

KEYWORTH VILLAGE PLAN DEVELOPMENT GROUP

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Planning reference 10/01333/OUT

Dear Sir/Madam

Proposed Supermarket Development on Selby Lane, Keyworth

This letter has been produced by an informal planning group formed under the auspices of the Keyworth Village Plan Development Group. The Keyworth Village Plan was published in July 2009 after nearly two years of hard work by the local community. A Village Plan Development Group was subsequently formed, amongst other things, to oversee the implementation of the Village Plan.

The Household Survey for the Village Plan established that 88.7% (1430) of respondents disagreed, or strongly disagreed, with the statement that they would like a new, large supermarket in Keyworth. This consensus view provides support for opposition to the proposed development. However, the case presented here is based on an 'objective' analysis of the relevant planning issues associated with the proposed development of a new 1,259 sq m store with car parking, landscaping and associated works at Selby Lane, Keyworth, in the context of both national and local planning policy.

The approach adopted has been to identify the relevant planning criteria by which the application will be considered and to comment accordingly.

AIM

The aim of the development is to principally stop the leakage of shoppers out of the village to Asda (4 miles distance) and Morrisons (3.5 miles distance); create 70 new jobs; provide cheaper prices and wider range of products in the village; and support the carbon agenda by reducing the need number of car journeys for distance shopping.

Comment Keyworth is a rural commuter village so many residents will still continue to shop where they work - not live - and go to Asda and Morrison's for petrol, just 4 and 3.5 miles from Keyworth respectively. Here they will have access to a far larger range of products for a weekly shop. As most local shoppers doing a weekly shop will use their cars to get to the proposed new Tesco in Keyworth, the carbon emissions savings will be small. Although new jobs will be created some will be probably lost in other retail outlets. The site is on a regular, circular one way Keyworth Connection bus route via Nottingham, so bus access will not be easy. There are currently other services which pass the site but these are very infrequent and little used and their future must be in doubt. Prices initially in the Tesco store may well be lower than in other local convenience food shops but they could well go up if some of these shops close due to the competition. Tesco could sell the store to another operator.

SITE

The site is approximately 0.58 hectares, fronting Selby Lane, and just under 150 metres to the edge of the site east of village local centre - The Square. It abuts the Keyworth Conservation Area and is likely to be directly opposite a proposed extension to it – all comprising Victorian or pre-1930s housing. It is bounded to the south by Green Belt and north, west and east by mainly residential housing.

Comment Approximately a third of the site was occupied by the former Wrights bus garage, motor repairs and petrol filling station (a non conforming industrial user as it was in a residential area). The remainder was residential or garden land. Under the new alterations to Planning Policy Statement 3: Housing, over 25% of the site, which was garden land on either side of one of the now demolished bungalows and in separate ownership, must be considered as green not brownfield.

PLANNING GUIDANCE

National Policy

Planning Policy Statement 4: Planning for Sustainable Economic Growth
The Water and Flood Management Act 2010

Local Policy.

Rushcliffe Non-Statutory Local Plan (including GP1, GP2, Shop1 and Shop2) until replaced by the Local Development Framework Draft Core Strategy

Planning Policy Statement 4 – national guidance

Policy EC1.3c identify deficiencies in the provision of local convenience shopping which serve people's day to day needs.

Comment The Rushcliffe Non Statutory Local Plan does not identify any deficiencies in Keyworth.

EC2.1a....identify priority areas with high levels of social deprivation that should be prioritised,.... having regard to the character of the area and the need for a high quality environment.

Comment There are not high levels of social deprivation in Keyworth.

EC3.1b define a network and centre.

Comment The Square is defined as a local centre for Keyworth in the Local Plan and draft Core Strategy.

EC4.1d identify sites in the centre, or failing that on the edge of a centre, capable of accommodating larger format developments where a need for such development has been identified.

Comment No need has specifically been identified and the site is beyond the edge as the distance has to be measured from the edge of the local centre to the entrance to the store which is over 150 metres.

EC5.2b edge of centre locations with preference given to sites that are or will be well connected to the centre.

Comment The site is beyond the edge of the village centre, with no visual connection and, is connected to it by a narrow busy road. Tesco propose to narrow this road even further. The pavements on both sides of Selby Lane are at some points only one metre wide and Tesco propose to widen only one side of Selby Lane but both sides will be used by pedestrians. The orientation of the proposed store turns its back on the local centre by facing east which will discourage connectivity and locates the car park so far from the local centre that it is unlikely to be used by shoppers visiting both locations.

EC10.2c whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions.

Comment The development clearly falls well short of meeting this criterion as it does not reflect in any way the nature or character of the immediate and local centre area.

EC12.1a support development which enhances the vitality and viability ofand other rural service centres.

Comment The development is likely to adversely affect The Square. The retail assessment shows that the Coop market share of food shopping is low so it will struggle to survive competition from Tesco. The Tesco store will also sell newspapers, magazines, health and beauty products with the possibility that the two pharmacies, newsagent, florist, butchers, deli, hardware, post office (stationary side) will all be seriously affected and could close. The Square 'anchor' is the Health Centre. Shoppers will not walk between the Square/Health Centre and Tesco due to the distance. This was proven during the period the Health Centre was being built when trade fell as shoppers would not park at the village hall car park and walk. This car park is a similar distance from The Square as the proposed Tesco car park.

EC13.1.b refuse planning applications which fail to protect existing facilities which provide for people's day to day needs.

Comment The development is very likely to affect the Keyworth Parade and other shops as well as The Square. All shops in Keyworth are classed as 'secondary' in terms of rental levels and investment yield and so they will be very vulnerable to competition. This is an issue that Tesco have chosen not to comment on in their retail health check.

EC14.5 In advance of development plans being revised to reflect this PPS, an assessment of impacts is necessary for planning applications for retaildevelopments below 2,500 sq ms which are not in an existing centre and not in accordance with an up to date development plan that would be likely to have a significant impact on other centres.

Comment Tesco's retail assessment is far from convincing. It uses as a case study a 2895 sq m supermarket, with petrol sales, close to the centre of Beccles, a market town, with a population of 13,000. Beccles is also some distance from a major urban area and on a major A road network. It is therefore quite unlike Keyworth, which is a rural village with a population of less than 7,500, with no through traffic and where there is good access to a large food store just 3.5 miles away. The use of this case study clearly indicates that the proposal is an untried and tested concept which is a great concern. The customer survey does not take into account the demographics of Keyworth which is a commuter village with an ageing population, many of whom like to leave the village to do their shopping either in the nearby supermarkets or Nottingham. The survey is purportedly, based on a population quoted as almost 17,000 whereas the catchment area including the surrounding small villages that may use the store is far less. The survey just asked about residents current shopping patterns. It did not ask whether residents would use the new Tesco store which is what it should be trying to establish and justify. Indeed the viability of the store is of such concern that should planning be granted, then it should be conditional on the building being demolished and the site reinstated to a reasonable condition should it be out of use for say 3 months. In this connection the Competition Commissions final report, dated 30th April 2008, of their market investigation into the supply of groceries in the UK, said in the section on the revenue impact of new entries that in respect of Tesco calculations 'it seems to us that this simulation model is not based on realistic customer switching behavior' (para 4.122).

EC15.1.b ensure that all in-centre options have been thoroughly assessed before less central sites are considered.

Comment Selby Lane is the only site available in Keyworth for the size of store proposed by Tesco. However, a smaller local convenience food store could be located in The Square, either in the former Coop building or on the site of the former British Legion. This would reinstate the same amount of outlets that existed at the time of the Village Plan survey and support the economic viability of the local centre.

EC15.1.c ensure that where it has been demonstrated that there are no town centre sites to accommodate a proposed development preference is given to edge of centre locations which are well connected to the centre by means of pedestrian access

Comment Connectivity to the local centre is not good due to the level of traffic at certain peak times, and the narrow road and pavements. The Section 106 proposes to widen the pavement on the south side of Selby Lane to presumably accommodate passing mobility vehicles. This will result in the reduction of the width of the road to 5.5 metres. This is not acceptable as the road is already dangerous for a rural location and it will, as a result of the store, be taking more traffic and large delivery vehicles.

EC16.1.e if located in or on the edge of a town centre, whether the proposal is an appropriate scale (in terms of gross floor space) in relation to the size of the centre and its role in the hierarchy of centres.

Comment The store is totally out of scale with The Square, although it could support the role of a local centre if it was adjacent to the existing shops.

EC17.1 Planning permission for main town centre uses that are not in an existing centre and in accordance with an up to date development plan should be refused where:..... there is clear evidence that the proposal is likely to lead to significant adverse impacts in terms of any of the impacts set out in EC10.2 and 16.1 (the impact assessment)

Comment The design falls well short of meeting 10.2 and with regards to 16.1 it is located beyond the edge of the centre.

NOTE - Edge of Centre definition for retail is a location that is well connected to and within easy walking distance (i.e. up to 300 metres) of a town centre boundary. For a local centre, such as The Square, it will be considered as significantly less, usually taken as immediately adjacent/up to about 150 metres away - Tesco entrance will be 200 metres from the Square as defined in the Local plan and so will be beyond the edge.

Supermarket definition – up to 2500 sq m often with parking

Local Development Framework Draft Core Strategy – not yet adopted

Defines The Square in Keyworth as a local centre.

The delivery strategy says:-

New development should retain the compactness of the centre for convenience of shoppers and other users, be compatible with the scale and nature of the centre and improving its environment and accessibility for people with mobility problems.

Retail development in out-of-centre locations will be strictly controlled. Proposals will need to demonstrate their suitability through sequential site approach and also provide a robust assessment of impacts on nearby centres.

Comment Being beyond the edge of The Square the store will not retain the compactness of the centre and is not compatible with the scale and nature of the centre.

At a local consultation exercise in Keyworth for the Core Strategy 22 people supported residential development on the site with just 1 against. The proposed site received the highest support for residential development in or on the edge of Keyworth.

Comment The site is clearly seen by the community as residential. Moreover, the recently published ‘Housing growth in Rushcliffe – a fresh approach’ strategy is based on meeting a housing target by using sites for residential development that already have planning permission. The Tesco site is one with consent for 44 units. Therefore, if it is not developed for housing it will affect the strategy as the ‘maths’ will not add up.

Rushcliffe Non Statutory Local plan – local policy until Core Strategy adopted

GP1 Development must take into account principles of sustainable development.

GP2 Planning permission will be granted where the following criteria are met:

- a) there is no significant adverse effect upon the amenity, particularly residential amenity, of adjoining properties or the surrounding area, by reason of the type and levels of activity on the site or traffic generated.

Comment The proposal will significantly affect all these criteria.

- b) a suitable means of access can be provided to the development without the detriment to the amenity of adjacent properties or highway safety.

Comment Access is likely to be to the considerable detriment of the properties directly opposite the site and residents on roads throughout the village which do not have the capacity to take a significant increase in traffic that will result from large delivery vehicles and an increase in car usage. Most shoppers will use cars to travel to the store from within Keyworth (people simply do not carry the 'weekly' shop). It is also doubtful whether the number of parking spaces provided will be adequate for employees and customers. This could result in overspill into the Village Hall car park and along Selby Lane at peak shopping times and when the road is also likely to be at its busiest.

- c) sufficient space is provided within the site to accommodate the proposal together with ancillary amenity and circulation space.

Comment Because of the very large size of the store and narrow depth of the site back from Selby Lane, there is insufficient space to provide adequate landscaping, particularly to screen the store and car park from views directly from Selby Lane and residential properties opposite. The space for turning delivery lorries also appears inadequate.

- d) The scale, density, height, massing, design, layout and materials of the proposals are sympathetic to the character and appearance of the neighboring buildings and the surrounding area. They should not lead to an over intensive form of development, be overbearing in relation to neighboring properties, nor likely to undue overshadowing or loss of privacy and should ensure that occupants of new and existing dwellings have a satisfactory degree of privacy.

Comment Because of its scale, size, and massing, the store is not sympathetic to its surroundings and by almost reaching the pavement is particularly overbearing to properties opposite on Selby Lane.

- e) noise attenuation is achieved and light pollution is minimized.

Comment No opening times are given in the application. However, the store is likely to be open until late at night so it will be noisy with vehicle movements, potentially attract anti-social behaviour and create light pollution for residents on Selby Lane and the elderly person's bungalows opposite the site, which could be intolerable. The application says that deliveries will be during daytime only but no times are given.

- h) there is no significant adverse effect on any ... their settings....conservation areas.

Comment The store will very seriously affect the settings of the conservation area as viewed from Selby Lane. One of the defining places in the conservation area is the Victorian Parochial Hall and its green surrounding area at the junction of Selby Lane and Elm Avenue. The view from this location, out of the conservation area, will be of the 'ugly' rear and bland side view of the store. All existing supermarkets in other locations have such a view heavily screened by soft landscaping or open space. The size constraints of the site do not make this possible on Selby Lane.

5.5 In the case of food shopping an established hierarchy of district centres and smaller settlement or parades has developed to meet the needs of both rural and urban residents, especially those people who are less mobile and find it difficult to gain access into the more modern shopping facilities. It is the vitality and viability of the centres within this hierarchy that the policies of the local plan attempt to protect and enhance

Comment This proposed development will seriously compromise this policy.

5.11 Local centres...Keyworth....are very important to the residents of Rushcliffe

Comment Tesco will seriously affect the economic viability of The Square as it will be neither in nor on the edge of the centre with poor connectivity, even after the completion of the proposed Section 106 works.

EN2 – Conservation areas – Planning permission for development within a conservation area, or outside of but affecting its setting, or views into or out of it will only be granted where;

- a) the proposal would preserve or enhance the character or appearance of the conservation area by virtue of its use, design, scale, siting and materials
- b) there will be no adverse impact upon the form of the conservation area, including its open spaces, the position of existing buildings and notable features such as groups of trees, walls and other structures.

Comment There can be no doubt that the development will not preserve or enhance views into, or out of, the conservation area. This is, therefore, perhaps the strongest of the many reasons for refusing consent. Indeed, its relationship to the conservation area is so important that the design should be referred to the Commission for the Built Environment (CABE).

NOTE The Planning Inspector in considering the recent William Davis residential development that was granted on appeal said that “the older buildings on Main Street and the western end of Selby Lane – many of which are within the conservation area – create an attractive and varied street scene...these are the buildings which provide the most important references for local character, particularly in their differing storey heights and the random, often terrace sequences of gables and frontages. The appeal proposal clearly takes its cue from these older buildings so that, in my opinion, it would reinforce local distinctiveness”.

Comment The Tesco design does not take any of this local character into account and is actually in complete contrast. It is just a scaled down version of the large Deysbrook Barracks superstore design in a Liverpool urban regeneration area – not a sensitive village residential location that is likely to be opposite a conservation area.

The Water and Flood Management Act 2010

This act came into force on 8th April 2010. It requires county council authorities, in undertaking their strategic planning, to consider all sites that will pose a flood risk. The Tesco store will have almost 100% site coverage from which surface water will have to be discharged into the drainage system. Although on top of a hill the site is on an impermeable clay ridge which has drainage problems at present.

Comment Tesco will have to show that they can manage any possible flood risk from the development which they have not adequately done so in the application. No 24 Elm Grove was flooded following thunder storms on 6th June this year. Any water running of a development/car park near the top of Elm Avenue would have aggravated this situation.

CONCLUSION

It is firmly considered that planning application should be refused on the grounds that the proposed development:-

- 1) is in an established residential area.
- 2) is completely out of character with the adjacent conservation area which defines the rural nature of the village of Keyworth.
- 3) will not support, and is more likely to adversely affect the economic viability of the village local centre - The Square and other facilities in Keyworth. This is because there will be no clear functional relationship with, and it is beyond the edge of The Square's defined retailing area, with poor visual and physical linkages to it.
- 4) will have a significant detrimental affect on the residential properties opposite the site, and also residents on roads affected throughout the village that do not have the capacity to take the increase in traffic, that will result from large delivery vehicles and increase in car usage. The further reduction of the Selby Lane highway width will also add to the safety risk on an already dangerous section of Selby Lane in the centre of the village.

Yours faithfully

Signed by members of the Village Plan Development Group

For and on behalf of the Keyworth Village Development Plan – informal planning group

Copies to Leader of the Council and Ward Councillors