be secured, progress on this will be verbally updated at Committee.

6.14 The Council's Countryside Officer has not raised any objection to this proposal.

Flooding

6.15 Both the Parish Council and a nearby neighbour have raised concerns that the proposed storage building could have an impact on flooding in the area. Part of the site to the east is within floodzone 3. However the area where the supermarket is and the proposed storage building is approximately 80m from the edge of the floodzone. In accordance with the Environment Agency's Standing Advice, there is no objection to this proposal providing that flood mitigation measures for the construction of the building are conditioned.

Highway safety and convenience

6.16 The supporting information that was submitted by the applicant states that 35 staff will be employed in connection with the internet shopping facility of this 35, 29 will be newly created jobs. There will be 3 delivery vehicles and the anticipated number of daily delivery trips will be 9. The Highway Officer has not raised any objection to this proposal, it is their view that the traffic generation of the site would not be increased significantly and appropriate parking and turning facilities are available for the delivery vehicles. The pedestrian footway and cycleway that is also proposed would be beneficial.

7.0 CONCLUSION

7.1 Whilst this proposal is inappropriate development in the Green Belt, there are some very special circumstances to allow this development. These include the economic benefits and the jobs that will be created, the modest size of the building and that the site is already in a retail use. Therefore this application is recommended for approval.

8.0 RECOMMENDATION

8.1 **This application is recommended for approval subject to the following conditions:**

1. **Commencement three years**
2. **Restrict use of the building for internet shopping storage purposes only**
3. **Submission of a tree management scheme**
4. **Submission of a landscaping scheme**
5. **Flood mitigation measures for the construction of the building**
6. **Sedum roof as shown on the plan**

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