

Officer Report On Planning Application: 16/01678/FUL

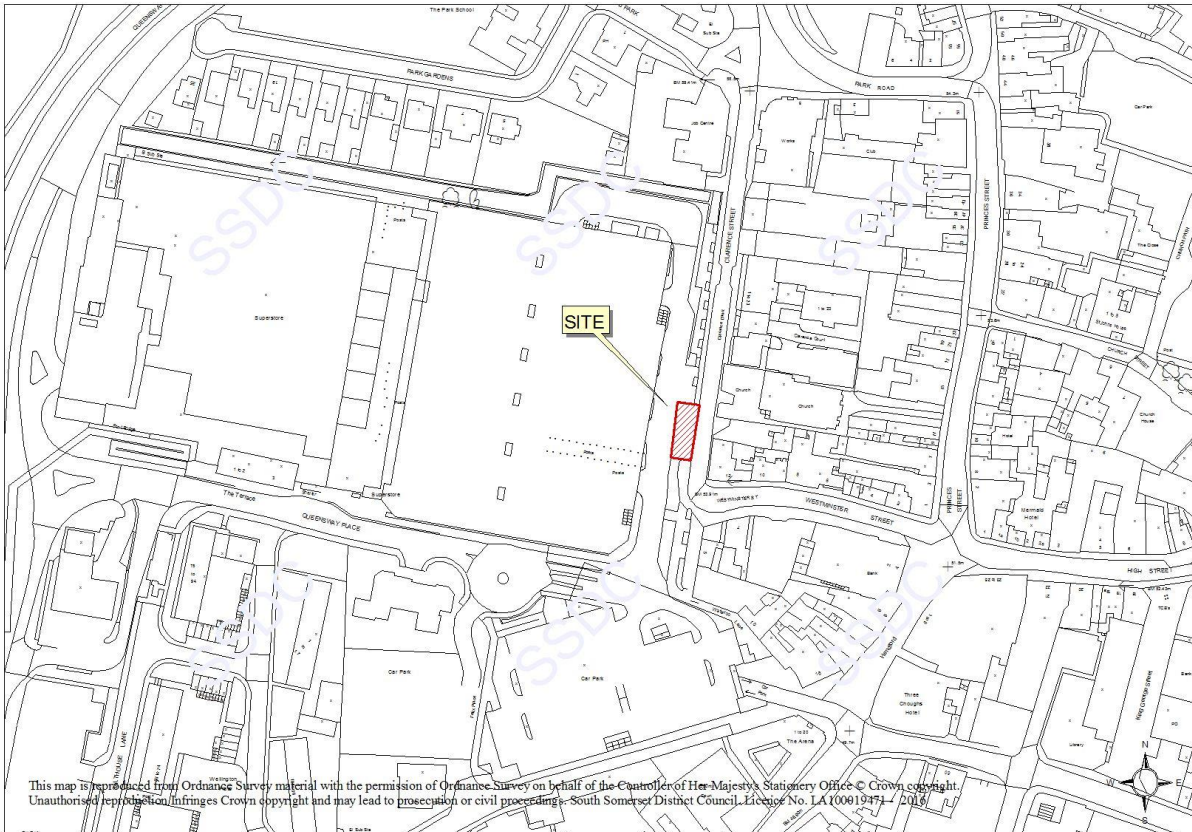
Proposal :	The creation of a second vehicular exit on Clarence Street
Site Address:	Tesco Stores Queensway Place Yeovil
Parish:	Yeovil
Yeovil (Central) Ward (SSDC Member)	Cllr K Hussain Cllr A Kendall Cllr P Gubbins
Recommending Officer:	Simon Fox Tel: (01935) 462509 Email: simon.fox@southsomerset.gov.uk
Target date :	16th June 2016
Applicant :	Somerset County Council
Agent: (no agent if blank)	
Application Type :	Minor Other less than 1,000 sq.m or 1ha

Reason for Referral to Committee

This application is referred for Committee consideration at the request of the Development Manager in accordance with the scheme of delegation and with the agreement of the Chairman, to allow the application to be debated in public given the significance of the development to the Yeovil Eastern Corridor Highway Project and the representations made by local residents.

Site Description and Proposal





The application comprises the Tesco supermarket site at Huish. To the east of the site Westminster St turns northwards into Clarence St that itself links to the Hospital roundabout. Both streets are one-way.

This proposal, submitted by Somerset County Council as Highway Authority, seeks to create a secondary vehicular exit from the supermarkets internal roadway onto Clarence St. No vehicular access to the supermarket will be permitted from Westminster St and Clarence St.

In detail the proposal shows the removal of a 9.4m section of existing walling forming a boundary between the supermarket and the footway to Clarence St and the formation of a single carriageway width ramp making up the circa 0.5m difference in levels between the site and the highway.

Westminster Street and the United Reformed Church which is located opposite the place where the exit is proposed lie within the Conservation Area. The Church is also Grade 2 listed.

HISTORY

Many planning permissions exist for alterations to the store but the most relevant historic permission is:

03/03468/FUL: Alterations and extensions to the store and the erection of a decked car park: Permitted with Conditions: 7th April 2005.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

On 5th March 2015 South Somerset District Council, as Local Planning Authority, adopted its Local Plan to cover the period 2006 to 2028.

On this basis the following policies are considered relevant:-

South Somerset Local Plan (2006-2028):

SD1 - Sustainable Development
SS1 - Settlement Hierarchy
EQ2 - Design & General Development
EQ3 - Historic Environment
TA5 - Transport Impact of New Development

National Guidance - National Planning Policy Framework:

Chapter 4 - Promoting Sustainable Transport
Chapter 7 - Requiring Good Design
Chapter 12 - Conserving and Enhancing the Historic Environment

Other

Somerset County Council Parking Strategy (March 2012)

CONSULTATIONS

Yeovil Town Council:

Approve subject to:

- Safety measures put in place for pedestrians.
- Barrier to exit on Clarence Street to use after 8pm to reduce noise levels at night.

Highway Authority (Somerset County Council):

No objections. Comments made regarding drainage and visibility. Conditions proposed concerning visibility and compliance with the approved plan.

SSDC Highway Consultant

"This is a County Council scheme; the impacts and benefits of which would have been fully considered. The overall effect on the local highway network would lead to more even flows on the arms of the Hospital r/bt and reduced journey times and journey lengths currently taking place on Queensway due to the fact that currently there is just one single point of access to the foodstore, off the dualled Queensway".

REPRESENTATIONS

Immediate neighbours to the site have notified in writing and a site notice was displayed.

A petition on behalf of businesses at Princes Street and Westminster Street has been submitted with 10 signatories. It states that access to rear parking areas off Clarence Street will be hindered by the proposed 2nd exit, the volume of traffic and the consequential congestion.

A petition on behalf of residents of Clarence Court has been submitted with 26 signatories. It states, "traffic will increase significantly causing noise, disruption and pollution which could cause health issues. It is a quiet residential street. To take traffic off a main road and divert it into this area is wrong, and very unfair to the people who live here and the two other blocks of flats in this street"

3 individual residents of Clarence Street have made objections based on the traffic impacts-

- The extra traffic will cause a hazard when crossing Clarence Street from Clarence Court due to the lack of a pavement - a light controlled crossing is required.

- A hazard is created when try to cross the new exit point.
- Access from exiting access points off Clarence Street will be hindered by the proposed 2nd exit, the volume of traffic and the consequential congestion.
- Traffic will back up off the roundabout.
- A better route would be via Park Gardens

Comments from 2 other objectors question the benefit of the proposal to the wider network, raises concern regarding the potential for queuing traffic back to Westminster Street and the impact on local amenity.

A representation from the United Reformed Church states no objection, declaring the proposal would not materially affect the use of their car park which exits onto Clarence St.

CONSIDERATIONS

The application raises several issues that will be assessed here:

Traffic and Transport

The premise for this application is to benefit the local highway network, in particular the A30 corridor between Hendford Hill and Reckleford. The proposal, it is said, will reduce overall travel distances, reduce delays at key road junctions and improve accessibility.

In terms of assessing the benefits now it is worth remembering that a second exit onto Clarence Street has been previously secured by a legal agreement when the decked car park was approved in 2005. The legal agreement was worded in such a way that obliged the landowner, Tesco Stores, to implement a second exit should the Highway Authority require them to upon completion of the 'hospital roundabout phasing works' meaning at that time the traffic signal works being planned. There was a time limit of 5 years for that obligation to be triggered. It was not triggered and so the works did not take place. A decade on from that signing that agreement a different scheme for the hospital roundabout has been undertaken as part to the Eastern Corridor scheme.

In assessing the application the Principal Planning Liaison Officer has no raised an objection observing suitable visibility can be achieved and congestion at Horsey Roundabout would be reduced.

The comments of local residents are noted regarding the likely traffic impacts from those vehicles choosing to leave the supermarket via this new exit but fears that queuing back to the exit may be a permanent feature and crossing the road made impossible and dangerous are not accepted likely to occur to an extent that would be regarded 'severe' and would warrant refusal of the application. The representation themselves highlight the number of properties accessed off Clarence Street and this illustrates that it already caters with a degree of traffic. The fact the street is one-way and there are two dedicated crossing points is also noted. The exit will have dropped kerbs on each side with tactile paving which is a standard approach to maintain safe pedestrian movements. The views of the Town Council in this regard are acknowledged.

It is considered the proposal complies with policy TA5 of the Local Plan and the aims and objectives of the NPPF.

Impact on Residential Amenity

The perceived impact that does materialise as a result of this proposal is the noise and disturbance associated with the extra traffic on Clarence St.

As stated above this is a one-way street where already a number of properties, both commercial and residential, gain access. This means there is a mixture of commercial and domestic vehicles using Clarence Street already. It would be misleading to conclude that no noise or disturbance would result but it is also not considered to be the case that detrimental harm to residential amenity would occur when judged against the context. In reality when considering the two main residential blocks on Clarence Street there are only a handful of residential properties at street level.

In order however, to mitigate any perceived impacts from use in the evening a barrier has been negotiated into the scheme. This would work on the same premise as the barrier at the bottom of the top deck which limits access after 8pm, and so it is proposed to install a barrier that prevents vehicles exiting onto Clarence Street after 8pm. This would be operated and administered by the supermarket. Exceptions would be granted for emergency use and during the busy Christmas period. The views of the Town Council in this regard are acknowledged.

It is considered the proposal complies with policy EQ2 of the South Somerset Local Plan.

Visual amenity

The provision of an opening in existing walling and the necessary remedial works in this particular urban context would not be detrimental to the visual amenity of the surrounding area.

It is considered the proposal complies with policy EQ2 of the South Somerset Local Plan (2006-2028).

Historic Environment

Westminster Street and the United Reformed Church which is located opposite the place where the exit is proposed lie within the Conservation Area. The Church is also Grade 2 listed. Given the siting of this development and the nature of the proposal it is not considered any harm would result to the setting of these listed buildings or the Conservation Area.

It is considered the proposal complies with policy EQ3 of the South Somerset Local Plan (2006-2028).

Other

The existing recycling receptacles will be rationalised to fit a smaller area.

RECOMMENDATION

Grant permission for the following reason:

01. This proposal will benefit the local highway network whilst preserving the setting of the adjacent listed buildings and the Conservation Area and safeguarding residential amenity.

As such the application accords with the aims and objectives of the National Planning Policy Framework and policies EQ2, EQ3 and TA5 of the South Somerset Local Plan (2006-2028).

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
- a) Location Plan, Drawing No. MJ004009-PL-001
 - b) Red-Line Plan, Drawing No. MJ004009-PL-002
 - c) General Arrangement, Drawing No. 3MJ004009-PL-003
 - d) Sections, Drawing No. MJ004009-PL-004

Reason: For the avoidance of doubt and in the interests of proper planning.

03. The proposed access shall be constructed in accordance with the details shown on drawing(s) MJ004009-PL-003 and MJ004009-PL-004. There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 20m either side of the access. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety to accord with the aims and objectives of the National Planning Policy Framework and policy TA5 of the South Somerset Local Plan.

04. The development hereby approved shall only be used as a means of exiting the adjacent supermarket and shall not be used for entering the supermarket from Clarence Street.

Reason: In the interests of highway safety to accord with the aims and objectives of the National Planning Policy Framework and policy TA5 of the South Somerset Local Plan.

05. A scheme for a barrier to be installed to prohibit use of the exit beyond 8pm and before 7am daily shall be submitted to the Local Planning Authority. The scheme may also make allowances for emergency use outside these stated hours and wider times during the Christmas trading period. The exit shall not be used until the scheme is approved in writing by the Local Planning Authority and until the barrier has been installed in accordance with the agreed details. Any alterations to the scheme shall be proposed in writing and not implemented until any such approval from the Local Planning Authority is received in writing.

Reason: To mitigate concerns regarding residential amenity to accord with policy EQ2 of the South Somerset Local Plan.

06. All making good of existing freestanding/retaining walls shall be undertaken in matching materials to those existing structures, unless alternative materials have been first agreed in writing by the Local Planning Authority.

Reason: To safeguard the Conservation Area and setting of Listed Buildings in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

07. Notwithstanding Condition 02, prior to the first use of the development hereby approved a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a single tree with shrub planting on each side of the exit point with a planting specification. All planting comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following receipt of the written approval by the Local Planning Authority, and any trees or plants which within a period of five years from having been planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To integrate the development into its environs, to safeguard the Conservation Area and setting of Listed Buildings in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.