

Our Ref: 2011-144  
Your Ref: 11/02245/FUL



## Planning Sustainability Development

John Saddington  
Hambleton District Council  
Stone Cross  
Northallerton  
North Yorkshire  
DL26 2UU

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NJL Consulting LLP  
Adamson House  
Towers Business Park  
Wilmslow Road  
Manchester M20 2YY

Phone: +44 (0)845 362 8202  
e-fax: +44 (0)870 130 5579  
e-mail: info@njlconsulting.co.uk

By email only  
[www.njlconsulting.co.uk](http://www.njlconsulting.co.uk)

Dear Mr Saddington,

**Re: Planning Application Reference 11/02245/FUL - Proposed Supermarket and Residential Development, Land at Stillington Road, Easingwold.**

We act on behalf of the Co-operative Group and wish to make a representation of **objection** to the above planning application. The Co-operative Group is a key investor and employer within Easingwold with two stores in the town, one of which is within the town centre at Market Place within the Primary Retail Area of Easingwold. The second at Long Street is just outside the defined town centre. Both stores play an important anchor role in the retail offer of the town.

The proposals by Retail Development Partnership represent a large retail development, in an out of centre location, and in line with adopted Development Plan Policy should be refused. The Proposal:

- i. Is likely to undermine the character, attractiveness and vitality and viability of Easingwold town centre (Policies CP14; DP20 and DP23) and;
- ii. Is out of scale appropriate to the centre and will have an adverse effect upon local residential amenity (Policy CP14 and Policy DP1).

### Effect upon Vitality and Viability

Policy CP14 of the Core Strategy identifies Easingwold as a District Centre and gives support to maintaining the vitality and viability of the centre where retail development should be appropriate in scale to its role, identified as, meeting the day to day needs of the rural catchment. Within the Development Plan Policy 20 sets out the approach to town centre development supporting uses and investments that sustain or enhance character, attractiveness, conservation heritage and vitality and viability. Policy DP23 relates to proposals for major out of centre shopping proposal but is framed in the context of PPS6 and is, in part, out of line with Government Policy (in relation to demonstrating need). Parts of the policy remain relevant in particular that major retail development proposal outside the Primary Retail Areas will only be permitted where it is demonstrated that there would be no adverse impact upon vitality and viability.

PPS 4 identifies supporting evidence required for applications for 'town centre uses', to include an assessment of impacts (Policy EC16) It requires assessment of a number of impacts including impact on town centre vitality and viability. Policy EC17 requires that planning permission be refused where there is evidence that the proposal is likely to lead to significant adverse impacts.

In support of the current proposal Marrons assert, at paragraph 3.19 of their PPS 4 Retail Assessment, that their quantitative analysis demonstrates that the scale of the retail development proposed is appropriate to the role of the town centre. They also state, at paragraph 5.34, that "*the application proposals will not have any material effect upon shopping centres and will therefore not have any adverse impact on the vitality and viability of any centre*".

We do not agree that the applicant has demonstrated that the proposal will not have adverse effect upon the vitality and viability of Easingwold. We have undertaken a review of the PPS4 Retail Assessment undertaken by Marrons on behalf of the applicant and would make a number of comments.

The assessment of trade diversion, included at Table 10, seeks to set out anticipated trade diversion of the proposed store. It identifies estimated turnover figures of existing floorspace, but uses a selective mix of company average turnover per square metre and revised (higher) figures, based on estimates using data from the household survey. It goes on to estimate where trade to the proposed store will be diverted from.

The applicant suggests that the lack of a large main food shopping facility in the town means that the majority of the impact will be upon the Co-op at Long Street (at 42%) and other larger stores outside the catchment, where they state it has been assessed people from the catchment undertake their main food shopping.

The applicant does not, however, apply trade diversion rates based on the household survey and in accordance with Practice Guidance on PPS4 which suggests the use of current shopping patterns from household survey work. The applicant's study identifies, for example, that trade will be diverted from several stores in Middlesbrough, although these stores are not identified as main food shopping destinations in the household survey data submitted.

Further the Trade Diversion table omits to include Easingwold Market, (also omitted from the capacity assessment).

We would suggest that the trade diversion applied is unrealistic and not based upon surveyed evidence and the conclusions of the applicant's retail impact study cannot, therefore, be relied upon as a proper assessment of retail impact under PPS4 or adopted development plan policies including policy DP23.

On the basis of these uncertain assumptions, the study suggests that just £0.02M will be diverted from stores in the town centre having an impact of 0.06%. This estimate is made on the basis that the new store will principally only divert existing main food shop expenditure, but the applicant's shopping study acknowledges that the store will also attract top-up trade. Further, it does not consider the effect of the introduction of a large modern foodstore into a market town, discussed below. It asserts that the local shops already trade alongside a supermarket, although the Long Street Co-op is approximately one-third the size of the proposed store and provides a complementary function to the town centre, positioned to enable linked trips with the town centre.

Further, the impact analysis ignores the weekly market (and farmers' market) which are both extremely important to the vitality and viability and character of the small market. It makes no assessment of trade diverted from the market to the new store. It is very likely that trade will be drawn from the market which could threaten its future viability. In considering how to judge effects on vitality and viability on a centre, Practice guidance on PPS4, suggests that in centres which rely on a particular diversity and special character it may be appropriate to take a cautious approach to potential adverse impact (Para 7.25).

The assessment also fails to consider the differing shopping habits of a small market town, applying assumptions on main / top-up spend based upon national averages. In a small market town it is likely that a greater proportion of shopping is undertaken on a top-up basis due the nature of the community and the market and shops available where shoppers use the market supplemented by visits to individual retailers supported by a complementary supermarket.

The introduction of a much larger supermarket, however, with adjacent car parking, in what the applicant's agents describe as a 'much more attractive shopping environment' could alter these shopping habits. The proposed store is located in an out of town location, just under a kilometre from the primary retail area, where, it is likely, that the majority of visits will be by car with limited opportunities for complementary linked trips with the town centre. On this basis, the proposal does little to sustain or enhance the character, attractiveness or conservation heritage of Easingwold and is contrary to Policy DP20.

The store is an inappropriate scale for the town. The proposal is for a store of 2,323 sq m gross including 1,286 sq m net sales of convenience floorspace which is well over double the existing amount of convenience floorspace in Easingwold. Policy EC16 of PPS4 requires consideration of the scale of a proposal in relation to the size of the centre. It is considered that an increase in convenience floorspace of this scale will have an adverse affect on the centre. The proposal for a store of such an inappropriate scale to the centre should be refused.

It is considered that the assessment of trade diversion is weak and the potential for an adverse impact upon the town centre and the market are underestimated by the applicants. The proposal could have a significant effect upon the vitality and viability of the town contrary to Policy DP 23 and Policies EC16 and 17 within PPS4 and that it does little to sustain or enhance the character of the town contrary to Policy DP20. This should lead to a recommendation for refusal.

### **Amenity**

We also consider that the proposal is of an inappropriate scale and design for the site and will have an adverse effect upon local amenity and the overall character and amenity of the town. The proposal includes a large foodstore of significant scale in the context of the town and will result in significant reduction of amenity particularly arising from noise, light pollution and disturbance. The proposal has been the subject of significant local objection.

It is poorly located, introducing a commercial development in close proximity to residential properties, in an out of town location. There is little opportunity to enhance the character of the town and is contrary to several adopted policies including Core Policy 14 which gives support to retail development appropriate in scale to a centre's role and Policy DP 20 supports proposals which enhance character, attractiveness and conservation heritage.

Policy DP 1 which requires that all development proposals must protect amenity particularly including privacy, security, noise, disturbance, pollution (including light pollution), odours and daylight. The proposal will have an adverse effect upon local residential amenity in particular on noise generation. The noise assessment, submitted in support of the application, identifies that the minimum daytime noise level taken at local residential properties is 26dB. It suggests a restrictive condition on noise from the mechanical plant of the store to not exceed 35dBA at any time which, even with this restriction, would represent (at times) a change in noise level for those properties of 9dB, exceeding the BS standard and representing 'a significant impact'. This demonstrates an aspect of the adverse effect the proposal would have on the amenity of the town and in particular the local residents.

The store could operate for long or even 24 hour period, which would result in day and night activity and lighting an inappropriate location in the market town.

### **Summary**

- The applicant's submission on retail impact cannot be relied upon as a proper assessment against DP23 and PPS4;
- There is the potential for the proposal will have an adverse impact upon the vitality an viability of Easingwold town centre contrary to Policy DP23;
- The proposal does little to sustain or enhance the character and attractiveness of Easingwold and is contrary to Policy DP20 and;
- The proposal is an inappropriate scale for the town and scale and design for the site contrary to policies CP14, DP1 and DP20.

We trust that these representations, on behalf of an established investor in the town, will be given consideration in the determination of the application. We would also like to consider any further submissions by the applicants in light of these representations as well as the analysis of the applicant's retail study, on behalf of HDC, by England and Lyle.

In the meantime please do not hesitate to contact me should you wish to discuss any of these matters raised further.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Alison Hughes'.

**Alison Hughes**  
**Associate Consultant**

**For and on behalf of NJL Consulting LLP**

cc: Chris Beebe – The Co-operative Group