

WDC/3

**Wycombe District Council's
Delivery and Site Allocations Plan
Examination Statement**



MATTER 3 – MARLOW TOWN CENTRE

November 2012

Matter 3 – Marlow Town Centre

1. English Heritage appear to support the Council's position in relation to Policy MR1 but concerns have been raised that new developments such as the Sainsbury's store detracts from the quality of the area. Is the Council's policy approach adequate in this respect?

- 1.1 Marlow is an historic market town set on the banks of the River Thames and on the edge of the Chiltern Hills. Most of its town centre falls within the Marlow Conservation Area and it contains a number of listed and locally-listed buildings (including two Grade I-listed buildings). As such, the Council considers that the design quality of new developments is of paramount importance.
- 1.2 To gain a full understanding of the Council's policy approach to protecting the town's setting and promoting design quality, the entire development plan policy framework needs to be read in full. This is because a range of policies are already in place which perform these tasks, including Adopted Core Strategy¹ policy CS19 (Raising the Quality of Place-Shaping and Design), which requires high standards of design and layout to be achieved and locally distinctive qualities of place to be reinforced. This approach is also reflected in policies CS17, CS5, CS1 and CS2.
- 1.3 Similarly, the Adopted Local Plan (2004)², includes several policies designed to ensure high quality developments, and a Conservation Area Character Survey has been produced for the Marlow Conservation Area³.
- 1.4 These policies reflect the approach in the National Planning Policy Framework (NPPF, Part 7 – Requiring good design, and Part 12 - Conserving and enhancing the historic environment)⁴.

¹ Core Document (CD) CD5.2.1 in particular policies G3 (General Design Policy), G8 (Detailed Design Guidance and Local Amenity), G25 (Advertisements and Signs) and HE6 (New Development in Conservation Areas and Conservation Area Character Surveys)

² CD5.2.3

³ Marlow Conservation Area Character Survey, WDC (2004): available on the WDC website

- 1.5 The Council therefore considers that this policy framework is sufficiently robust to ensure a high standard of design and quality in new developments in the town. It is the intention of the Council to review the heritage section of the Adopted Local Plan – and the Core Strategy – in the new Wycombe District Local Plan, work on which is just getting underway⁵.
- 1.6 Regarding the specific merits of existing developments in the town, such as the Sainsbury's store, the Council considers that it is not the role of the DSA Plan to pass judgement on individual schemes.
- 1.7 Policy MR1 is performing a rather different task to the policies outlined above. It is a shopping frontage policy, and as such its key objective is to enable an appropriate mix of different uses within the main shopping core of the town centre⁶. The town centre background paper⁷ explains the approach to frontages adopted in Policy MR1.
- 1.8 The Council notes that representations have expressed concerns that the greater flexibility afforded by the policies for A3 uses could dilute the character of the town which already has several cafes. However, the Council considers that A3 uses can make a positive contribution to maintaining town centre vitality and viability. This is especially the case in Marlow, recognising that the town is a major attractor of visitors and tourists. The Council consulted widely with local stakeholders over this issue, and considers that the policy strikes an appropriate balance, and will not risk diluting the character of the area.

⁴ CD5.0.1

⁵ See the latest Local Development Scheme (CD7.4) for the timetable

⁶ It is intended that, on adoption of the DSA Plan, this policy will take over the job which was previously carried out by Policy S3 (Primary Shopping Frontage Zones) of the Local Plan (albeit that the latter policy applied to all the District's defined primary shopping frontage zones, whereas MR1 applies specifically to the primary frontages in Marlow). Similarly, policy MR2 will apply to the secondary shopping frontages in the town.

⁷ Town Centre Retail and Frontage Policies Background Paper Update 2012 (CD2.1)

1.9 The Council agrees to the wording changes suggested by English Heritage in relation to policies MR4 and MR5, where it says developments should be required to “conserve or enhance” the conservation area⁸.

2. What is the basis for setting out the primary and secondary shopping areas and, in particular, the exclusion of 18 Oxford Road?

2.1 The basis for setting out the primary and secondary shopping frontages is set out in the Overview and Audit Trail Report⁹. The issue at the heart of the question relates to the setting of the primary shopping area (PSA) and town centre boundaries. The town centre background paper explains the rationale for the setting of these boundaries¹⁰. In summary, the pre-existing Local Plan boundaries have been the starting point for both these boundaries in Marlow. The Council considers that these boundaries are still appropriate; no major changes have taken place since the adoption of the Local Plan in 2004 to merit major adjustments. A number of minor alterations have been made, which are also explained in the background paper¹¹.

2.2 The Council considers that the resulting PSA boundary complies with the NPPF¹². This defines the PSA as a “defined area where retail development is concentrated (generally comprising the primary and those secondary frontages which are adjoining and closely related to the primary shopping frontage)”. Reflecting this definition, the PSA boundary is drawn tightly around the current shopping frontages.

2.3 One of the few exceptions to this is the Riley Road site allocation, which stretches beyond the frontage but is within the PSA. Within this site (which is allocated for retail as a prime use), the Sainsbury’s store conversion and

⁸ FC26 & FC 27, CD7.8. The Council also suggests that such a wording change could be applied to point a) of Policy MR3.

⁹ CD1.5, page 67 and 69 – in summary, the primary frontages are those which contain a high proportion of A uses and the secondary frontages contain a high proportion of A uses generally.

¹⁰ CD2.1

¹¹ CD2.1, para 2.4 (p5)

¹² Annex 2: Glossary of the NPPF -CD5.0.1

extension was completed in November 2011¹³, and there is scope for further retail, potentially of both this store and within the wider allocation.

- 2.4 The expenditure capacity figures outlined in the Council's latest retail study¹⁴ show that there is a small expenditure surplus in the town (relating to comparison retail) and therefore a limited scope for such retail in the town up to 2021. Together with the opening of the new Waitrose store at Chapel Street, this scope can be met on the remainder of this allocation at Riley Road¹⁵. The Riley Road site is also included within the PSA due to the fact that it encompasses the Sainsbury's store, and a comprehensive development scheme here would form a natural extension of the existing shopping area.
- 2.5 Turning specifically to the site at 18 Oxford Road, this is excluded from the PSA due to the fact that it is currently an office building and therefore not in retail use. It is not a defined shopping frontage, and therefore its inclusion within the PSA would not comply with the definition of such areas in the NPPF, as referenced above.
- 2.6 Whilst it is known that the office building here is currently vacant, the Council has received no application for its change of use to retail (or to any other use). Until it does so, it is not considered that there is any underpinning evidence base to support an alteration of the PSA here. Furthermore, the exclusion of 18 Oxford Road from the PSA would by no means preclude a future change of use to retail were it found to be justified. Existing policies for edge-of-centre sites establish a clear framework for assessing proposals for such locations.

¹³ The food store at this site was formerly a Waitrose but reopened as a Sainsbury's, with the new store covering a larger floor area.

¹⁴ High Wycombe Retail Strategy (Nathaniel Lichfield and Partners for WDC, 2012), Table 11 in Appendix 1 and Table 9 in Appendix 2.

¹⁵ The Riley Road Development Brief (CD5.3.2) illustrates potential areas for retail expansion on the site.

3. Different views have been expressed regarding the future treatment of the junction between West Street and Oxford Road. Should the DSA be more forthcoming on this point?

- 3.1 The Council notes the various representations regarding the future treatment of the West Street/Oxford Road junction. It is also noted that there is an existing improvement line running along Oxford Road, for the purposes of congestion management and safety.¹⁶
- 3.2 It is for Buckinghamshire County Council (BCC) as highways authority to assess whether such junction improvements are required to address any issues relating the current operation of that junction. BCC has not highlighted to the Council the need for any specific improvement to this junction other than the aforementioned improvement line.
- 3.3 As such, the future of the junction would be more appropriately addressed as part of a wider review of transport issues in the town/town centre – such as local transport plan-related work – rather than the DSA Plan¹⁷.
- 3.4 The Council notes that representations have raised the possibility of seeking improvements to the West Street/Oxford Road junction within the policy for the nearby Riley Road site allocation (Policy MR3). However, the Council considers that there is no supporting evidence base to justify such a requirement in this policy. If the highways authority, on consideration of a transport assessment submitted with a planning application, considered such an improvement to be necessary, then it could be secured through the normal development management process.
- 3.5 The Council considers that, for the purposes of the allocation proposed, the development requirements relating to access to the site are sufficient and

¹⁶ Referred to in CD2.7

¹⁷ This more transport-focused approach would be most appropriately led by BCC as the Highway Authority.

would be assessed in detail through the normal development management process.

4. Is there inconsistency between policies MR4, DM7 and Map 5 in relation to primary shopping areas?

- 4.1 The Council does not consider that there is an inconsistency between Policies MR4 and DM7. Map 5 shows the extent of the defined town centre and the PSA, and the reasons for setting these boundaries have been set out in the answer to question 2 above. As explained, the boundary of the PSA has been drawn tightly so that it includes predominantly existing shopping frontages only.
- 4.2 Despite being immediately adjacent to the High Street (to the east) and West Street (to the north), the Portlands site (Policy MR4) is not a shopping area and has no frontage. The site is allocated for housing for reasons explained under question 5 below. Consequently the site is excluded from the PSA, whose boundary therefore complies with the definition for such areas set out in the NPPF¹⁸.
- 4.3 Point 2 of Policy MR4 sets out that proposals for main town centre uses at Portlands (i.e. uses other than housing, which is the predominant use envisaged in the allocation) may be appropriate as long as they are small scale and support the town centre.
- 4.4 Policy DM7 (The Primary Shopping Areas), meanwhile, sets out the tests (which in turn are derived from the NPPF (paragraphs 24-27)) to be applied in all cases where retail uses are proposed outside the PSA. With these tests in place, the Council considers that a policy advocating small-scale main town centre uses outside – but immediately adjacent to – the PSA (and within the defined town centre), is not inconsistent with this approach and is consistent

¹⁸ CD5.0.1 (Annex 2: Glossary, p55)

with Policy DM6. To include Portlands within the PSA would risk paving the way for predominantly retail development on the site, which would be entirely at odds with the Council's strategy for the site and Marlow town centre as a whole.

5. Proposals under policy MR4 (Portlands) have led to various representations. Are the Council's proposals for this area necessary, practical and deliverable having regard to factors such as access, parking, conservation and impact on the immediate area?

- 5.1 The Council considers that a housing allocation is necessary at this location as it is a key town centre development opportunity, in what is a very constrained town. The development of the site for housing will assist in the achievement of the delivery of the District's housing targets.
- 5.2 The allocation is also an example of positive planning which is therefore in accordance with the NPPF, which states that local planning authorities should "positively seek opportunities to meet the development needs of their area" (para 14).
- 5.3 In terms of the specific characteristics of the site, Portlands is an under-utilised site housing and backland site in Marlow town centre¹⁹. As such it is considered to be a site which does not make the most effective use of land, especially so given its town centre and highly accessible location. The Council adopted a Development Brief for the site in 2005²⁰, which sets out how development of the site could make more effective use of the land here. In terms of deliverability, the Council notes that John Lewis Partnership (JLP, owners of the Portlands site with the exception of West Street Car Park, which

¹⁹ This backland area is known as Portland Gardens. The MR4 allocation in the Submission DSA Plan also incorporates the adjacent West Street Car Park which is proposed to be excluded from the allocation as part of a pre-hearing change (FC30, CD7.1)

²⁰ CD5.3.1

the Council owns), describes the site as available, suitable and achievable for housing development²¹.

- 5.4 The allocation of the site for predominantly residential use is the continuation of a principle first established by the Council in 1995. This was part of a long-running debate in the town over whether the Portlands site, or the Riley Road site, would be preferable sites for major retail development for the town. The Inspector's Report on the Adopted Local Plan²² (published in 2002) sets out a detailed comparative analysis of the two sites. In summary, the inspector found that the Portlands site would be suitable for housing development rather than retail development as this would better allow for the preservation and enhancement of the historic character and future appearance of the Marlow conservation Area.
- 5.5 Following the report, the policy for the site in the Local Plan was adopted and the Development Brief drafted. Policy MR4 of the DSA Plan continues the housing allocation for Portlands. The allocation of Riley Road for retail, along with the recent completions of two new food stores in the town (as detailed in the answer to question 2 above) means that the scope for new retail expenditure up to 2021 is met and therefore no further retail allocations are required at this juncture. The only change to the Portlands allocation is the insertion of the word "predominantly" in relation to the housing use. This is to recognise the scope for other main town centre uses within the site, so long as they support the town centre and remain small in scale. This change has also been supported by local stakeholders.
- 5.6 In terms of the detailed development requirements for the site, proposed pre-hearing change FC12 modifies many of these²³. Most notably, the requirement for the provision of the northern section of a new link road between West Street and Pound Lane, should it be required for future use by general through-traffic, has been dropped. This requirement had been a

²¹ See representation DSA12/019

²² CD5.2.4, pp337-344

²³ CD7.2, FC12 (p6)

reflection of a long-standing road improvement line at this location, which was initially put in place by BCC in December 1990. It was intended that the road would fulfil the role of both a service road, providing rear access to premises on the High Street, West Street and to the Portlands site, and as an alternative means of travelling between Pound Lane and West Street, thus allowing overall traffic levels in the High Street to be reduced.

- 5.7 However, the County Council has recently indicated that there is no strategic reason to retain this link and that it is no longer seen as a desirable alternative traffic route. It should be noted that this is an update to BCC's previous position, as outlined in the June 2010 High Wycombe Improvement Line Review²⁴.
- 5.8 Similarly, in terms of road access into the site, BCC has indicated that, depending on the likely quantum of development, a single vehicular access route to the site may be sufficient, which could be taken from the south of the site (as an extension of Malthouse Way). This would be assessed in detail through the normal development management process.
- 5.9 A further consequence of this change is that the West Street Car Park section of the site, previously allocated as part of the site to enable the link road to be completed at its northern end, is now no longer required. This part of the site is therefore proposed to be removed from the allocation by Further Change FC12²⁵. A by-product of this is that the allocation of Portland Gardens-only for residential development will not have an impact on the quantum of town centre car parking.
- 5.10 Policy requirement point g) is also proposed to be deleted as part of the pre-hearing change FC12²⁶. This is due to the fact that without the Link Road, the provision of rear servicing for the High Street properties becomes much more difficult to deliver in a way which would allow for the site to be developed to its

²⁴ CD2.7

²⁵ CD7.2, FC12 (p6)

²⁶ CD7.2, FC12 (p6)

maximum potential. These various changes have been shared with JLP, who have confirmed that they consequently wish to withdraw their objection to Policy MR4²⁷.

- 5.11 In terms of impact on the immediate area both in conservation and amenity terms, it can be seen from the Local Plan inspector's report that housing is a more appropriate use for the redevelopment of Portlands than other uses such as retail²⁸. This is due to the particular fine grain of the built fabric of this area meaning that housing would be the most appropriate use, in terms of its ability to integrate into its surroundings. This approach is reinforced through the requirement in the policy to respect the townscape and character of the town centre and conservation area.
- 5.12 Similarly, residential development here would be less likely to harm the amenity of neighbouring residents²⁹ than large-scale retail or other commercial development, with all the noise and traffic such uses would generate.

6. The Council notes that land in the centre of Marlow is highly constrained. Are proposals for Liston Road Car Park (policy MR5) therefore realistic and achievable given the potential impact on the area and the need to find replacement parking?

- 6.1 Similarly to Portlands, the allocation in Policy MR5 of Liston Road Car Park for residential development is an example of positive planning in line with the NPPF (para 14).
- 6.2 The Council recognises that there are issues with the deliverability of the site; this is to be expected of what is a medium-term development opportunity. It considers, however, that the timeframe envisaged in the delivery of the site

²⁷ See email correspondence in CD7.1, Appendix 3

²⁸ CD5.2.4, paras 6.17.6-6.17.8, p339

²⁹ Housing schemes have been developed over the past 20 years on the neighbouring sites of the former Wethered Brewery to the south and part of the Remnantz parade ground to the west.

means that there will be ample opportunity to address and resolve the issues and constraints to development here prior to any scheme progressing.

- 6.3 In terms of the displacement of parking currently available at Liston Road Car Park, the Council fully appreciates the need to protect the existing quantum of parking in a town centre which has long suffered from traffic and congestion problems. However, the Council considers that there are ways of ensuring the quantum of parking at Liston Road continues to be fully provided in the town centre as part of any redevelopment scheme, and that the development requirement in point a) of the policy ensures that this will happen.
- 6.4 Similarly, the policy stipulates that any development scheme on the site should incorporate a design and layout which respects the Marlow Conservation Area, and which safeguards the amenity of surrounding occupiers, users and residents.