



1.0 Executive Summary

1.1 Introduction

1.1.1 The statement addresses the Planning Committee Report (18 September 2013) relating to our client's mixed use development proposal at Southern Avenue, Leominster. Each draft reason for refusal in the Committee Report is assessed with reference to the available evidence. This evidence forms the basis of relative assessment of the competitor scheme at the Dales site, Mill Street.

1.2 Sequential Approach to Site Selection

1.2.1 The Southern Avenue proposal complies with the requirements of the sequential approach to site selection. There are no suitable, available or viable alternative in or edge-of-centre sites in Leominster capable of accommodating the proposed development, even on a fully flexible basis.

1.2.2 The out-of-centre site at Dales on Mill Street is not sequentially preferable owing to:

- It not being well connected to the town centre and no evidence of it being likely to generate any significantly greater number of actual linked trips. Deloitte express this opinion in their independent advice.
- There being at least reasonable doubt as to the suitability of the site for main food retail development, owing to outstanding flood risk and highways matters.

1.3 Retail Impact

1.3.1 The Council's own evidence base concludes that there is available expenditure capacity to support a new foodstore in Leominster of the size and scale proposed at Southern Avenue (not larger). The same evidence base concurs with the consensus that Leominster Town Centre is both vital and viable. In this context, there is no evidence to support the draft reason for refusal on retail impact grounds for the Southern Avenue proposal. The scheme will deliver significant social, economic and environmental benefits locally in a manner that is unlikely to have any significant adverse impact on the vitality and viability of the town centre.

1.3.2 The Council's independent retail advisers (Deloitte) concurred with the data assumptions and methodology used to assess likely retail impact in the WYG Retail Assessments. This included the use of the trading profile of the existing Morrisons store as a robust proxy. It is imperative the



Council use this agreed basis to fairly assess the likely impact of the two competitor schemes in Leominster.

- 1.3.3 The Dales proposal is for a Sainsbury's foodstore that is 59% bigger net sales area than the Southern Avenue proposal. It has a 68% larger turnover. Logically, it follows that the materially greater store size and turnover will result in a significantly greater impact on the town centre.
- 1.3.4 In this context, it is demonstrated that concerns highlighted by Deloitte in relation to the retail assessment supporting the Dales proposal result in an unrealistic suppression by Dales of the likely retail impact of the proposal. This includes a reliance on trade from outside the Study Area and failure to use the existing Morrisons store as a proxy. The outcome is twofold: the forecast impact of the Dales proposal on the town centre is suppressed to an illogically low level; and the assessment is not a reliable but challengeable basis on which to determine the likely impact of the proposal.
- 1.3.5 To illustrate the unreliable nature of the Dales figures, WYG have undertaken a market share assessment of the Dales proposal using the parameters agreed with Deloitte. This results in a significantly greater impact on Leominster Town Centre. The Deloitte conclusion that the Dales scheme is unlikely to generate linked trips indicates the significantly greater impact of the scheme relative to our client's proposal which will not be overcome through increased spin off trade. It follows that, of the two competitor schemes, it is the Southern Avenue proposal that is acceptable in terms of forecast retail impact on the vitality and viability of Leominster Town Centre.

1.4 Heritage Impact

- 1.4.1 The draft reason for refusal relating to heritage impact is unfounded. In any event, Morbaine have agreed financial contributions to fund initiatives to support the attraction of the town centre, addressing the reason for refusal. Should the Council maintain there is a demonstrable link, it is only logical that the materially greater impact of the Dales scheme would result in a significantly greater heritage impact on the town centre.

1.5 Loss of Employment Land

- 1.5.1 In contrast to the draft reason for refusal, the available evidence indicates the Southern Avenue scheme will not prejudice the supply of employment land in Leominster relative to identified demand. In this context, the scheme will deliver significant positive investment in 3 local firms, funding their relocation locally and facilitating their planned future growth. This coupled with the



regeneration of the application site and considerable job creation benefits at the foodstore matching well the unemployment profile in Leominster weigh heavily in favour of granting planning permission. The scheme constitutes positive economic development in line with NPPF guidance and the Government growth agenda.

- 1.5.2. The balance of relevant considerations in relation to the Dales scheme is similar. Significantly however, there is no demonstrable link between the relocation of the Dales operation and the redevelopment scheme. Relocation is likely to be delivered independently of the capital receipt generated by the redevelopment of the site, Dales having already purchased their relocation site. More suitable alternative uses could be developed on the Dales Mill Street site without prejudice to the relocation of the Dales industrial business locally.

1.6 Sustainable Location

- 1.6.1 The Southern Avenue site is located in an established mixed commercial and strategic employment area, which forms an existing destination in Leominster. The complementary commercial uses in the area are accessible by bus, with an existing service operating along Southern Avenue itself. The application proposal includes significant improvements to the connectivity of the site and surrounding area by modes other than the private car: a financial contribution towards improved bus services and links with the train station and town centre; and extensive foot and cycle way improvements agreed with the Highways Authority. On this basis, the site is accessible and the proposal actively promotes alternative modes of transport.
- 1.6.2 Principles of sustainable development include effective spatial planning to meet future growth requirements. The emerging Herefordshire Core Strategy identifies the Council's preferred approach in this regard being a 1,500 home strategic urban extension to the south west of Leominster (as well as a potential 10ha extension to Leominster Enterprise Park). The area is also earmarked as the preferred direction of longer term growth beyond 2031. This planned growth is in close proximity of the application site. It is sustainable to improve service provision in the only area of strategic growth identified in the town. This is particularly the case given there are no town centre sites and the scheme complies with the sequential approach to site selection.

1.7 Heads of Terms

- 1.7.1 Draft Heads of Terms have been submitted to the Council, consisting of:



- £1m to be split between subsidising car parking in the town centre, improved bus linkages and, potentially, a heritage grant for existing retail businesses, and also foot and cycle way improvements agreed with the Highways Authority.
- There is also a commitment to BREEAM 'Very Good'.

1.8 Contamination

1.8.1 Further consultation with the Environment Agency (EA) has resulted in an agreed technical solution to overcome their objection. The EA now consider the application to be acceptable in terms of groundwater and contamination.

1.9 Conclusion

1.9.1 The report demonstrates the balance of available evidence contrasts with the viewpoint adopted by officers in the Committee Report, weighing in favour of granting planning permission for the Southern Avenue proposal. Each of the suggested reasons for refusal are unfounded or have been overcome since the Planning Committee in September 2013.

1.9.2 The relevant considerations in relation to the competitor scheme are similar to the Southern Avenue proposal. However, it is significant that the Dales site is out-of-centre and not sequentially preferable. It is also significant that the Dales scheme is materially bigger than our client's proposal, which logically will result in a significantly larger impact on Leominster Town Centre. There is no evidence that this difference in impact will be overcome through spin off trade associated with linked trips to the town centre.

1.9.3 There is no evidence of any link between the redevelopment of the Dales Mill Street site and the successful relocation of the Dales business, removing any associated justification for the larger size and scale of the store. More suitable alternative uses could be delivered on the site, providing more effective social and economic benefits to the town.