
Site Address: Pedestrian Access Ramp to Wellington Retail Park,
Maurepas Way, Waterloo
Proposal: Variation of Condition No. 5 of Planning Permission APP/13/00655
relating to the removal of the handrail and modifications to the crossbeams from the
approved plans.
Application No: APP/15/01042 Expiry Date: 11/11/2015
Applicant: Sainsbury's Supermarket Ltd Team: Team 2
Agent: Mr Morris Case Officer: Sally Smith
WYG
Ward: Waterloo

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site involves the underpass under Maurepas Way between the Wellington Retail park and St George's Walk and the area of banking alongside the road on the side of the retail park.

2 Planning History

APP/10/00793 - Demolition of existing buildings and erection of food store, undercroft car park, 6 no,pump PFS, pedestrian access ramp and associated landscaping.
Permit subject to S106 22/12/2011.

APP/12/00835 - Variation of Condition 35 of Planning Permission APP/10/00793 to amend approved plans relating to: a reduction in height of the main building; alterations to glazing; alterations to highway layout; changes in landscaping and other small amendments. Permit subject to S106 7/3/13.

Both permissions included a condition requiring the ramp to be completed before the store opens for trading

APP/13/00655 - installation of pedestrian access ramp (revision to ramp approved under planning permission APP/12/00835). Permit 23/08/13.

3 Proposal

- 3.1 The ramp, subject to planning permission APP/13/00655, has been constructed and is in use. There have, however, been modifications to the structural crossbeams from those approved and the ramp has been constructed without the installation of the handrails identified on the approved drawings. The application seeks approval to these modifications by way of variation to the plans approved.

4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
CS19	(Effective Provision of Infrastructure)
CS6	(Regeneration of the Borough)
CS7	()
CS8	(Community Safety)
DM11	(Planning for More Sustainable Travel)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Hampshire Highways -

On the matter of the handrail, design document BD29/04 (DMRB 2:2:8) states "handrails shall be provided on both sides of stairs, ramp and decks with a gradient steeper than 1:20". Since the gradient of the ramp is shallower than 1 in 20, they have stated that they can accept the ramp without the handrail. In addition providing a handrail in this late stage will cause more damage to the structure.

Development Engineer - Highways -

No response but has been liaising with Hampshire Highways in respect of their position.

Property Services Manager - No response

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 50

Number of site notices: Two

Statutory advertisement: Not applicable.

Number of representations received: One from the Havant Area Disability Access Group

Summary:

1. The application is misleading as it is unclear that the handrails were never fitted to the ramp.
2. It is already practically impossible to use the ramp/bridge in a manual wheelchair without something to hold onto, to rest. this also applies to mobility-impaired pedestrians, including the elderly.

3. Rather than taking an 'easy route' on a huge mistake and approve their omission, the handrails should be installed as per the original approval, given the demonstrated safety problems with the ramp.
4. As the structure was built under a S278 highway agreement, the local disability group should be consulted under the initial planning phase in accordance with the guidance in the 'Manual for Streets'.
5. The Core Strategy planning policies requires that facilities are accessible by a range of transport modes and meet the needs of the borough's community. Therefore the needs of pedestrians, manual and powered wheelchairs as well as mobility scooters should be considered.
6. Notwithstanding the 1:20 criteria of BD29/04 'Inclusive Mobility' by the Department of Transport requires that ramps of any gradient should not exceed 100m without proper resting facilities. The total development run is 185m so that should be a consideration. *(Note: The distance to the bend in the ramp from the car park is 58m and that has a flat area on the bend; albeit that no seating is providing)*
7. there is therefore considered to be more than adequate grounds to oblige the developers to adhere to the original documents or face enforcement action in the same manner as any other applicant would.

7 Planning Considerations

- 7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Effect on Visual Amenity
- (iii) Highway and Access Implications

(i) Principle of development

- 7.2 The principle and need for the ramp was established under the planning permissions for the new Sainsburys retail development. The ramp was a requirement to provide better linkages with the town centre and to enable the store to be considered as an edge of centre store and make it acceptable in location terms. A condition was included to link its implementation to the opening of the Sainsburys store. The details of the ramp were amended under planning permission APP/13/00655. That application was determined by the Development Management Committee in the light of a deputation and full representation by the Havant Area Disability Access Group (HADAG) - the Committee concluding that the absence of landings and seating areas on the ramp was acceptable given that the design of the proposal met the standards for footbridges set out in the Department of Transport's Design Manual for Roads and Bridges BD 29/04. The ramp has since been constructed and is in use. It is therefore considered that the key issues that need to be addressed in this application are the Effect on Visual Amenity and the Highway and Access Implications.

(ii) Effect on Visual Amenity

- 7.3 The alterations proposed will have no noticeable impact on the overall visual appearance of the ramp and are therefore considered to be acceptable under the provisions of Core Strategy Policy CS16.

(iii) Highway and Access Implications

- 7.4 The overall layout, design and gradient of the ramp was considered acceptable when APP/13/00655 was considered by Committee. The changes to the structural crossbeams have no impact on the use of the ramp; however the omission of the handrail does need to be considered in terms of the value of this feature to the overall design of the ramp, and whether its retention as part of the design can be insisted upon (as the representation received from HADAG requests).
- 7.5 Following the receipt of the representation from the HADAG the case officer has expressly raised with Hampshire County Council's Highways team whether the omission of this feature undermines the acceptability of the ramp design. Hampshire Highways have advised that they have no objection to the omission of the handrail as the gradient is under 1:20 which is the gradient at which handrails are required under the Design Manual BD29/04 (Paragraph 7.4) and will therefore be intending to adopt the ramp in its current form. (The gradient of the ramp is in fact lower being between 1:25 and 1:34.3 whilst the bend is level.) Hampshire Highways have also advised that the installation of the handrail at this stage will cause damage to the structure of the ramp.
- 7.6 It is noted that the adopted Havant Borough Local Plan (Core Strategy) 2011 contains a number of policies which support the provision of inclusive design in new developments - that said, it is considered that the provisions of the Design Manual BD29/04 are particularly material to the determination of this case (as they were for APP/13/00655), given that they are Government-issued and deal expressly with design criteria for the type of structure which is the subject of the application. Furthermore the 'General Principles' of the Manual state:
"2.6 Criteria to be considered in relation to use by visually or mobility-impaired persons are incorporated into the following sections of this standard. These criteria are of benefit to many types of users with impaired mobility e.g. older people, people with prams, those with walking difficulties, heavily-laden shoppers etc".
- 7.7 In the light of these considerations, it is considered that a compelling and sustainable case could not be made for refusal of this application on the grounds of the absence of the handrail from the design, given that in any appeal proceedings the applicant would gain support for the revised design from both the Design Manual BD29/04 and Hampshire County Council's officers who will eventually be responsible for maintenance of the ramp once adopted. Whilst, therefore, the concerns of the HADAG are acknowledged, their comments are not considered to be of such weight as to justify the refusal of the scheme.

8 Conclusion

- 8.1 It is concluded that it is considered acceptable for the ramp to remain as constructed, particularly with respect to the omission of the handrail, for the reasons set out in this report, and accordingly the application is recommended for permission. The previous decision (APP/13/00655) which this application seeks to amend included a condition regarding the submission of landscaping details. That condition has been discharged so the condition need not be applied to this decision.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT**

PERMISSION for application APP/15/01042 subject to the following condition:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Plans from APP/13/00655 and APP/15/01042:

Application form and Certificates

Drawing No. CHQ.08.08455 – PL150A, Site Location Plan (1:1250 @ A2)

Drawing No. CHQ.08.08455 – PL152, Existing Pedestrian Ramp (1:500 @ A2)

Drawing No. 4483-004 C3, Ramp Plans & Details (As indicated @A1)

Drawing No. 4483-010 C2, Ramp Elevations (1:100 @ A1)

Drawing No. 4483-011 C3, Pile and Pilecap Layout (As indicated @ A1)

Drawing No. 4483-020 C1, Existing Ramp Infill (As indicated @ A1)

Drawing No. 4483-201 P1, Ramp Layout Plan Showing Existing Services and Proposed Sections (1:200 @ A1)

Drawing No. ZSSLWVILLE2.2/50, S278 Agreement Highway Improvements Proposed Sections (1:200@A1)

3D view - Drawing No. 4003-01 Rev B

Plan - Drawing No. 4003-02 Rev A

Column centres - Drawing No. 4003-03 Rev A

Sections and Details - Drawing No. 4003-04 Rev A

Return Landing - Drawing No. 4003-06 Rev C

Bridge Arrangement - Drawing No. 4003-07 Rev A

Moon Landing Arrangement - Drawing No. 4003-08

Column Arrangement - Drawing No. 4003-09 Rev E

Sections and Details - Drawing No. 4003-10 Rev A

Ramp Setting Out - Drawing No. 4003-11

Off Bridge Parapet - Drawing No. 4003- 100

Reason: - To ensure provision of a satisfactory development.