

## **ADDENDUM REPORT PLANNING COMMITTEE 12 the November 2009**

**Item: 6.8**

**Site: Former Cardinal Service Station, Wolsey Road**

**Ref: 09/01375/FUL**

**Applicant: Brook St. Properties Ltd.**

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### Further information provided by the applicant

- The red line has been amended to encompass the whole site. It is in the applicant's ownership.
- Confirmation that all the residential units will be 'affordable'
- Highways - the dedicated retail parking be reduced down to 10No. Spaces, the dedicated Surgery parking remain as 9No. Spaces and the additional 4No. Parking spaces are subject to a shared management regime between the surgery and retail. This has the result of providing the surgery with the use of 13No. Parking spaces albeit 4No. being shared to satisfy Highways.
- Confirmation that all the units are 1bed 2 person and that the RSL grant funding and subsequent management of the residential units is on the basis of 1Bed 2Person provision
- Changes to the cycle parking and bin store arrangements in line with advice from Highways and police architectural liaison officer 'secure by design
- Acceptance of conditions relating to 10% on site renewable energy; replacement tree planting on adjacent highways land

### Letters of representation (LOR's)

Two further letter of representation have been received. Both object to the proposal:

One lists the 7 convenience stores and off licenses that already exist within 350m of the site, points out that Tesco would be a likely favored partner and that it has an aggressive marketing stance and presence in the local economy; that the number of licensed premises in the area is at saturation point ; the figure for one delivery vehicle a day is misleading – its likely to be many more; that parking is inadequate with many elderly and ill arriving at a surety by car and that inadequate space has been left for landscaping

The other letter objects to the retail element. It claims that the proposal does not comply with policy CS08 pointing out that it is not located in a local centre and the proposal does not contain evidence in the form of a retail assessment to justify the proposed development.

### Comment

There is no evidence to link Tesco's with the current application

The size of the proposed retail space. 470sqm, if the single unit occupies the whole allocation, with no realistic possibility of extension owing to the constraints of the site means that, at most, it will be a convenience store. The

alleged failure of the applicants to provide evidence of how this proposal complies with the sequential test , its impact upon local shopping centers or justify the development of a food store in this location points to series of tests that are based on a false preemies that it is a much larger food store . neither policy CS08 or the Government's PPSD 6 guidance are intended to stifle the development of choice in the provision of convenience stores within a locality or protect a prevailing set of market relations from competition.

## **RECOMMENDATION**

Extra S106 clause to secure £200 contribution to wards planting a replacement tree in the area.

### **Extra condition Site Characterisation**

'An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a desk study characterising the site and identifying potential risks from contamination
- (ii) a survey of the extent, scale and nature of contamination;
- (iii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archeological sites and ancient monuments;
- (iv) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.