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PLANNING DEPARTMENT	
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GL Hearn
Property Consultants

1 St James's Square
Manchester M2 6DN

T: +44 (0)161 829 7800
F: +44 (0)161 829 7810
E: info@glhearn.com
www.glhearn.com

Mark Shaw
Blackpool Council
Municipal Buildings
Corporation Street
Blackpool
FY1 1NF

GL HEARN 

Dear Mr Shaw

**Planning Application for New Foodstore, Windmill Public House, Westcliffe Drive, Blackpool
(Application Reference 09/0955)**

Further to our meeting on 9th October 2009 I am writing in response to the Development Plans Department's comments upon the above planning application received by email on 18th September 2009. On behalf of Tesco Stores Ltd I request that the comments in this letter are reported to Committee on 9th November 2009.

The Development Plans Department consider the proposal to be contrary to BH12, BH13, BH16 and BH21. Policies BH12, BH13 and BH16 relate specifically to retail development, whilst Policy BH21 relates to the loss of community facilities. This letter firstly considers the key retail issues raised by Officers and secondly addresses concerns relating to the loss of the Windmill public house.

Retail Issues

Site Location

The Council considers the site to be 'out of centre' stating that the PPS6 definition of 'edge of centre' applies only to sites on the edge of a town centre and not a location such as Layton. This is a misinterpretation of the PPS6 definition of a 'town centre' in relation to what constitutes an 'edge of centre' site. PPS6 states that the definition of 'town centre' contained within Annex A Table 2 includes the types of centre referred to in Table 1, which includes both 'district centre' and 'local centre'. Thus, Layton District Centre is considered as a 'town centre' location in terms of the definitions set out in PPS6 and the application of the sequential test.

Table 2 also sets out the definition of 'edge of centre' as, for retail purposes, a location that is well connected to and within easy walking distance (up to 300m) of the 'primary shopping area'. Table 2 defines the 'primary shopping area' as comprising both primary and secondary frontages. In the case of Layton, the district centre boundary is drawn tightly around the existing retail and commercial properties and thus the area of Layton defined on the Blackpool Local Plan Proposals Map as a district centre corresponds with the PPS6 definition of a 'primary shopping area'. Indeed the nearest shops on the edge of Layton include prime retail uses such as P&G Bargain store and Costcutter. The Council agrees that the site is within 250m of the edge of Layton District Centre, which we have demonstrated is also the 'Primary Shopping Area'. The site should therefore be considered as an 'edge of centre' site in PPS6 terms, contrary to the Council's incorrect interpretation of the guidance.

Need

Officers refer to the findings of the Fylde Coast Retail Study, highlighting that the Talbot Gateway proposal will meet a significant proportion of the short term capacity for convenience goods. The out of centre Farmfoods on Devonshire Road and the recently approved out of centre Lidl on Devonshire Road are also referred to here. However, the Council does not state that there is no quantitative need specific to the Layton area.

We consider that there is a clear quantitative need for additional convenience provision within this part of Blackpool; a finding which is supported by the high level of overtrading of existing stores. Whilst the Council are seeking to address the underprovision of convenience facilities within Blackpool Town Centre through incorporating a large foodstore within the Talbot Gateway proposal, this will serve the town centre, which has a sub-regional catchment area, and meet a wider need, rather than provide a small scale local facility that will serve the community of Layton.

The proposed small scale supermarket will address the need manifested within the catchment area for Layton through the provision of floorspace in a highly sustainable edge of centre location which is at a scale commensurate with the district centre. The store will be capable of providing most of people's main food shopping needs, meeting a gap between a day to day convenience store and a bulk food superstore and reduce the need to travel to larger stores elsewhere.

Paragraphs 2.35 to 2.37 of PPS6 set out the key considerations for qualitative need, which are: that an appropriate distribution of locations is achieved to improve accessibility for the whole community; and that provision is made for a range of sites to allow genuine choice to meet the needs of the whole community, particularly the needs of those living in deprived areas. Other considerations to be taken into account are the degree to which shops may be overtrading and the additional benefits in terms of regeneration and employment.

Officers' comments upon the lack of qualitative need for a Tesco store in this location, stating that Layton already has two convenience stores and implying that the proposal would be contrary to their objective of supporting local centres. However, we maintain that, in addition to quantitative need, qualitative need can also be demonstrated. The existing shops in Layton are limited to small convenience stores with a limited range of goods and there is a need for the provision of additional convenience goods shopping to improve social inclusion and overcome discrimination against the more vulnerable who cannot travel cost effectively to meet a range of food shopping needs.

The Fylde Coast Retail Study found evidence that the existing facilities in the Blackpool area are as a whole overtrading on average 9% above company averages and larger foodstores at significantly higher level than this. Most notably Sainsbury's at Bispham is identified to be trading at double anticipated benchmark turnover. It is also notable that, with the exception of Sainsbury's at Bispham, the main food shopping destinations serving Blackpool District are large superstores in out of centre locations and there is currently a lack of major foodstore provision in the central part of Blackpool.

The provision of a small modern supermarket in Layton will serve the local catchment area and promote sustainable shopping patterns in accordance with PPS6 since it will provide a more even distribution of shopping facilities and will reduce the need to travel to large superstores further afield. The proposed supermarket would be complementary to Layton as it will provide a different function to the smaller convenience stores and will strengthen the overall choice and retail offer available locally. This successful coexistence can be found in District Centres elsewhere including within Blackpool such as the Sainsbury's at Bispham.

In terms of other benefits, the proposal will provide around 100 new jobs in a deprived area where long term unemployment is high.

Impact

The Council considers that a Tesco supermarket will be detrimental to the vitality and viability of Layton District Centre because the site is out of centre rather than because of the scale or indeed accessibility of the site. However, as we have demonstrated the site is edge of centre and the Council does not suggest that there are any sequentially preferable sites in or on the edge of Layton. The Windmill pub site provides the best opportunity for a supermarket of an appropriate scale to meet the need for greater food shopping provision in Layton as it is accessible and well located a short walk from the existing shops. Layton District Centre would therefore benefit from linked trips as the proposal potentially claws back shoppers from large supermarkets elsewhere.

The Council does not disagree with the submitted Planning and Retail Statement, which anticipates that the main trade draw will fall upon the larger food superstores, which are already trading above normal levels. We have also demonstrated that there will be no detrimental impact upon the centres of Layton, Bispham, Whitegate Drive, Poulton or Blackpool.

Officers state that they are concerned about the detrimental impact of the proposal on the quality and accessibility of retail facilities in other nearby local centres without qualifying which centres they are concerned about. They state that the development is considered to be at the expense of provision in these centres and would undermine the Council's strategies and proposals for regenerating such areas. The smaller local centres identified on the Local Plan Proposals Map, principally comprise small groups of shops of a very local nature, including newsagents, hair/beauty salons and takeaways etc. Given the scale of provision proposed to meet the gap identified in local food shopping provision, it would be inappropriate to locate a supermarket within one of these smaller local centres. With regard to the impact of the proposal upon the local centres, as they do not perform significant food shopping roles, the proposal is unlikely to impact upon the existing provision. Indeed some of the convenience stores within these local centres are owned by Tesco which does not consider the Westcliffe Drive proposal as a threat to its existing stores.

Loss of the Windmill Public House

Officers consider that the loss of the public house is contrary to Policy BH21 'Protection of Community Facilities'. The policy states that proposals which would lead to the loss of, or reduction in the size of, a community facility will not be permitted unless either of the following two criteria can be met:

1. The facility is appropriately replaced; or
2. The applicant can demonstrate that there is no longer a need for the facility or its alternative use to meet other community needs.

The supporting text clarifies that the policy applies to the education, social services and waste disposal services provided by Blackpool Borough Council, police and fire services and a range of services provided by other organisations and by the private sector including health services, childcare, community halls and lastly refers to public houses. The supporting text also states that the first consideration should be whether there is a still a need for the facility and that decisions about community service provision are made in the broader context of need. If facilities are no longer required for their existing purpose, they should first be considered positively as a potential opportunity to help meet other needs.

We consider each criterion below:

1. Replacement Facility

The Council has not suggested that there is a need for an alternative community facility on the site, only that the existing pub should stay. Therefore, it stands to reason that if, as is demonstrated below, there is not a continuing need for the pub, then the site may be used for an alternative use other than as a 'community facility'. Nevertheless, Policy BH21 is not exhaustive in stating what type of use is considered as a community facility and which could include, for instance, food shopping facilities. Through improving shopping facilities locally the proposal will benefit the local community by:

- Strengthening the overall choice and retail offer available locally to the benefit of the community and particularly those who cannot travel cost effectively to meet their food shopping needs outside of the area;
- The spin off expenditure from customers clawed back to Layton from large foodstores outside of the area; and
- Providing around 100 new jobs in an area of high long term unemployment.

Moreover, the continued use of the building as a public house is not protected in planning terms, as change of use to use classes A1 retail, A2 financial and professional services or A3 restaurants and cafes is permitted development under the General Permitted Development Order (GPDO). The pub could therefore change substantially in nature and no longer focus upon value pub food, or even change to a professional service such as a betting shop or a retail use such as a convenience store. These uses are permitted and would not deliver the community benefits stated above and also potentially duplicate and compete with existing provision in Layton.

Also the categorisation of drinking establishments as an 'A' use class and the change of use permitted reflect the common features shared with other 'retail' uses rather than with community uses which usually fall within either use class 'D1' or 'D2' under the Use Classes Order.

Taking into consideration the benefits to the community, the classification of drinking establishments within the 'A' use class and the various changes of use permitted, the proposed supermarket will be an appropriate replacement facility for a public house that is no longer required by its owner.

2. Need for the Windmill public house

The Windmill public house is operated by Mitchell & Butler as part of the 'Sizzling' chain of pubs and serves food and drink with the emphasis upon value pub food. However, they have been trying to dispose of this particular pub for some time.


Nevertheless, within a 1.5km radius of the site within Layton and the central Blackpool area (excluding the town centre and seafront) there are several other facilities providing a similar food and/or drink offer including:

Pubs selling food

- Belle Vue, Whitegate Drive (A Sizzling Pub)
- No 3. Devonshire Square
- Queens Hotel, Layton
- No 4. Layton Road
- Squirrel Hotel, Bispham Road

Pubs without food

- Layton Institute, Westcliffe Drive, Layton
- Devonshire Arms Hotel, Devonshire Road
- Raikes Hall Hotel, 16 Liverpool Road
- The Victory, Counce Street
- Last Orders at Blackpool North, 80 Sherbourne Road

Planning permission has just been granted for a new restaurant within Layton District Centre which will provide an additional facility in Layton District Centre. 

For patrons that are loyal to the Sizzling Pub brand, the chain is well represented within the Blackpool area as the following Sizzling Pubs are also situated within the wider area:

- Newton Arms, Staining Road, Normoss
- The Highfield Hotel, Highfield Road, Blackpool
- The Gardeners Arms, Fleetwood Road North, Thornton-Cleveleys
- The Blossoms, 1-3 Woodlands Road, Lytham Saint Annes

Given that there is ample food and drink provision locally and taking into account the proximity of Blackpool Town Centre with its extensive pub and restaurant offer it is considered that the loss of the Windmill would not be detrimental to the community of Layton.

Conclusion

In summary, we have demonstrated that there is both quantitative and qualitative need for a foodstore of a scale that can provide most of people's main food shopping needs, meeting a gap between day to day convenience stores and bulk food superstores and reduce the need to travel to larger stores elsewhere. We have also shown that the Windmill public house is an accessible edge of centre site and that a small scale supermarket on the site represents the best opportunity for Layton to benefit from linked trips from shoppers clawed back from large scale superstores elsewhere. The proposed Tesco supermarket is in therefore accordance with retail planning policy contained within PPS6 as well as Blackpool Local Plan policies BH11, BH12, BH13 and BH16. Also, in accordance with Local Plan Policy BH21, the replacement of the public house with a supermarket would not be detrimental to Layton as it would bring about community benefits and there is ample alternative food and drink provision within a short distance of the site. We therefore, request that Officers recommend the application for approval to Members of the Planning Committee on the 9th November 2009.

Yours sincerely



Emma Wilcock DipEP MRTPI
Senior Planner
Email: emma_wilcock@glhearn.com