

PLANNING SUPPORT STATEMENT

Erection of a motor vehicle dealerships for Porsche and Bentley comprising car showrooms, workshops & MoT bays, ancillary offices, car parking & display, landscaping, and associated works.

Land at Handy Cross, High Wycombe

on behalf of Dealership Developments Limited

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1. Introduction

- 1.1. The Tyler Parkes Partnership is a town planning consultancy based in Shirley, Solihull, covering all aspects of development including commercial, retail, industrial, residential, recreational and leisure uses. The Practice acts for a wide range of clients including plc companies, landowners, local authorities, government agencies, private individuals and development companies in connection with a wide variety of planning matters.
- 1.2. The Practice has been engaged by the Dealership Developments Limited (who are the development arm of Rybrook Services Limited) to prepare a Planning Support Statement to accompany their full planning application for the erection of Porsche and Bentley Motor dealerships, on a site at Handy Cross, High Wycombe.
- 1.3. This Planning Support Statement (PSS) describes the planning history, the proposed development, the planning policies against which it has been assessed, the planning merits of the proposal and concludes that planning permission should be granted.

Pre-application discussions

- 1.4. The proposal has been the subject of pre-application discussions and a formal pre-application submission (Council ref: P21/00040/PADC), with the formal response received from the Case Officer indicating support for the proposal, subject to further details and consideration of, amongst other things, any Retail Impact upon the Town Centre; Impact upon the anticipated delivery of Offices upon the site; Urban Design considerations; and Biodiversity matters.
- 1.5. The detailed proposals which now form the basis of this planning application have been progressed in the context of the pre-application feedback received from the Council and those relevant matters are addressed further within this Planning Support Statement.

2. The Application Site

- 2.1. The application site lies within a wider commercial and residential area in close proximity to Junction 4 of the M40 Motorway and is accessed off the A404, which is the main route from the motorway island down to High Wycombe town centre. The site sits directly to the north of the new Wycombe Leisure Centre and Waitrose Supermarket at Handy Cross, High Wycombe. The Town Centre lies some 1.5 kilometres to the north-west of the site.
- 2.2. The site forms part of the wider development site first granted permission under application ref: 12/06261/R4OUT and is understood to be referred to locally as the Phase 4/Gateway Site.
- 2.3. At present the site remains undeveloped following the previous permission. It has been cleared and features secure perimeter hoarding. The site is currently used for temporary vehicle storage (in accordance with planning permission ref: 18/05260/FUL, as summarised below). The High Wycombe Park and Ride car park is located to the west of the application site.

- 2.4. The site has an approximate area of 1.73 hectares (4.3 acres) and falls significantly by some 5m from the northern boundary with the A404 to the southern boundary.
- 2.5. The application site lies within Flood Zone 1 as defined by the Environment Agency Flood Map data.
- 2.6. Notwithstanding the planning history of the site (as summarised below), the site is “white land” and free from any specific land use allocation within the Development Plan.

3. Details of the Proposed Development

- 3.1. The development proposes the erection of a pair of motor vehicle dealerships consisting of a Porsche Centre and a Bentley Car dealership, comprising of vehicle showrooms and sales areas, a vehicle preparation building, workshops & MoT bays, ancillary offices, car parking & display, and associated landscaping.
- 3.2. The development is described in more detail within the submitted Design & Access Statement, but for convenience a summary of the main elements of the scheme is produced below.
- 3.3. However, in the first instance it is considered appropriate to provide some background to the applicants’ business and the benefits that this prestigious development can deliver.

The Business

- 3.4. As stated above, Dealership Developments Limited is the development arm of the Rybrook Services Limited. Founded in 1937 as Ryland Motors, the Group’s origins were in truck sales and coach building. By the 1950s the company’s focus changed to cars.
- 3.5. In 2010 Rybrook was named as one of the 3 automotive retailers in the UK representing McLaren. The McLaren Birmingham showroom opened in July 2011 and is situated next to the Rolls-Royce Birmingham showroom with a brand new Rybrook Specialist Car showroom above on the first floor.
- 3.6. In July 2012 Rybrook acquired Porsche Centre Chester and in 2017 Rybrook Bristol opened its doors showcasing 4 super luxury brands – Bentley, McLaren, Lamborghini and aftersales for Rolls-Royce.
- 3.7. Rybrook offers a range of prestigious marques including Bentley, BMW, Jaguar, Lamborghini, Land Rover, McLaren, MINI, Porsche, Rolls-Royce, and Volvo.

Employment

Jobs

- 3.8. With the introduction of these new prestigious dealerships to the area, the development will create some 88 new jobs in total within the two new dealerships. Furthermore, it

is envisaged that further job opportunities will flow as the dealerships become established and in response to business expansion and new technological advances with vehicles.

Skill levels

- 3.9. There will a broad range of jobs available requiring a diverse range of skills, including management, sales, after sales, accounting, administration, hosting, drivers, valeting and skilled technicians.
- 3.10. Of particular note the development will also act as a training base for the jobs required, notably for skilled technicians seeking to become a Master Technician. Rybrook provide apprentice technician programmes. All staff go through manufacturer training and accreditation programmes.

Environmental benefits

- 3.11. The development will include, but not be restricted to, such facilities and features as electric car charging points, energy efficient lighting, energy efficient heating and ventilation, and roof mounted Solar PV panels, along with the use of green walls to deliver ecological and biodiversity improvements.

The proposed development

- 3.12. Access to the development will be provided from the A404 via the existing traffic island and the existing site road which already serves the existing Waitrose Supermarket, Leisure Centre and the Park and Ride Car Park. The Porsche Centre and Bentley Dealerships will both be served by a single access which takes the form of a previously installed arm of the adjacent island which serves the Handy Cross site.
- 3.13. The Bentley Dealership will occupy the northern corner of the development site, with associated vehicle display and parking largely to the rear. The showroom building will be of the Bentley corporate architecture design, featuring a combination of curtain wall glazing and aluminium cladding.
- 3.14. The Bentley Dealership comprises a showroom and associated office facilities, with integral workshop consisting of 10no. bays, including MOT bays. The floorspace amounts to some 1,655sq.m. (GEA).
- 3.15. The Porsche Centre would sit to the south-west of the Bentley Dealership, albeit that it will be highly visible from the A404 and alongside the park and ride access road. The Porsche Centre will be a showcase for a new worldwide corporate identity for Porsche, which utilises a combination of contemporary aluminium cladding alongside curtain wall and structural glazing systems. A freestanding single storey Vehicle Preparation Building is also proposed in the south-east corner of the site (564sq.m GEA).
- 3.16. The Porsche Centre comprises two essential components; firstly, the ground and mezzanine floor showroom, display and sales areas with offices, staff accommodation and secondly the integral workshop section 16 no. bays (including 2 for MOT's) with parts/canteen and staff locker rooms etc. Owner collection bays are also provided. The Porsche Centre would consist of 4,007sqm (GEA).

- 3.17. The buildings have been designed to not only follow the corporate identity required for both brands, but to also give interest to the elevations and the street scene, with the glazing providing active frontages. The use of the showroom glazing to the main side elevations and different types of aluminium cladding for the showrooms, help to break down the mass of the building, as well as provide a varied façade.
- 3.18. The remainder of the site is devoted to the open display of new and used cars, customer and staff parking, and associated facilities, which include electric charging points, along with associated landscaping.
- 3.19. A breakdown of car parking/use is provided on the submitted Site Proposal Plan which includes a colour-coded breakdown of parking, with a total car parking provision on the combined sites of 263 spaces, plus cycle and motorcycle parking spaces also.

4. Site History

- 4.1. The relevant site history for the redevelopment of what was the site of the Council's former Sports Centre is summarised as follows, starting with the original Outline permission for the redevelopment of the site, dating back to 2012.

12/06261/R4OUT - Outline planning application (including details of access) for a coach-way to include park and ride services with 400 parking spaces and passenger facilities; new sports and leisure centre with 323 parking spaces; up to 34,791sqm of offices (Class B1) with parking for 850 cars; a 150 bed hotel (Class C1) with 50 car parking spaces; food store (Class A1) of up to 3,600sqm gross external floorspace with 200 parking spaces; an amenities building (Class D1) of up to 420sqm with 35 parking spaces; and associated access, landscaping and open space (application under Regulation 4). (APPROVED).

15/06076/VCDN - Variation of condition 44 attached to outline planning permission 12/06261/R4OUT to allow for the new sports and leisure centre to be first open to the public before the first opening of the hotel or any business building. (APPROVED).

17/08035/MINAMD - Non Material Amendments to the parameters drawing approved under outline planning permission 15/060706/VCDN. (APPROVED).

18/05260/FUL - Temporary change of use of vacant development land to vehicle parking for commercial vehicles, erection of new security fencing and site hut. (APPROVED).

18/05338/R4REM - Submission of details of layout, scale, appearance and landscaping for Phases 3 (prow building and hotel) and 4 (offices) pursuant to outline planning permission 15/06076/VCDN. (APPROVED).

5. Planning Policy Context

National Policies

The National Planning Policy Framework (NPPF) – Revised July 2021

- 5.1. The NPPF is a material consideration in planning decisions. The NPPF sets out the Government's planning policies and how they expect them to be applied.
- 5.2. At its heart, the NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, stating that there are three overarching objectives, being economic, social and environmental. It states that plans and decisions should apply a presumption in favour of sustainable development.
- 5.3. It reconfirms that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Therefore, proposed development that accords with an up-to-date Local Plan should be approved without delay.
- 5.4. The principles and approach of the NPPF give a clear pro-development message which includes a presumption in favour of sustainable development at Paragraphs 10 and 11. The presumption requires Local Planning Authorities to:
 - approve development proposals that accord with an up-to-date development plan without delay; and
 - where there are no relevant development policies, or the policies which are most important for determining the application are out of date, granting permission unless:
 - the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
 - any adverse impacts of doing so which would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 5.5. Paragraph 20 states that strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for, inter alia, employment and other commercial development.
- 5.6. Paragraph 38 advises local planning authorities to approach decisions on proposed development in a positive and creative way, and that decision-makers at every level should seek to approve applications for sustainable development where possible.
- 5.7. Paragraphs 39 to 42 encourage early engagement and pre-application discussions between applicants and local planning authorities.
- 5.8. Paragraphs 81 to 83 encourage planning policies and decisions to create the conditions in which businesses can invest, expand and adapt, and state that significant weight should be placed on the need to support economic growth ... taking into account local business needs and wider opportunities for development.

- 5.9. Paragraph 87 indicates that local planning authorities should apply a sequential test to planning applications for main town centre uses which are not within an existing centre. As is commented in greater detail elsewhere in this statement, it is contended that sui generis main car dealerships as is proposed would not be reasonably viewed as a main town centre use nor would it be particularly compatible with other mainstream retail development within a town centre location.
- 5.10. Paragraphs 126 to 136 encourage the creation of high-quality buildings and good design, with Paragraph 126 stating that “Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.
- 5.11. Clearly this proposal represents sustainable, economic development and fully complies with the relevant policies within the NPPF. As such, it is respectfully suggested that the presumption is unequivocally that the proposed development should be approved.

Local Planning Policies

- 5.12. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. In this instance the development plan consists of the Wycombe District Local Plan, adopted August 2019 (WDLP) and the Delivery and Site Allocations Plan, adopted 2013 (DSAP), some policies of which have since been replaced by the more recent WDLP.
- 5.13. As a starting point, it is the case that, despite its planning history and the aspirations and vision of the original outline planning permission and the accompanying masterplan, the application site remains as “white land” with no specific local planning policy allocation.
- 5.14. Despite this, there are various local planning policies which are considered to be, to varying degrees, of relevance to the proposed development. Briefly taking each of these in turn.

Wycombe District Local Plan (WDLP)

- 5.15. WDLP was adopted in August 2019 and, amongst other things, allocates new areas for employment growth along with Development Management policies with regards a wide range of subject matters, which supplement (and in some cases replace) Development Management policies of the DSAP.
- 5.16. Policy CP1: Sustainable Development – Emphasises the Council’s requirements for new proposals to deliver sustainable development in line with the objectives of the Plan.
- 5.17. Policy CP2: Overall Spatial Strategy – Identifies the Council’s aspirations and aims in terms of new development and its location whilst recognising those areas which warrant special protection.

- 5.18. Policy CP3: Settlement Strategy – Indicates, amongst other things, that the High Wycombe area will be the prime focus for development, including new economic and employment development.
- 5.19. Policy CP5: Delivering Land for Business – States that the Council will address the needs of the local economy by, amongst other things, *“Encouraging a range of development proposals for employment on new and existing employment areas that deliver B use classes or similar sui generis uses”* (Author’s emphasis). It is acknowledged, also, that the Policy seeks to deliver support *“High Wycombe as a location for high quality offices by encouraging the development of new premises in the town and also ensuring the delivery of existing key employment commitments, including Handy Cross Hub to provide new B1a office accommodation”*. Further detailed commentary with regard Policy CP5 and the Council’s aspirations follow within the Planning Appraisal section of this Statement.
- 5.20. Policy CP9: Sense of Place – Requires, amongst other things, high quality design of and for Development to be directed to land of lower environmental value and the optimisation of previously developed land.
- 5.21. Policy CP10: Green Infrastructure and the Natural Environment – Amongst other things, seeks for a net gain in biodiversity and the protection of the green infrastructure network.
- 5.22. Policy CP12: Climate Change – Encourages, amongst other things, the use of Sustainable Drainage Systems; High Water Efficiency measures; and the use of renewable technologies within both residential and commercial developments.
- 5.23. Policy DM33: Managing Carbon Emissions: Transport and Energy Generation – Sets out a series of considerations and requirements against which development will be assessed, which includes (but is not restricted to) such matters as suitable access to the local highway network; on-site parking provision; and use of renewable technologies.
- 5.24. Policy DM34: Delivering Green Infrastructure and Biodiversity in Development – Sets out the Council’s considerations with regard to biodiversity and the green infrastructure and of particular note sets out the Council’s expectations in terms of future tree canopy cover on sites in excess of 0.5 hectares in area outside of the town centre.
- 5.25. Policy DM35: Placemaking and Design Quality – Identifies design considerations against which new development should be considered and will be assessed. In this particular regard, the detailed design of the development is set out within the accompanying Design and Access Statements, which are to be read alongside the plans, elevations and visuals submitted with the planning application.
- 5.26. Policy DM38: Water Quality and Supply – Requires development proposals to demonstrate that they are served by suitable and adequate levels of services, and to ensure that the quality of ground and surface water is protected.
- 5.27. Policy DM39: Managing Flood Risk and Sustainable Drainage Systems – Directs new development to areas at least risk of fluvial and pluvial flooding and requires the use of Sustainable Drainage Systems wherever feasible.

Delivery and Site Allocations Plan (DSAP)

- 5.28. The DSAP was adopted in July 2013 and post the first introduction of the NPPF. Whilst as previously indicated some of the policies contained within the DSAP have been superseded by the more recently adopted WDLP.
- 5.29. The DSAP is focused primarily on the town centres (including High Wycombe) within the former Wycombe District Council administrative area and includes a number of town centre site allocations. It also contains “Wycombe-wide” Development management policies, which should be read alongside those contained within the DSAP.
- 5.30. The application site lies outside High Wycombe town centre and is not identified specifically or otherwise allocated for any specific land use. Notwithstanding, the following Development Management policies are considered to be of relevance, to varying degrees.
- 5.31. Policy DM1: Presumption in Favour of Sustainable Development – Effectively restates and the Presumption espoused within the NPPF.
- 5.32. Policy DM2: Transport Requirements of Development Sites – Sets out the requirements with regard to development proposals which require the submission of a Transport Assessment.
- 5.33. Policy DM5: Scattered Business Sites – Indicates that planning permission will be granted on scattered business sites where the proposed development is, amongst other uses, “for uses that deliver economic development such as employment generating sui generis uses”. (Author’s emphasis). The accompanying text to the Policy defines scattered business sites that are not part of an existing or designated employment/business area and accommodate “B” uses as defined within the Use Classes Order or employment generating sui generis uses. It is suggested that this policy is of particular relevance to the current application and proposed development.
- 5.34. Policy DM7: Town Centre Boundaries – This particular Policy (along with Policy DM10) are referred to within the Council’s Pre-Application response (Council ref: P21/00040/PADC). The Policy indicates that retail proposal will need to comply with a sequential and impact test where they fall outside primary shopping areas, with proposals for main town centre uses falling outside the designated town centres subject to national planning policy tests. This Policy and associated requirements are questioned, and it is maintained that the proposed sui generis Car Dealership development does not amount to either a pure retail use (hence the sui generis classification, as is confirmed within the Use Classes Order) nor does it amount to a Main Town Centre use. Further commentary on this matter is set out within the following Planning Appraisal section of this Statement.
- 5.35. Policy DM8: The Primary Shopping Areas – The DSAP Policies Map identifies the primary shopping areas within High Wycombe, which will be the focus for retail development. The Policy requires that development in the primary shopping areas should, amongst other things, be of an appropriate scale for the centre and be in accordance with policies for primary and secondary shopping frontages. The Policy further states the need for retail proposals outside the primary shopping area to satisfy national planning policy tests and the requirements of Policy DM10. As previously stated, the proposed sui generis Car Dealership does not amount to a retail use and the scale of the proposal and associated necessary site area would not realistically sit comfortably within a primary shopping area.

- 5.36. Policy DM10: Thresholds for the Assessment of Schemes for Town Centre Impact – Requires an impact assessment for retail schemes not in a designated centre and not in accordance with the up-to-date development plan. With regard High Wycombe town centre, the Policy states that such an assessment will be required for any retail proposal with a gross floorspace of 1,000sq.m. As previously stated, but worthy of repetition, the proposed Car Dealerships are clearly defined by the Use Classes Order as a sui generis use, and again the requirements of this Policy (as with those above) are challenged. Further commentary on this matter follows within the Planning Appraisal section of this statement.
- 5.37. Policy DM11: Green Networks and Infrastructure – Appears similar to the previously listed Policy DM34 (above).
- 5.38. Policy DM14: Biodiversity in Development – This Policy too appears similar to Policy DW34 in terms of protecting and enhancing biodiversity interests.

Other Policy and Supplementary Guidance

- 5.39. Air Quality SPD (Adopted March 2020) explains the scope and approach to air quality impact assessment of development schemes and mitigation.
- 5.40. Canopy Cover SPD (Adopted March 2020) provides guidance on how to meet the Tree Canopy Cover requirement as set out in Policy DM34 of the WDLP.
- 5.41. Planning Obligations SPD (Adopted March 2020) sets out the Council’s approach to securing planning obligations from new development in the Wycombe area, either to ensure infrastructure is put in place to address the impacts of development or to control and enhance certain aspects of the development. This SPD supersedes a previous version from April 2013.
- 5.42. The Council has an adopted Community Infrastructure Levy (CIL) and it is understood that the proposed development would generate a CIL payment.

6. Planning Appraisal

- 6.1. As previously stated, under the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with policies of the adopted Development Plan unless material considerations exist which outweigh those policies.
- 6.2. The permission originally granted for the wider site at Handy Cross, under application ref: 12/06261/R4OUT was an outline permission for a coach-way to include park and ride services with 400 parking spaces and passenger facilities; new sports and leisure centre with 323 parking spaces; up to 34,791sqm of offices (Class B1) with parking for 850 cars; a 150 bed hotel (Class C1) with 50 car parking spaces; food store (Class A1) of up to 3,600sqm gross external floorspace with 200 parking spaces; an amenities building (Class D1) of up to 420sqm with 35 parking spaces; and associated access, landscaping and open space (application under Regulation 4).

- 6.3. Since then, via a series of Reserved Matters and revisions, the site has been incrementally developed, albeit not as first fully envisaged, with the current application site being a case in point, with the originally proposed B1 Office development not having been delivered on site, and with little realistic likelihood of such development being realised.

Marketing and lack of demand for office accommodation in this location

- 6.4. The passage of time since the original outline permission has seen many changes and the demand for new Office development has declined with the market for speculative new build office development suffering. Whilst it is appreciated that the Council's aspirations for the site include high quality office space, as underpinned by Policy CP5 of the WDLP, the demand for such and in this area has fallen away, and it is therefore entirely appropriate for the Council to consider an alternative form of prestige, high profile, development as is being proposed.
- 6.5. A Marketing Report prepared by Savills in 2019 indicated that developers were "highly cautious and ultimately risk averse" with regard to new office development within the wider Thames Valley area, with development values and costs within High Wycombe making it difficult to establish viable schemes. A commercial solution was deemed necessary but had not been identified. The Savills' Handy Cross Hub Marketing Report is provided as one of the application submission documents, for ease of reference.
- 6.6. Notwithstanding, Savills had continued to actively market the Handy Cross site but with little interest, and certainly no appetite for speculative high quality office development.
- 6.7. Since then, matters have taken something of a turn for the worse with the advent of the ongoing Covid-19 Pandemic which almost overnight saw a massive shift in terms of working practices and a move, born out of necessity, for greater home working. Whilst matters have improved, many office-based companies have recognised that productivity and day-to-day operations have not suffered and the return to full time office working for many simply won't happen.
- 6.8. Against this backdrop, it is suggested that the demand for office development is unlikely to return to its previous levels anytime soon, if ever.
- 6.9. In light of this, whilst the aspirations of Policy CP5 in terms of securing new office development at the Handy Cross site (as well as within High Wycombe Town Centre) are understood, it is suggested that given the apparent lack of demand that the Council would be better served in concentrating their Office space aspirations within the Town Centre, which amongst other things would help support the lunchtime and post work economy of the Town and its retail and restaurant offer.
- 6.10. The proposed development would include, albeit ancillary, office accommodation to serve the two car dealerships and the development as a whole would develop some 88 new jobs in total on a site that currently delivers next to none.
- 6.11. The NPPF (Paragraph 81) makes it clear that planning decisions should help create the conditions in which businesses can invest and that "Significant weight should be placed on the need to support economic growth". Whilst Paragraph 82 d) calls for planning policies to be "flexible enough to enable a rapid response to changes in economic circumstances". (Author's emphasis)

- 6.12. If ever there was a time and need for such flexibility it is surely now, with the impact of the Covid-19 Pandemic in terms of working patterns and office demand being very real.
- 6.13. It is a matter of fact that the application site has no allocation within the Development Plan. The accompanying text to Policy DM5 acknowledges that: *“In line with the NPPF this policy allows for the Council to respond to market signals in determining applications for alternative uses on these (scattered/undesigned) sites and as such the policy allows a degree of flexibility and responsiveness to market conditions”* (paragraph 6.30). With paragraph 6.31 going further, stating that: *“Redevelopment of these sites for uses that are employment generating or for community uses would be acceptable. These uses would be acceptable on these sites as they have the potential to maintain an economic role for these sites in the long term by continuing to create employment and economic activity. In terms of the other uses these could include sui generis uses such as builders yards, car dealerships and petrol filling stations ...”* (Author’s emphasis).
- 6.14. In light of the above, and notwithstanding the aspirations of Policy CP5 in terms of office accommodation, as the Handy Cross site as whole will still deliver some such accommodation, and in the absence of any demand for the level envisaged on the Phase 4 (the current planning application) site, it is suggested that the requirements of this Policy, with reference to Policy DM5 and Section 6 of the NPPF, are satisfactorily addressed.

Impact upon High Wycombe Town Centre

- 6.15. The original planning permission for the Handy Cross site included consent for a 3,600sq.m (GEA) A1 retail supermarket, which has culminated in the Waitrose store that is evident on the site today. Such a form of retail development would, it is suggested, be more appropriately located within a Town Centre location.
- 6.16. The current application is for a pair of high profile, prestige, car dealerships. The Town and Country Planning (Use Classes) Order 1987 (as amended) identifies car dealerships (referred to as *“the sale or display for sale of motor vehicles”* in the Use Classes Order) as being a sui generis use. That is to say, of its own kind. Whilst there is a retail element by dint of the sale of vehicles, car dealerships are much more than that, with accompanying workshop space and facilities. They are emphatically not retail shops as previously falling within Class A1 (now Class E(a) following changes made to the Use Classes Order in September 2020).
- 6.17. It is curious to note that the Council’s definition of sui generis (as it appears within the Glossary (Appendix A) to the WDLP is at odds with the definition provided within the Government legislation (i.e. the Use Classes Order) in that it makes no mention of the Government definition *“the sale or display for sale of motor vehicles”* and instead unilaterally refers to *“shops selling and/or displaying motor vehicles”*.

- 6.18. This definition is incorrect. Not only are car dealerships not shops, but it is also suggested that they are not a Main Town Centre use either, rather they are more often than not located at the edge of, or on the approaches to, any given town. In the case of High Wycombe, for example, there is a concentration of dealerships along the A40 London Road (to the east of the Town).
- 6.19. Returning to the Council's WDLP Glossary, this includes a definition of Main Town Centre Uses which reads: "*Uses commonly found in a town centre, including: • Retail development (including warehouse clubs and factory outlet centres); • Leisure, entertainment facilities, and the more intensive sport and recreation uses (including cinemas, restaurants, drive through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); • Offices; and • Arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).*"
- 6.20. It is noteworthy that whilst this is a rather detailed list and other sui generis uses are specifically listed (e.g. theatres; casinos; night clubs) there is absolutely no mention whatsoever of so-called "*shops selling and/or displaying motor vehicles*" (sic).
- 6.21. To restate, we maintain that car dealerships are not shops, regardless of the incorrect definition relied upon by the Council, and that they are a sui generis use which for many reasons, not least of which being the usual size of site required, and associated transporter and delivery movements, are not ideally suited for a Town Centre location.
- 6.22. The requirements of Paragraph 87 of the NPPF, along with Local Policy DM10 are understood insofar as they relate to main town centre and retail uses. However, as stated above it is maintained that the proposed development of sui generis car dealerships is neither a main town centre use, nor is it a retail use and as such these policies are not at play.
- 6.23. Regardless of the above, visitors to car dealerships, and in particular given the prestige dealerships being proposed, are visiting for one of a small number of reasons and primarily with regard to either the viewing/purchase of a new vehicle, or for the servicing/repair of their existing vehicle. On this latter point, both Bentley and Porsche vehicles require specialist technicians to undertake such works and such work could not be undertaken elsewhere.
- 6.24. There would be no adverse impact upon the High Wycombe Town Centre, and the proposed development, whilst it would attract visitors to the premises, who in turn may decide to visit the Town Centre, most certainly would not draw away existing visitors to the Town Centre.
- 6.25. There are no sequentially preferable, available or suitable sites between the application site and the edge of the Town Centre. The development proposed requires an accessible site that is capable of accommodating the scale of development proposed. The requirement for the display, parking and storage of associated vehicles added to the car showrooms themselves is such that the required size of site immediately discounts any lesser sites.
- 6.26. Heading northwards along the A404 towards High Wycombe Town Centre, and down Marlow Hill, there are no suitable sites, and whilst Cressex Business Park appears suitable on paper with Policy HW17 of the WDLP giving support for "*sui generis uses that are akin to employment uses*", in reality there are no suitable sites which might even be considered as being appropriate, even if they were available.

- 6.27. In light of the above, whilst we consider that Policies DM7 and DM10 do not apply to the proposed sui generis car dealerships proposed, for the reasons set out previously, it is the case that the proposed development would not have any demonstrable adverse impact upon the existing Town Centre and the retail premises therein. It is also the case that given the site requirements of the development, that there are no sequentially preferable suitable or available alternative sites.

Green Infrastructure

- 6.28. It is acknowledged that Policy DM34 of the WDLP seeks for the protection and enhancement of both biodiversity and green infrastructure, and within this the Policy identifies a requirement to:

“Achieve a future canopy cover of 25% of the site area on sites outside of the town centres and 0.5 ha or more. This will principally be achieved through retention and planting of trees, but where it can be demonstrated that this is impractical the use of other green infrastructure (e.g. green roofs and walls) can be used to deliver equivalent benefit.” (Author’s emphasis).

- 6.29. Furthermore, Paragraph 6.146 of the supporting text to Policy DM34 states that:

“Whilst the Policy applies to all development, the application of the Policy requirements will be tailored in proportion to the scale and sensitivity of the individual development proposal.” (Author’s emphasis).

- 6.30. It is the case that the application site forms part of an overall phased development of the wider Handy Cross site, which was first consented under the Outline permission granted under application ref: 12/0621/R4OUT. It is particularly noteworthy that the original overall landscaping proposals for the entire Handy Cross site featured a significant concentration of its tree coverage towards the south of the site, and in particular alongside the boundary with the M40 motorway. This being the case, it is suggested that consideration of the tree canopy coverage should be in respect of the overall entire Handy Cross development rather than focused on the various individual phases, including the current proposal.

- 6.31. To support this suggestion, it is also of note that with regard to the original permission (12/0621/R4OUT) little in the way of tree cover, specimen species or otherwise, was indicated in respect of the originally envisaged B1 Office development on this site (i.e. in respect of the current application site). It is also the case that the Reserved Matters application (ref: 18/05338/R4REM) for, amongst other things, the originally envisaged Office development again included a paucity of tree species in relation to that then proposed development.

- 6.32. That is to say, that in terms of the very relevant planning history in respect of this particular site, the Council has previously been content to approve development (both Outline and Reserved Matters) with little in the way of meaningful tree canopy coverage, and certainly significantly below the 25% future canopy cover sought by Policy DM34.

- 6.33. The site at present is devoid of any significant tree cover and is largely utilised for vehicle storage under a temporary planning permission. Whilst it is proposed to incorporate boundary trees insofar as is possible and well in excess that which has been previously consented on the site in relation to the Office development proposals

as highlighted above, such planting would be essentially restricted to the south, east and west periphery of the overall site, albeit that some centrally located tree planting is possible. That said excessive tree coverage and the display of vehicles associated with the proposed development is not entirely compatible, with further tree planting being both impractical and unworkable given the nature of the proposed development.

- 6.34. There is no realistic possibility of further on-site tree planting, and the north-west edge of the site (alongside the A404) is understood to be home to significant services such that tree planting in this location would be inappropriate due to potential damage to said services from the roots over the passage of time.
- 6.35. It is noted that there appears to be something of a Local Planning Policy conflict between the aspirations of Policy DM34 (and the achievement of 25% canopy cover and biodiversity net gains) and the aims of Policy CP5 which seeks to deliver land for business purposes and in turn new employment opportunities, which the proposed development will deliver as indicated previously.
- 6.36. Based upon the supporting text to Policy DM34, and in particular Paragraph 6.157, it appears that the origins of the 25% canopy cover requirement within the Policy is based upon a simple calculation relating to existing woodland areas in the (former) Wycombe District. This is then applied to all areas of the District, rural and urban areas alike, which when applied to proposals for employment development makes it extremely problematic to meet the Policy aspirations and deliver development that will stack-up. In this particular case, put simply, meeting the full aspirations of Policy DM34 on site will stymie the proposed development.
- 6.37. All that being the case, it is proposed to incorporate significant green walls within the development, as is clearly allowed for within Policy DM34, and as highlighted above. It should be noted, however, that in this case the use of green roofs would not be possible due to the nature of the buildings' construction and the desire and intention to incorporate roof mounted Photovoltaic Panels for sun capture and renewable energy generation, as are indicated on the submitted plans and elevations.
- 6.38. The submitted Site Plan Proposal (dwg no. P280 01 Rev V) includes a breakdown of the 25% tree canopy cover required, based upon the site area (which equates to 4,330sq.m), along with what can realistically be achieved via the combination of tree planting and the use of green walls (which amounts to 2,079sq.m). That is to say, the development proposed can deliver some 12% tree canopy cover on site.
- 6.39. Whilst it is appreciated that this represents a canopy cover shortfall of 50% based upon the Policy DM34 requirements, this is the best level of canopy cover that can be achieved on site. To achieve a fully Policy compliant level of canopy cover would have a significant adverse impact upon the proposed development to the point that it simply would be undeliverable, with the associated new employment opportunities lost.
- 6.40. Our Client takes Biodiversity considerations very seriously and recognises the aims and aspirations of Policy DM34, but regrettably simply cannot accommodate the full tree canopy requirements of said Policy on site. However, our Client is prepared to mitigate this on site shortfall by funding off-site compensatory canopy cover on a suitable site(s) within the District. In this regard, our Client has been advised by Officers that it would be possible for a Section 106 obligation to be entered into to secure contributions towards off site compensatory provision for such a shortfall against the Policy requirement. At this stage, the location of such a site(s) is unknown, as is the likely level of contribution.

Other planning issues

Design and landscaping

- 6.41. As the submission drawings and 'visuals' indicate this will be a prestige development, the design of the dealership buildings representing both Bentley's and Porsche's most up to date architectural design concept.
- 6.42. The submitted plans and 'visuals' illustrate exciting and contemporary buildings which stand up to design scrutiny and should be celebrated.

Transport

- 6.43. The transport implications of the proposed development have been assessed in the submitted Transport Assessment using robust assumptions and take into account the trip generation of the site's consented use. The results of this show that the proposed development would not have any material detrimental impact on the local highway network.
- 6.44. The application is also accompanied by a submitted a Travel Plan which proposes various measures to encourage the use of public transport; however, it must be appreciated that by its very nature, a development of this kind does not necessarily avail itself to significant reductions in reliance on the private car.

Drainage

- 6.45. The application is accompanied by both a Flood Risk Assessment and Sustainable Drainage Design, both of which confirm that suitable on-site drainage can be delivered without any adverse impact upon surrounding land or the adjacent highway.

Ecology

- 6.46. As previously indicated, the site has been cleared previously and is currently used for vehicle storage. There is an area of grassland and young trees and shrubs. A Phase One Habitat Survey has been undertaken and identifies no significant impact on a range of species but does make some recommendations with regard the inclusion of bird boxes and bat tubes.

7. Conclusion

- 7.1. This is a sustainable site located within a larger mixed-use development including principally an "out of town" Waitrose Supermarket and a Leisure Centre, as well as a Park and Ride facility and parking, all in close proximity to Junction 4 of the M40 Motorway.
- 7.2. This proposal will deliver high profile and prestigious development which complies with national and local planning policies and is clearly acceptable and appropriate as a matter of principle.

- 7.3. There are no material planning objections to the proposed use, and indeed, the positive economic benefits in providing new jobs, and enhancing the appearance of the site, fully meet the objectives of the NPPF.
- 7.4. These are buildings of high-quality design and materials, as befits such prestigious dealerships, which will be a positive asset to High Wycombe. The scheme will deliver infinitely more attractive and striking buildings and landscaped setting than the originally approved Class B1 office buildings.
- 7.5. There are no highways or other technical issues that could conflict with the proposal.
- 7.6. There are compelling economic and business reasons why the development should proceed.
- 7.7. In all these circumstances it is submitted that the proposal is an entirely appropriate, sustainable and acceptable form of development in this location and that planning permission should be granted, without delay.