

Delivered by e-mail

15 July 2015

Gary Johnston
Planning and Transportation Division
Blackpool Borough Council
Municipal Buildings
Corporation Street
Blackpool
FY1 1LZ

Dear Mr Johnston,

Re: Application Reference 14/0608: Redevelopment of Units 21 to 25 Squires Gate Industrial Estate

We write on behalf of the Baxter Group Limited to object to the above planning application submitted by LS Retail Warehousing Limited. The application seeks permission to demolish the existing industrial units and erect a new foodstore (Use Class A1) of 1,740 sq. m GEA (with a sales area of 1,245 sq. m), together with associated works to the layout of the site and its access.

There are two limbs to our objection, as follows:

- First, we object because the application proposal is contrary to Policy DE2 of the adopted Blackpool Local Plan, which designates the whole of the Squires Gate Estate as being '*...an Industrial Improvement Zone, with potential for major redevelopment and enhancement as an integral expansion of the Blackpool Business Park*'; and
- Secondly, we object because the proposal by LS Retail Warehousing Limited represents a failure of the sequential test set out in Paragraph 24 of the NPPF. Our client has recently obtained planning permission from Fylde Borough Council for a similar sized foodstore on the site of the former Westgate House premises, under reference 14/0358. Although both sites are in out-of-centre locations, we consider that our client's site is more accessible by a range of modes of transport than the application site at the Squires Gate Industrial Estate and better connected to the existing Local Centres at Abbey Road and Starr Gate and to Highfield Road District Centre.

Conflict with Policy DE2 of the Blackpool Local Plan

The application site at the Squires Gate Industrial Estate forms part of an Industrial Improvement Zone, under Policy DE2 of the adopted Blackpool Local Plan. The object of this Policy is to secure a major redevelopment and enhancement of the Industrial Zone as an integral expansion of the Blackpool Business Park. Thus, the demolition of Units 21 to 25 and the redevelopment of this part of the Industrial Estate for a foodstore is clearly contrary to the land use provisions in the adopted Blackpool Local Plan. In these circumstances, Section 38(6) of the Planning and Compulsory Purchase Act requires that the application is refused, unless material considerations indicate otherwise, as confirmed by Paragraphs 2, 11, 12 and 196 of the National Planning Policy Framework (the NPPF).

Section 8 of Savills' Planning and Retail Statement purports to deal with other material considerations. Savills cross refers to the Council's Employment Land Study of June 2014 (the ELS) in seeking to argue that reoccupation of the vacant units at the Industrial Estate will be difficult to achieve in their current form. However, Savills fails to provide an accurate summary of the recommendations of the ELS in relation to the Squires Gate Industrial Estate, which are set out in Paragraphs 4.34 to 4.38 of the ELS. Indeed, Paragraph 4.35 of the ELS, which is partially quoted by Savills, goes on to state that the fact that the large units are difficult to let in their current form '*... presents a major redevelopment opportunity which can capitalise on the site's two major assets which are '...convenient access to the strategic transport networks, including Junction 4 of the M55 Motorway and its location adjacent to Blackpool Airport'.*

Paragraph 4.36 of the ELS then goes on to state that the increasing vacancy level in recent years '*...means that redevelopment is more likely to come forward in the short to medium term to secure the long term future of the site...*', as well as providing opportunities for improved linkages to the adjoining employment areas (Sycamore Trading Estate and Blackpool Business Park). Thus, the ELS anticipates (Paragraph 4.37) that the Squires Gate Industrial Estate will provide for '*...major new employment development [which] will help to strengthen and diversify the local economy...*' and that '*Improving the occupancy of existing sites will be an important element of future supply given Blackpool's shortage of development land*'.

Whilst Paragraph 4.38 of the ELS acknowledges that there are likely to be constraints in the form of demolition and remediation costs and in relation to the provision of new infrastructure, it emphasises that '*any enabling development would need to be appropriately justified...*' and help to '*...secure the future business and industrial use of the site*'. In contrast, to the requirements of the ELS, Savills' support material provides no enabling development argument in relation to the wider site, no evidence of any liaison with ING, which owns the majority of the Estate, and no financial viability appraisal whatsoever. Moreover, the ELS makes it clear that there is a reasonable prospect of the Squires Gate Estate being redeveloped for employment purposes, so that the provisions of Paragraph 22 of the NPPF do not apply to the application site.

There is no evidence to support the argument put forward in Paragraph 8.10 of Savills' Planning and Retail Statement to the effect that the redevelopment of the application site, in isolation, is not viable and no evidence to support Savills' argument (in Paragraph 8.11 of its Planning and Retail Statement) that there is no reasonable prospect of the site being redeveloped for employment purposes.

Thus, in accordance with the provisions of Section 38(6) of the Act, and Paragraphs 2, 11, 12 and 196 of the NPPF, the first reason for refusal of the application by LS Retail Warehousing Limited should be that it does not accord with the development plan, considered as a whole, and would lead to an unacceptable loss of land with strong potential for redevelopment for employment purposes.

The Sequential Test

Paragraph 24 of the NPPF, sets out the sequential test for planning applications for main town centre uses that are not in an existing centre, and not in accordance with an up to date local plan. The first preference is for sites in town centre locations, followed by edge-of-centre locations, and only where suitable sites are not available should out-of-centre sites be considered. We accept that there is no suitable and available site within or on the edge of any of the nearby local and district centres in Blackpool. However, Paragraph 24 of the NPPF, goes on to state that:

'When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre'.

So, the current National Policy requirement, in comparing the sequential merits of out-of-centre retail proposals, is a comparative assessment of: a) their accessibility; and b) how well connected they are to the town centre. Thus, even if the Land Securities application site was part of the Blackpool Retail Park - which it is not - then it could not be declared to be sequentially preferable to our client's site at Westgate House unless: a) it offers better accessibility by a range of means of travel than Westgate House, or b) it is better connected to the nearest town centre than Westgate House. Moreover, as set out earlier, it is clear that the application site at Squires Gate Lane Industrial Estate is simply not suitable for retail use, whereas the Westgate House site is unannotated on the Proposals Map of the adopted Fylde Borough Local Plan.

Thus, given the provisions of the penultimate sentence of Paragraph 24 of the NPPF, our client has commissioned transport consultants Turner Lowe Associates (TLA) to undertake a comparative assessment of the accessibility of the two sites. TLA's findings are set out in Appendix 1 to our letter. In short, TLA puts forward a number of reasons as to why the Westgate House site is more accessible than the application site at Squires Gate Lane Industrial Estate, as follows:

- the planning permission for a similar sized foodstore at the Westgate House site involves improvements to the bus stops close to the site and a new pedestrian facility at the nearby traffic lights at the junction of Squires Gate Lane with Lytham Road;
- the existing bus stops serving the Westgate House site are located directly outside the development site on each side of Squires Gate Lane, whereas the Squires Gate Retail Park is only served by westbound bus stops, with the east bound bus stops being some way away from the Squires Gate Retail Park;
- the Westgate House permission serves a large residential base that is within 1km of the site who are not currently within walking distance from the Morrisons store at Squires Gate Retail Park;
- in contrast, pedestrian accessibility to the Squires Gate Retail Park is so poor that pedestrians have had to make their own routes through the landscaped areas in order to gain access to the stores; and because
- the Westgate house site benefits from dedicated cycle lanes on Squires Gate Lane in each direction, whereas there are no such facilities as the Squires Gate Retail Park junction;

Finally, we would emphasise that the Westgate House site is equidistant between the Local Centres at Starr Gate and at Abbey Road, and has much easier access to Highfield Road District Centre (see plan in Appendix 2). In contrast, the Industrial Estate application site is likely to encourage more use of the out-of-centre Squires Gate Retail Park.

We conclude, therefore, that the Westgate House site is more assessable by foot, cycle and bus than the Industrial Estate site and that it has easier linkages with the existing centres at Starr Gate, Abbey Road and Highfield Road. It is clear, therefore, that the Westgate House site is sequentially preferable within the terms of Paragraph 24 of the NPPF. As a consequence of all the factors set out above, it is clear that a second reason for refusal of the application by LS Retail Warehousing Limited is failure of the sequential test set out in Paragraph 24 of the NPPF.

We shall be grateful if you can confirm receipt of this objection letter and please outline its contents to your committee members. We shall be pleased to discuss any queries that you may have in relation to this representation.

Yours sincerely,



Mike Holliss

Encls

- **Appendix 1** - Report from Turner Lowe Associates and associated drawing showing relative walk-in catchment areas.
- **Appendix 2** - Location Plan of Nearest Local and District Centres

**Proposed Discount Foodstore
Westgate Road. Lytham St Anne's
Supplementary Information**

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1. Introduction

- 1.1 The proposed development on the site of Westgate House is supported by a Transportation Assessment that has been accepted by the Highway Authorities in this area.
- 1.2 The proposed development is recommended for approval by the planning and highway authorities on the basis that (in highway measures) it will:
- i. Improve the current substandard junction of Westgate Road with Squire's Gate Lane
 - ii. Improve the Bus Stops close to the site
 - iii. Provide a pedestrian facility at the nearby traffic lights at the junction of Squire's Gate Lane with Lytham Road.
- 1.3 All the above improvements would clearly benefit all highway users in the area of the development, not just customers of the proposed development
- 1.6 A planning application has been submitted to the neighbouring Blackpool authority for an Aldi foodstore on the Squire's Gate Lane Industrial Estate, around 1km to the east of the Westgate Road development site. The applicants of that scheme have objected to the proposed development on the basis that the proposed Aldi store would be better located than the Westgate Road scheme.
- 1.7 This Supplementary Note assesses this claim.in terms of highway matters.

2. Pedestrian Accessibility

- 2.1 It is usually considered that shoppers would be prepared to walk around 1 km to a proposed foodstore. Often very intricate drawings are produced measuring such distances along roads and footways. This is, however, implying that the 1 km distance has an accuracy that is not warranted. People will be willing to walk around 1km.
- 2.2 The Transportation Assessment that supports the Westgate Road scheme provided maps showing general "as the crow flies" catchment areas that would be served by the proposed development for walking and cycling trips

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- 2.3 We are pleased that the Transport Assessment that supports the Aldi application did not produce intricate diagrams, but disappointed that no catchment area diagrams were produced at all.
- 2.4 The catchment areas for both the Aldi and Westgate Road scheme would be the same diameter but centred on different locations. The attached Figure S11 shows the areas that would be considered to be within each proposed scheme on the same simple 1km radius basis.
- 2.5 As can be seen there are areas to the west that would be covered by the proposed Westgate Road scheme that would not be considered accessible on foot to either the proposed Aldi scheme or the existing Morrison's store on the adjacent Retail Park site.
- 2.6 There would be areas within the Aldi catchment area that would be considered to be outside the catchment area of the proposed Westgate Road scheme but these areas are already covered by the Morrison's store.
- 2.7 The proposed Aldi store will not provide any food retail facility that will be accessible to the walking public that could not already walk to the Morrison's Store.
- 2.8 The proposed Westgate Road development will, however, provide a modern foodstore within easy walking distance of a large area that would be outside the walking distance of the existing Morrison's store.
- 2.9 The proposed Westgate Road development will clearly be better located than the Aldi store in serving parts of the population that would not be considered to be accessible on foot to the existing facilities, and this will not change as a result of the proposed Aldi scheme.
- 2.10 AS outlined above, the proposed Westgate Road scheme will provide much needed pedestrian crossing facilities on Squires Gate Lane. These will benefit all pedestrian highway users in this area. There would be no similar benefits arising from the Aldi scheme. Indeed pedestrian access to the Retail Park is so poor that pedestrians have had to make their own routes through the Parks landscaped areas.

3. Cycle Accessibility

- 3.1 The Westgate Road scheme benefits from dedicated cycle lanes on Squire's Gate Lane in each direction, assisting cycle users on their final leg of a journey by cycle to the proposed development. There are no such facilities at the existing Retail Park junction which would be used to access the proposed Aldi site, just a very complicated and potentially dangerous junction for cyclist to negotiate.

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4. Public Transport Accessibility

- 4.1 The proposed development will upgrade the existing bus stops closest to the development site, with the above pedestrian facility at the Lytham Road traffic lights enabling bus users to cross Squire's Gate Lane in safety.
- 4.2 The existing bus stops are located directly outside the development site on each side of Squires Gate Lane.
- 4.3 The westbound bus stops for the Retail Park / Aldi site are well situated but the eastbound stops are well away from the Retail Park.
- 4.4 The Westgate Road scheme is clearly far better accessed by public transport and the improvement to the stops that will be provided as aprt of the development would benefit all bus users. This will not be the case with the Aldi scheme.

5. Other Matters.

- 5.1 The Aldi development site is continually referred to in its supporting Transportation Assessment as being within the existing Retail Park and therefore an acceptable use. It is not. It is part of the Squire's Gate Lane Industrial Estate which has been designated for employment uses not food retail uses.
- 5.2 The development claims to be sustainable and will encourage alternative modes of travel for staff and customers. The scheme then proposes 30 reserved parking spaces for staff, hardly likely to encourage alternative mode use.
- 5.3 Finally the proposed scheme proposes a link from the existing Retail Park car park onto the Industrial Estate access road. No proposals to control the use of this link are proposed. This is clearly intended to be a second access to the Retail Park car park, presumably intended to relieve congestion at busy times within the car park. There would be no benefit to general highway users arising from this link.
- 5.4 Regardless of the likely use of the link road, its use has not been assessed.

6. Conclusions

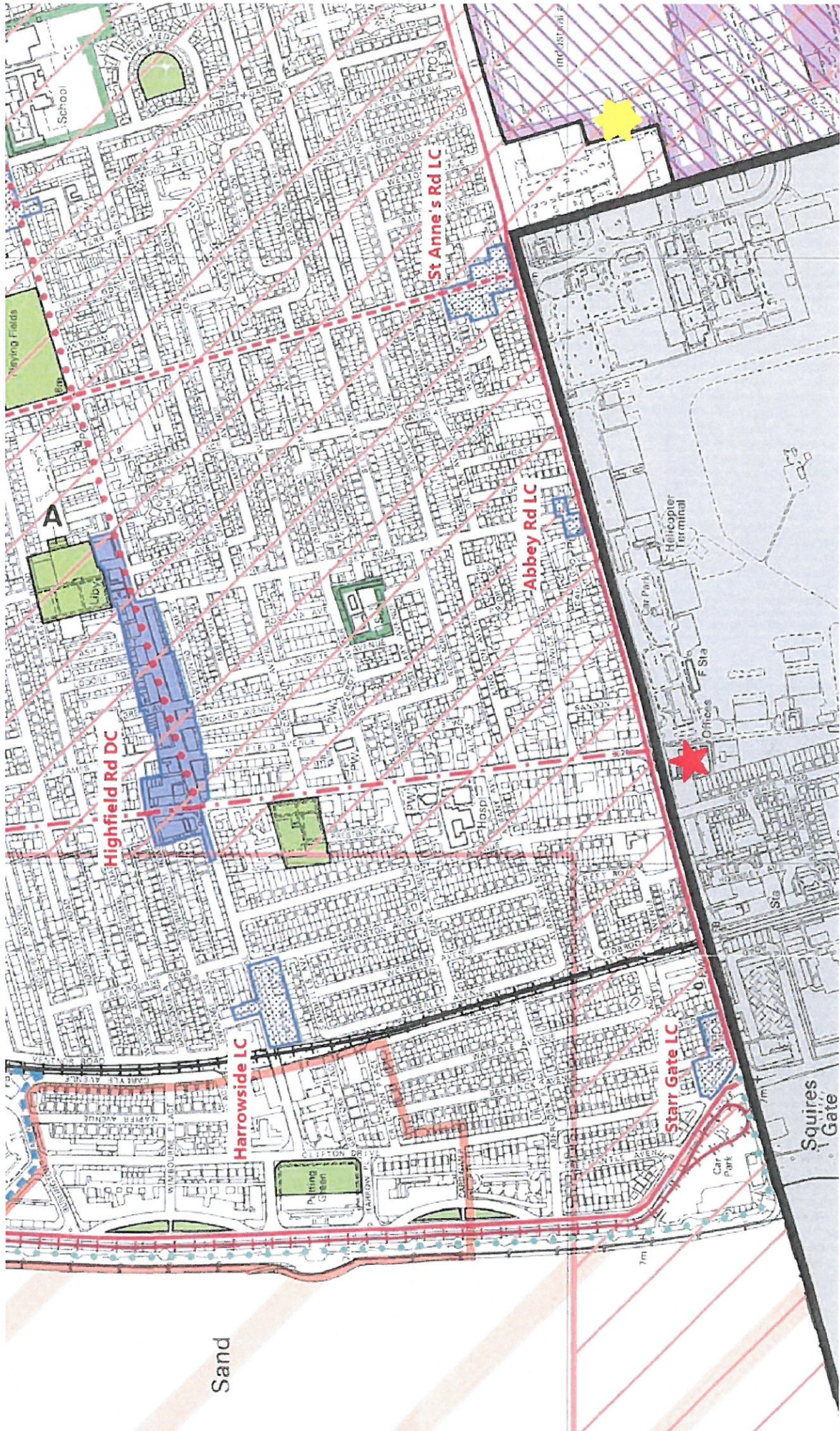
- 6.1 The Aldi site is clearly not better located than the proposed development site, its location is clearly worse. The proposed development will bring a modern foodstore within easy walking distance of areas that would be considered too distant to walk to from the existing Morrison's store or the proposed Aldi store.
- 6.2 The proposed Aldi store will not provide a facility that would serve any area that is not already served by the Morrisons store.

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- 6.3 The proposed development is better served by Public Transport than the Aldi site with improvements being provided to the closest bus stops (which are directly outside the site) as part of the development. The Aldi store would be poorly served by public transport with no scope for improvements.
- 6.4 The proposed development site has dedicated cycle lanes directly outside it. The Aldi site has no specific cycle facilities and cyclists have to negotiate a complex signal controlled junction to access the site.
- 6.5 The Aldi development proposed 30 reserved parking spaces for staff, hardly conducive to encouraging alternative modes of travel for staff.
- 6.5 The Aldi scheme proposes a second access to the Retail Park Car Park which would only encourage more car use, and a situation that has not been assessed.
- 6.6 In conclusion it is clear that not only is the proposed development better located, but there are good reasons to refuse the proposed Aldi scheme.

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Figures



Highfield Rd DC

St Anne's Rd LC

Abbey Rd LC

Harrowside LC

Starr Gate LC

Squires Gate

Helicopter Terminal

F Sta

Office

Car Park

Hosp

7m

Sand

Playing Fields

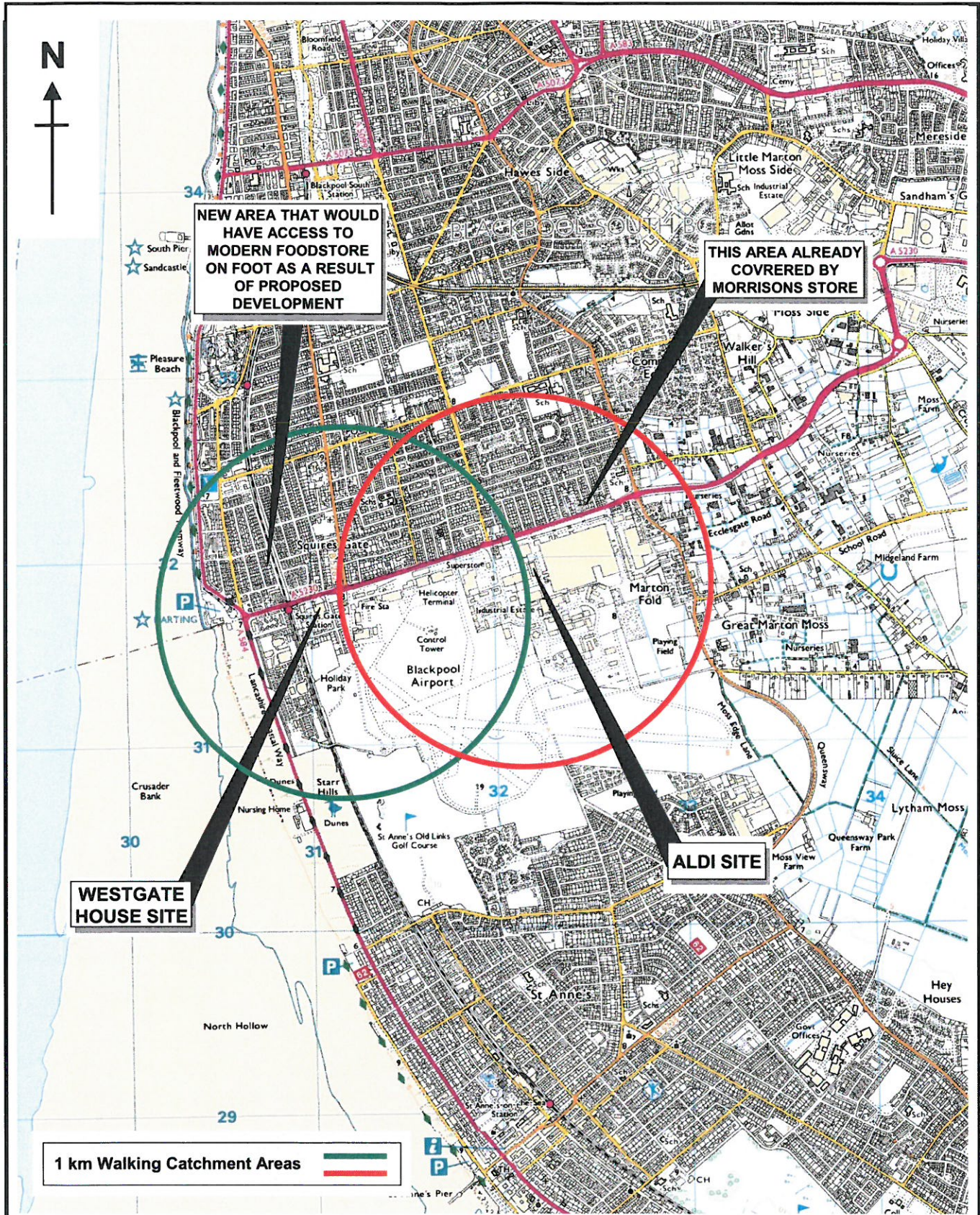
School

A

Lib

Playing Green

inc. 2017/18



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| Turner Lowe Associates 22 Guest Road, Manchester, M25 3DL Tel: 0161 798 7898 Fax: 0161 798 6642 E-mail: turnerlowe@btinternet.com | Job Title Proposed Discount Foodstore Westgate Road, Lytham St Anne's | | |
| | Drawing Title Relative Walking Catchment Areas | | |
| Client | Scale N.T.S. | Date Dec 2014 | Doc Sheet No. |
| | Job No. 140501 | Drg. No. Figure S11 | Rev. |

