

GRP Ref: GR511

Date: 6th January 2016

Statement in Support of Objections by Mays Properties Ltd – ID: LLPub110

Objections to the Draft Vale of White Horse Local Plan 2031 Part One ('Draft Plan') were submitted by us behalf of Mays Properties Ltd ('MPL') online on the 10th December 2014. This Statement seeks to expand on those representations in advance of the Hearing to discuss the retail implications of the Plan ('Matter 8.4(b)') on the 4th February 2016.

1. Summary of MPL Objections

MPL's objections raised the following principal points:

- That the Draft Plan and evidence base was unsound in that it did not fully provide for future retail need within Abingdon
- That draft Policy CP10 was not sound in that it only sought to allocate the Charter & Abbey Shopping Centre site to meet future convenience needs and did not provide for the projected future comparison needs of Abingdon

Since the submission of these objections a further issue has arisen, namely:

- That the deliverability of Policy CP10 and a new foodstore on the Charter site is at best uncertain and in all probability unviable thereby undermining the soundness of this Policy and raising the question of whether other sites should be allocated elsewhere to meet the quantitative and qualitative need for future food floorspace within Abingdon

2. Future Comparison (Non-food) Need Within Abingdon

Our original objections questioned the failure of the Draft Plan to make provision for all future comparison needs within Abingdon. The Vale of White Horse ('VOWH') Retail & Town Centre Study (March 2013) ('2013 Retail Study') (the evidence base that underpins the retail policies of the Draft Plan) confirmed that even after taking account of the proposed allocations on the Charter site and Abbey Shopping Centre ('ASC') (formerly known as the Bury Street Precinct) there remained capacity for over 4,000 square metres net of comparison floorspace within Abingdon alone by 2029.

This position has now changed through the publication of the VOWH Retail & Town Centre Study Addendum (October 2014) ('2014 Retail Addendum'). Table 4.1 to the 2014 Retail Addendum now confirms that even allowing for existing commitments (i.e. the proposed Charter/ASC site allocation) some **5,561 square metres net of comparison floorspace will be required in Abingdon alone by 2031** (the Draft Plan period). It is a significant increase on the 2013 Retail Study projection.

It is not our intention to repeat the provisions of Government Policy and the National Planning Policy Framework (March 2012) ('NPPF') as these will be well known. However, paragraph 4.4 of the 2014 Retail Addendum (prepared as with the 2013 Retail Study by Nathaniel Lichfield & Partners) provides

what is in essence a summary of the approach advocated in NPPF to the preparation of local plans and the provision of retail development in that it states that:

“When planning for growth in their town centres, local planning authorities should allocate a range of suitable sites to meet the scale and type of retail development needed. It is important that the needs for retail and other main town centre uses are met in full and not compromised by limited site availability.” (Our emphasis)

The Draft Plan simply does not allocate sufficient land (sites) to meet the future comparison needs of Abingdon. Up to 2031 there is the capacity for some 5,561 square metres net of comparison floorspace (allowing for commitments) within Abingdon. The Draft Plan contains no proposals or allocations to address this need.

The 2014 Retail Addendum does refer to some potential sites, but all of these are sites that have been considered before, specifically as part of the sequential approach to support the redevelopment of our clients site, Fairacres Retail Park (‘FRP’) on Marcham Road – all the sites referred to have at one time or another been shown to be not suitable, available or viable. However, it is notable that there is as far as we are aware no suggestion that the Council supports the findings of the 2014 Retail Addendum in respect of these suggested sites. No Modifications have been prepared since this Addendum was published and we are not aware of any Council documents that seek to address the availability, suitability and viability of the potential sites referred to in the Addendum.

Paragraph 4.11 of the 2014 Retail Addendum concludes that there is a clear need to allocate further retail sites within Abingdon in the short to medium term. Not only are none of the sites mentioned in the Addendum suitable, available or viable, but the suggestion that Abingdon’s needs (in the absence of alternative sites) could be diverted to the new housing developments at West Didcot is completely unsustainable and makes absolutely no planning sense at all. It appears to simply ignore the potential of other sites within Abingdon, such as the FRP, to meet those identified needs.

The main site at West Didcot is the Didcot A Power Station which is currently the subject of a mixed use application (Planning Reference P15/V1616/FUL) which includes a new small foodstore and large format bulky goods units. However, the application submissions make it very clear that the retail element is intended to only serve the needs of that development (particularly for food) and Didcot itself (for non-food bulky units). It is therefore being justified on the basis of meeting those quantitative and qualitative needs, to reflect the very limited bulky goods offer within Didcot and to recapture the leakage of bulky goods expenditure from Didcot to locations such as Abingdon, Reading and Oxford. It is not being promoted to meet the needs of Abingdon and the Addendum’s suggestion that it could is plainly wrong and nonsense in land use planning terms.

All the identified need should and must be met within Abingdon and in the absence of alternative town or edge-of-centre sites consideration should be given to locations such as the FRP - an established retail destination which is accepted by the Council as being complementary to the role of Abingdon Town Centre (‘ATC’) and accessible to other modes of transport.

Change sought to the Draft Plan – that Policy CP10 or a new Policy be included that allocates additional sites for comparison development within Abingdon following a detailed review of potential opportunities including existing retail destinations such as the FRP.

3. Future Convenience (Food) Need Within Abingdon

Table 4.1 of the 2014 Retail Addendum confirms that even allowing for the proposed foodstore allocation on the Charter site **by 2031 there will still remain a need for 2,277 square metres net of convenience floorspace within Abingdon**. Again, this need, to be consistent with the NPPF, should and must be met within Abingdon and provided for in the Draft Plan. At present, the Draft Plan is completely silent on this issue and does not contain any food allocations beyond the Charter site.

The quantum of need in this particular case could support a large foodstore or up to two discount stores or a combination of a discount store and smaller foodstore – bearing in mind that the published figures are net and not gross. Abingdon currently has a good choice of traditional national foodstore operators within the Town Centre including the Co-op and Waitrose. Outside the Town Centre food provision is dominated by the Tesco Extra opposite the FRP on Marcham Road. There are also smaller neighbourhood stores such as the Budgens in Northcourt and Peachcroft serving the local residential needs of those neighbourhoods. There is however no discount operator in Abingdon and it therefore lacks the qualitative benefits that such an operator can bring including greater choice, competition and more competitive pricing. Both discounters and other high end food retailers have sought representation within Abingdon over the last 5 years, but have been frustrated from locating within the town by the lack of suitable sites that could accommodate units of 1,000 to 1,500 square metres gross together with associated customer car parking and dedicated servicing.

This demand remains and the Draft Plan must address this quantitative and qualitative need. If there are no suitable, available and viable sites within and on the edge of ATC, which the evidence shows there are not, then consideration must be given to meeting this need in established retail destinations such as FRP.

The Council have previously resisted large scale food development on the FRP, but in our view it remains the most suitable and available location to meet those needs on a scale that would not compete with existing provision within ATC. A discount store or a high end food store on the FRP would benefit from the Parks existing accessibility and sustainability, as well as offering the opportunity for linked trips with existing tenants and the Tesco Extra opposite.

In our original representations to the Draft Plan we confirmed that MPL were investing heavily in the FRP and having successfully completed the redevelopment of Phase 1 (western half of the Park) were now looking to progress the redevelopment of Phase 2 (eastern half of the Park). In relation to Phase 1, the Council have consistently acknowledged that this development has significantly improved the Park and secured a high quality modern development on this important gateway site. Also, that this redevelopment has secured new local jobs and enhanced the complementary role the Park plays to ATC. As part of this Phased development, MPL have also contributed heavily to various transport improvements in and around the Park.

The same significant benefits have now been secured through the Council's grant of outline planning permission for the redevelopment of Phase 2 (Planning Reference P15/V1063/O - decision dated the 30th July 2015). This scheme would replace the remaining first generation retail warehouses on the eastern side of the Park with a new terrace of seven retail warehouses (an alternative consent has also been granted for a new Homebase together with five new retail warehouses). Negotiations with

the existing tenants to implement this scheme are on-going and a Reserved Matters application will be submitted shortly. As well as meeting the needs of existing tenants, the new development will be able to accommodate new operators and could in particular meet the demand for a new discount store or high end food retailer within one of the permitted units.

Meeting all of Abingdon's retail needs within the town would be entirely consistent with the NPPF. The suggestion in the 2014 Retail Addendum that they could be met in West Didcot makes absolutely no planning sense, would be unsustainable and contrary to the retail strategy of the Draft Plan. Such an approach would result in more of Abingdon's available expenditure leaking from the town undermining further its retail role and position within the District's Retail Hierarchy (i.e. as the districts principal centre and 'Market Town' – Policy CP3 of the Draft Plan refers).

Change sought to the Draft Plan – that Policy CP10 or a new Policy be included that allocates additional sites for convenience development within Abingdon following a detailed review of potential opportunities including existing retail destinations such as FRP.

4. Deliverability & Soundness of the Proposed Charter/Abbey Shopping Centre Retail Allocation

Paragraphs 12.49 – 12.52 (inclusive) of the VOWH Local Plan 2011 (July 2006) provide a history of the planning background to the Bury Street Precinct Area (renamed Abbey Shopping Centre) and the Charter Area. It confirms that as far back as the 1991 Shopping Study both sites were highlighted as being in need of modernisation and redevelopment. These findings were reflected in allocations in the 2001 and 2006 local plans, which sought to bring forward the sites either for refurbishment or redevelopment to secure more modern retail accommodation, thus enabling Abingdon to retain more local expenditure and compete with other centres. Even though these allocations have coincided with periods of significant economic growth and investment within the UK, both sites have remained undeveloped, albeit there has been some recent investment within the townscape of the ASC including the provision of two new retail units – the largest of which is still vacant and being marketed.

Work on our clients proposals for the phased redevelopment of the FRP commenced in 2004 and throughout this process and in discussion with the Council MPL have sought to bring forward proposals that complemented ATC and did not prejudice the investment that the Council were seeking to achieve on the Charter/ASC sites. Whilst our clients have therefore supported and welcomed the proposed investment within ATC - in that together with the redevelopment of FRP they would assist in meeting Abingdon's future retail needs, reduce leakage and reduce unnecessary car journeys (CO2 emissions) - no redevelopment proposals have come forward.

In 2011 the VOWH signed a £53Million deal with Scottish Widows Investments Plc to redevelop the Charter and ASC sites. In April 2014 Sainsbury's withdrew their interest in developing a foodstore within the Charter Area. Since then, there have been no public announcements or updates on the future of the Charter scheme. Similarly, no planning applications have been submitted on the site even though it has been suggested on numerous occasions since 2011 that an application was imminent. At present, there is no evidence in the public domain to suggest that the redevelopment of the Charter/ASC sites (as envisaged in Policy CP10) is likely to happen, is commercially viable or can be delivered within the Draft Plan period.

Paragraph 2.34 of the 2014 Retail Addendum, drawing on the findings of the Abbey Shopping Centre & The Charter Area Development Brief (November 2011), confirm that the proposed Charter site is likely to comprise a development of 6,500 square metres gross, most of which will comprise a large foodstore of 4,200 square metres net of convenience floorspace and 1,470 square metres net of comparison floorspace.

Most of the main national foodstore operators have, over the last 2-3 years, withdrawn from large scale schemes of this nature in the UK - as this scale of investment is no longer commercially viable and/or as it no longer fits in with their new store policy and future business aspirations. This has included numerous schemes for which planning permission had already been granted.

There are also two significant problems with the proposed site itself. Firstly, the Charter area is a difficult and complicated site to redevelop, situated as it is right in the core of a constrained historic town centre, tightly bounded by Stratton Way to the north west, Bath Street and historic buildings to the west, Stert Street and historic buildings to the east and the historic market square to the south east. With the added complication of having to re-house existing vital services such as the Malthouse Medical Centre, the Public Library, the Old Peoples Day Centre and the multi-storey car park, redevelopment of the Charter site is extremely difficult and expensive. If the proposal was not viable back in 2011 then it is certainly not viable now given the current state of the large format food retail market. This market has now turned firmly in favour of smaller formats and more specialist food retailers - operating in either the discount or premium ends of the market.

Secondly, in view of the constrained nature of the town centre with its well documented traffic problems, it is completely unsustainable for the transport infrastructure to be expected to cope with the additional traffic that a 6,500 square metre gross superstore will generate right in the core of the centre. This is in addition to the significant challenge that is likely to arise in servicing a superstore of this scale with the frequent HGV deliveries that it will require to support it.

In view of these significant problems and in the absence of any evidence to the contrary there appears to be little prospect of this scale or form of foodstore development coming forward on the Charter site. Unless the Council can provide firm assurances and evidence that the redevelopment of the Charter site, as set out in Policy CP10 and the accompanying SPD, will come forward within the Draft Plan period, then mindful of the long history of inactivity on this site and the failure to date to bring forward a commercially viable redevelopment scheme or to even submit a formal planning application since a deal was signed in 2011, then the Draft Plan must make alternative provision for meeting the established quantitative and qualitative need that exists within Abingdon for both comparison and convenience floorspace by identifying and allocating alternative sites.

Change sought to the Draft Plan – unless the Council can provide firm assurances and evidence on the deliverability and timescales for the redevelopment of the Charter site, that Policy CP10 be deleted or reworded to include additional retail allocations on alternative sites within Abingdon following a detailed review of potential opportunities including existing retail destinations such as FRP.