

DELEGATED

AGENDA NO .

PLANNING COMMITTEE
10TH JANUARY 2007

REPORT OF CORPORATE DIRECTOR
OF DEVELOPMENT AND
NEIGHBOURHOOD SERVICES.

06/3299/REV

Tesco stores, Myton road, Ingleby Barwick

Revised application for extension to existing food store and associated car parking

Expiry date: 25th January 2007

Summary:

A previous application (05/3457/FUL) was withdrawn earlier this year by the applicants due to outstanding issues in relation to lack of supporting information contained within both the submitted retail assessment and the transport assessment.

The application site is situated on the corner of Ingleby Way and Barwick Way and partly lies within the defined local centre of Ingleby Barwick. Surrounding premises include a range of uses such as retail, leisure and veterinary practice.

This revised application again seeks to extend the existing Tesco superstore at Ingleby Barwick by extending to the west of the store and providing approximately 300 spaces to the eastern side of the store currently used as open space. The extension will provide an increase of approximately 2,500 sq.m (gross) and an increase in net sales floor space of approximately 1,500 sq.m

Recommendations:

Planning application 06/3299/REV be refused for the following reasons: -

01. In the opinion of the Local Planning Authority the applicants have failed to satisfactorily demonstrate that the proposed development is of an appropriate scale to Ingleby Barwick centre through the submitted retail assessment. It is therefore considered that the proposed development cannot be justified in terms of scale, function and nature of the Ingleby Barwick centre and would result in an elevation of the centre within the retail hierarchy outlined in policy S1 and would detrimentally harm the vitality and viability of Thornaby and Yarm centres and potentially undermine the regeneration scheme in Thornaby District Centre, contrary to national and regional planning guidance and policies S1, S2 and S15 of the Local Plan Alteration No.1

02. In the opinion of the Local Planning Authority the proposed development would have a detrimental impact on highway safety and

***the free flow of traffic upon the Ingleby Barwick highway network,
contrary to policy GP1 of the adopted Stockton on Tees Local Plan***

Background:

1. A previous application (05/3457/FUL) that proposed 2,775 square metres of gross retail floorspace and approximately 300 spaces and was withdrawn by the applicants due to outstanding issues in relation to lack of supporting information contained within both the submitted retail assessment and the transport assessment.
2. Pre-application discussions took place between the Local Planning Authority and the applicant's agent prior to the original application (05/3457/FUL) being submitted. At this time the agent was informed that proposed retail extension would be unlikely to gain the support of the Planning Authority on the basis of scale, impact, need and the threat to Thornaby regeneration scheme.

The Proposal:

3. The application site is situated on the corner of Ingleby Way and Barwick Way and lies partly within the defined local centre of Ingleby Barwick. To the west of the site lies a variety of premises with a range of uses which includes retail, leisure and veterinary. To the north of the site lies the petrol filling station for the store and the Myton House Farm Public House while to the east lies a large area of open space.
4. This revised application seeks to extend the existing Tesco superstore at Ingleby Barwick to the west side on land currently used for car parking. An additional car parking area of approximately 300 spaces would be provided on land to the east side of the store currently used as open space but owned by Tesco.
5. The existing Tesco store has a gross floorspace of 5,401 sq.m. and a net sales floorspace of 3,214 sq.m. The current application by Tesco seeks to increase the gross floorspace of the store to 7,900 sq.m. an increase of 2,499 sq.m. gross. The net sales floorspace would increase to 4,742 sq.m. an increase of 1,528 sq.m. of which 915 sq.m. is for convenience goods and 613 sq.m. for comparison goods.

Consultations

6. The following Consultees were notified and any comments they made are below;

Local Councillors

No comments received

Parish Council

Ingleby Barwick Parish Council has considered all the information and plans provided in respect of planning application no. 06/3299/REV and would like to raise the following comments:

The proposed new car park will cover what has been appreciated as a large green area for a number of years. If a car park is to be provided here then it should be ensured that the tarmac area is fairly well broken up with trees and suitable planting, which will not only improve the appearance but it will also make the area less likely to be used for ball games.

It should also be ensured that the car park has adequate lighting.

This development will generate an increased amount of traffic at the main centre of Ingleby Barwick. In view of this and as there is currently only one access road into the shopping centre from Ingleby Way/Blair Avenue, the Parish Council would suggest that consideration be given to providing a second access, possibly the provision of a roundabout at a suitable location on Barwick Way.

What, if any, planning gain is to be achieved from this application?

Contributions from developers are currently being progressed in respect of the proposed extension to Ingleby Barwick Community Hall. The Parish Council would request that if there is any possibility of planning gain, that a contribution from Tesco Stores towards the extension be considered.

It is requested that provision for a post office, banking facility, photograph processing and possibly a dry cleaners be incorporated within the development.

If approved, the store will hopefully provide a greater variety and choice of quality of products.

The Parish Council hopes that you will give the above comments due consideration.

Environmental Health Unit

Further to your memorandum regarding the above, I have no objection to this application.

Head of Integrated Transport and Environmental Policy

The development should be designed and constructed in accordance with the Councils Design Guide and Specification (Residential and Industrial Estates Development) current edition, and to that end I comment as follows: -

The overall parking provision complies with the Councils car parking standards.

Traffic Generation and Distribution has been calculated using the results of a study at Tesco expansion site elsewhere in the country. For this reason further justification as to how applicable the sites are should be provided. A comparison with TRICS database for the store was also requested yet was not provided.

A gravity model was produced and compared against the results of the telephone survey. The gravity model in some areas does compare well with the telephone survey. However, the comparison of the results require further consideration, particularly as a result of the questions raised over the telephone survey methodology.

At present 2 cycle racks are provided and only 3 additional racks are to be provided, giving provision for 12 cycles. Applying the Councils cycle provision for a development of this nature 79-cycle parking spaces should be provided.

The applicant was informed that due to the existing traffic congestion on the estate any increase in traffic should be regarded as material. However, the reports state that an impact of above 3% is considered as material. This is unacceptable.

The assessments undertaken within the report uses isolated junction computer modelling programmes. As the modelling is undertaken on each junction in isolation, the effects of other junctions on the network have not been included, which is unacceptable.

The base weekday models have not been compared to the queue information provided with the traffic flows in the report in any detail.

The report states ARCADY predicts an exponential growth in queues, and that as those queues occur drivers will amend their routes accordingly. However, it should be noted that few alternative routes are available within Ingleby Barwick and other junctions within Ingleby are predicted to exhibit operational problems.

The report states that there is only a small impact in terms of vehicle numbers and that could have a significant impact. Regardless of the acceptability of the proposed generation contained within the report, an additional 198 vehicles are predicted at that junction, which is not a small number. An increase in queue of 30 vehicles as a result of the development is predicted in the evening peak.

Improvements at the Myton Way / Ingleby Way approaches are proposed. However, their effectiveness given their scale and network considerations, means that further consideration is required.

Other junctions within the report are expected to be approaching capacity during assessment year of 2018 and 2008.

There are concerns regarding the level of impact and the accuracy of the modelling undertaken. The VISSIM model predicts a much greater base impact than that predicted within this report. This may be due to the fact that the junctions have been modelled in isolation.

A travel plan framework has been prepared, although a stronger emphasis should be placed on actively influencing customer use of sustainable transport modes. The details of the travel plan will require further consideration.

For the reasons stated above I object to the proposed application, on grounds of adverse material impact on the Highway network.

Northumbrian Water Limited

No objections but comment that large car parks (i.e. over 60 spaces) and areas subject to oil or petrol spillages must be drained through on oil

interceptor of suitable capacity to treat wet weather run-off from the drainage area, before discharging into the public sewer, river or water course.

Northern Gas Networks

No objections

Development Plans Officer

Detailed comments have been prepared on behalf of the Council's Developments Plans department by England and Lyle planning consultants. The key findings of the document are detailed below.

- ❑ The floorspace of the proposed extension is located within the boundary of the Ingleby Barwick local centre but the proposed additional car parking is on land that lies outside the defined local centre boundary.
- ❑ Local Plan Policy S1 requires that proposals for retail development in the Ingleby Barwick local centre should be appropriate in terms of the scale, nature and character of the centre and its existing role and catchment area. Policy S2 controls proposals for extensions to major retail development beyond the boundaries of local centres. In this instance the proposed development extends beyond the boundary of the Ingleby Barwick local centre because the new car parking proposed is on land outside the boundary.
- ❑ GVA Grimley argues that a need assessment is not required because the proposed development is within the local centre. But if the proposed Tesco extension can only be undertaken by developing beyond the defined local centre boundary, then the effect of the development will be to physically extend the local centre boundary in conflict with the Local Plan.
- ❑ The scale of the proposed extension has been reduced in the current application but it still represents a significant increase of almost half the existing sales floorspace. The scale of development that would be created by the Tesco extension is inappropriate for a local centre.
- ❑ The fact that the development proposed can only be accommodated on the Tesco site by extending beyond the defined local centre boundary is an indication that the scale of development proposed is too large.
- ❑ Evidence of quantitative need is required if the Council accepts that the Tesco proposal extends development beyond the boundary of the defined Ingleby Barwick local centre. The information necessary to demonstrate such a need has not been provided in support of the application.
- ❑ We have carried out an independent capacity analysis in relation to the Tesco proposals. There is no capacity for the estimated convenience goods turnover of the Tesco extension. There is greater capacity for comparison goods floorspace in the catchment area but if allowance is made for recent developments at Teesside Park, we are not convinced that there is sufficient capacity for the estimated comparison goods element of the Tesco extension.

- ❑ An extension of the Tesco store cannot be justified on the grounds of qualitative need in PPS6 terms. Tesco already acts as the anchor store for the Ingleby Barwick local centre, in an appropriate and highly accessible location, and it is not in a deprived area which lacks services and facilities. The Tesco store is also under-trading at present, which would suggest a lack of qualitative need.
- ❑ The methodology used by GVA Grimley to assess retail impact is unusual and questionable. We do not accept it as a suitable methodology for assessing impact. We have undertaken an independent impact assessment.
- ❑ In convenience goods the predicted impacts are about 11% on Asda in Thornaby, 6% on Morrisons at Teesside Park, 3% on other shops in Thornaby and 2% on other shops at Teesside Park. A trade diversion of 11% of Asda's convenience goods turnover is a significant level of trading impact. It represents 10% of the convenience goods turnover of Thornaby district centre as a whole.
- ❑ The predicted comparison goods trading impacts are about 5% in Thornaby town centre and 2% at Teesside Park. A trade diversion of 5% of turnover is not normally regarded as a high level of trading impact in comparison goods. But in this instance there are concerns about the harm to comparison goods trade in Thornaby centre arising from the Tesco extension. Any weakening of the role of Thornaby town centre could have a significant effect on the overall vitality and viability of the centre.
- ❑ The Tesco proposals would put at risk the plans for the redevelopment and regeneration of Thornaby town centre. They could prejudice the successful redevelopment and improvement of Thornaby town centre.
- ❑ The Tesco proposals may widen the range and choice of goods available in Ingleby Barwick local centre but it would be at the expense of Thornaby district centre which has a higher status in the retail hierarchy. Tesco did not make representations for the Ingleby Barwick local centre to be upgraded to a district centre when the Local Plan was being reviewed. The scale of the Tesco proposals is inappropriate for a local centre located within the catchment of a nearby district centre that offers a wider range and choice of shops and services, and which is urgently in need of redevelopment and regeneration. The qualitative need must be to focus investment in Thornaby to meet the wider needs of the whole community.

Development And Regeneration

Whilst the applicants have reduced the scale of the original proposal, it is noted that the revised proposal still amounts to a 48% increase in the net sales area of the store. This is still considered to be inappropriate to a Local Centre in terms of scale, but also in terms of nature as the role of the centre would undoubtedly change with such a large extension to floorspace. Indeed the application reveals that 613 sq m of the 1528 sq m net retail increase would be for comparison retailing, which is not recognised as being the primary function of a food store within a Local Centre. Local Centres are intended to perform a convenience role by meeting the day-to-day needs of

the local population. As such a store should meet a mixture of main convenience and top-up shopping needs. Clearly the proposed development would conflict with the role of this recently approved hierarchy of shopping centres as defined by the Tees Valley Structure Plan.

Despite scaling down the proposed increase in floorspace from 51% to 48%, there appears to be an unusual shift in the proportion of this extra floorspace to be used for storage purposes, from 15% to 40%. It is questioned as to why the sudden increase in proportion of floorspace for such a use.

The nature and scale of the proposal are considered to represent a threat to Thornaby Town Centre, where a retail led redevelopment scheme has carefully been worked up by Thornfield Properties. Trade to sustain the proposed Tesco extension would need to be clawed back from elsewhere in the catchment area and it is assumed that the Thornaby Town Centre, despite being above the Myton Road Local Centre in the retail hierarchy, would take a significant hit. The timing of this could hardly be worse with the signing up of operators at a crucial stage in the process before the scheme can go live later in 2007. The extension to Tesco is viewed as a very real threat not only to existing trade in Thornaby but also to the potential future operators looking to invest in the centre.

In addition to potential harm to the regeneration strategy for Thornaby Town Centre, a consent to extend the Tesco store at Ingleby may also adversely impact on the proposals for kick-starting regeneration at the Southern Gateway to Stockton Town Centre. Outline planning consent for a 61,000 sq ft gross food store was granted in August 2006 and it is again considered that the attractiveness of this opportunity to operators, despite being in centre, could be jeopardised somewhat if additional floorspace is created less than 10 mins drive time away.

In summary, the proposed timing, scale and nature of the Tesco extension are viewed as being premature, inappropriate and in direct conflict with the strategies for regenerating Thornaby Town Centre, and to a lesser extent, Stockton Town Centre. For these reasons it is considered that the application should be refused.

Tees Archaeology

Thank you for the details of the above scheme.

There are no known archaeological sites in the area indicated.

I therefore have no objection to the works and no further comments to make.

NEDL

No objections but refer the development to pay attention to the Health and Safety Executives publications on working with and in and around electricity.

Highways Agency

Comments awaited

7. The application has been advertised on site and in the Local Press as well as individual letters being sent to neighbouring residents. The neighbour consultation period expired on the 30 November 2006. One letter of objection has been received to the proposed development.

Andrew Watt – Maze Planning

Act as planning advisers to Thornfield Properties Plc (Thornfield are the developer for the redevelopment of Thornaby District Centre) and make the following representations for consideration by the Borough Council (in summary).

- ❑ The additional convenience floorspace alone is broadly equal to the size of the food store proposed as an integral part of the Thornaby District Centre redevelopment and a further very significant area of new comparison goods shopping space will be added.
- ❑ Will deliver a significant change to the offer and trading profile of the Myton Road Local Centre store, which will inevitably have direct consequences for its role and function within the shopping hierarchy of the Borough.
- ❑ A limited pool of consumer expenditure available to support additional retail floorspace in the locality means that the Tesco extension can only succeed if it cannibalises significant trade from Thornaby District Centre.
- ❑ If the store becomes a main food shopping destination, rather than just a top-up shopping facility, it is reasonable to expect and assume that the improved offer of the store will secure storewide turnover improvements. GVA Grimley's turnover assessment takes no account of this likelihood and so is considered to be significantly flawed.
- ❑ It is common ground between NLP and Grimley that there is a significant excess of existing and planned provision for comparison goods over available expenditure at 2011, meaning that turnover required to support new development must be derived entirely by trade diversion, as GVA Grimley acknowledges. The approval of additional comparison goods floorspace at Myton Road, for which there is evidently no capacity, could very well pose a threat to developer, retailer and investor confidence in the proposed regeneration scheme for Thornaby, which, as a Local Plan priority, should be protected.
- ❑ Whilst a predicted trade diversion figure of 5.31% of comparison goods turnover from the redeveloped District Centre might ordinarily be regarded as falling within the margins of acceptability for a reasonably healthy centre, these levels of impact have been made public at a time when Thornfield is working hard to identify potential occupiers and secure a commitment from them to the planned redevelopment scheme.
- ❑ Put in simple terms, established occupiers of a retail centre are more likely to continue trading in the face of shifting competition because of lease and other commitments, but prospective occupiers of a new scheme will naturally adopt a more cautious approach and might simply choose not to sign-up at all if they can see forecast levels of turnover being eroded before the scheme is even built.
- ❑ It is not part of the Development Plan strategy to make significant additions to the scale of retail offer at the Myton Road Local Centre, yet that is what the Tesco application still proposes. It is however expressly

part of the recently adopted Development Plan strategy to secure redevelopment of Thornaby District Centre. The timing, scale and nature of the Tesco proposal continues to represent a direct threat to Thornfield's planned investment in the District Centre and the Development Plan strategy in this regard.

Planning Policy Considerations

8. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plans are the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP).
9. The following planning policies are considered to be relevant to the consideration of this application:

Stockton-on-Tees Local Plan

Policy GP1:

Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;
- (vii) The intention to make development as accessible as possible to everyone;
- (viii) The quality, character and sensitivity of existing landscapes and buildings;
- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

Policy S1

As defined on the Proposals Map, the Council will seek to direct new retail development and other town centre uses within the boundaries of the centres of the following local retail hierarchy of the Stockton-on-Tees Borough Council area in order to protect and enhance their vitality and viability: -

- A) Stockton-on-Tees Town Centre
- B) The District Centres at:
 - 1) Billingham
 - 2) Thornaby
 - 3) Yarm
- C) The Local Centres at:
 - 1) Billingham Green, Billingham
 - 2) Myton Way, Ingleby Barwick
 - 3) High Street, Norton.
 - 4) High Newham Court, Stockton
- D) The Neighbourhood Centres at:
 - 1) Clifton Avenue, Billingham;

- 2) Kenilworth Road, Billingham;
- 3) Low Grange, Billingham;
- 4) Mill Lane, Billingham;
- 5) Station Road, Billingham;
- 6) Tunstall Avenue (Neasham Avenue), Billingham;
- 7) Wolviston Road, Billingham;
- 8) Orchard Parade (Butterfield Drive), Eaglescliffe;
- 9) Station Road, Eaglescliffe;
- 10) Sunningdale Drive, Eaglescliffe;
- 11) Beckfields Centre, Ingleby Barwick;
- 12) Lowfields, Ingleby Barwick;
- 13) Norton Road (north), Norton;
- 14) Norton Road (central), Norton;
- 15) Norton Road (south), Norton;
- 16) Surrey Road, Norton;
- 17) The Clarences, Port Clarence;
- 18) Durham Road, Stockton;
- 19) Elm Tree Centre, Stockton;
- 20) Harper Parade, Stockton;
- 21) Hanover Parade, Stockton;
- 22) Marske Parade, Stockton;
- 23) Oxbridge Lane, Stockton;
- 24) Premier Parade, Stockton;
- 25) Redhill Road, Stockton;
- 26) Rimswell Road, Stockton;
- 27) Upsall Grove, Stockton;
- 28) Yarm Lane, Stockton;
- 29) Newton Drive (Bassleton Lane), Thornaby;
- 30) Thorntree Road, Thornaby;
- 31) Westbury Street, Thornaby;
- 32) High Street, Wolviston;
- 33) Healaugh Park, Yarm.

All proposals for development should be appropriate in terms of the scale, nature and character to the centre's existing role and the catchment area, which it serves.

Policy S2

Proposals for new, or extensions to existing, major retail development outside the Primary Shopping Area within Stockton Town Centre and beyond the boundaries of the District and Local Centres, as illustrated on Proposals Map, will not be permitted unless: -

- i) there is clearly defined need for the proposed development in the catchment area it seeks to serve ; and
- ii) it can be clearly demonstrated that there are no other sequentially preferable sites or premises which are available, suitable and viable to accommodate the identified need the proposed development seeks to serve, starting from sites: -
 - 1) within the Primary Shopping Area within Stockton Town Centre or within the boundaries of the various District or Local Centres defined under Policy S1; followed by
 - 2) on the edge of the Primary Shopping Area within Stockton Town Centre or on the edge of the boundaries of the District and Local Centres within the Borough, then

- 3) in out-of-centre locations which are well served by a choice of means of transport, close to an existing centre, and which have a high likelihood of forming links with the centre; and only then
- 4) in other out of centre locations;
- iii) the proposal would not have an adverse impact, either individually or cumulatively with other committed developments, upon any proposed strategy for a centre, or the vitality and viability of any centre within the local retail hierarchy set out in Policy S1 or nearby centres adjoining the Borough; and
- iv) the proposal would be appropriate in scale and function to the centre to which it relates
- v) the proposed development would be accessible by a choice of means of transport, including public transport, cycling and walking, and
- vi) the proposed development would assist in reducing the need to travel by car, as well as overall travel demand.

Proposals for other key town centre uses in locations which lie beyond the Town, District and Local Centre boundaries defined on the Proposals Map will also be required to satisfy the above criteria. In relation to Criterion (ii), other Town Centre use proposals should be accompanied by evidence which demonstrates that there are no sequentially preferable development opportunities either within and/or on the edge of defined boundaries of the Town, District and Local Centres in the Borough.

Policy S3

Where proposals for either new or the extensions to existing retail or town centres uses are considered acceptable in principle, under the relevant policies of the Local Plan, the Council will need to be satisfied that: -

- i) The development can be adequately and safely serviced, with adequate provision for car and cycle parking to serve customers and employees;
- ii) The scale and character of the proposed development is in keeping with the size and role of the location and enhances local character;
- iii) A safe and secure pedestrian environment is created, protected from the elements where possible, designed to ensure ease of use throughout by everyone;
- iv) The proposal makes adequate provision for the storage and disposal of litter;
- v) The proposal would not have a detrimental impact on residential or local amenity.

In addition, and where appropriate, major development should provide: -

- vi) Public waste and recycling facilities;
- vii) Public seating
- viii) Public conveniences, including baby changing / feeding facilities and facilities for people with disabilities.

Policy S15

Sites for major retail development are allocated at the following locations within the town and district centres as listed in Policy S1: -

- i) Billingham Centre, for mixed use development
- ii) Thornaby Centre, for mixed use development
- iii) East of the Square and south of Church Road, Stockton, for mixed-use development.

The following site is allocated for small-scale retail development immediately adjoining Thornaby District Centre: -

iv) Land at Allensway, Thornaby, for mixed use development, providing it cannot be accommodated in the adjoining District Centre and would not undermine its vitality and viability, or put at risk the redevelopment and regeneration strategy for the District Centre, which is needed to safeguard its vitality and viability. Proposals with a dominant food retail content will not be acceptable.

Planning Policy Statement 6 (PPS 6) Planning for Town Centres (2005), Planning Policy Guidance 13: Transport, Regional Spatial Strategy for the North East (draft, June 2005) and Tees Valley Joint Structure Plan (2004) are considered to be relevant to this decisions.

Material Planning Considerations

10. The main planning considerations of this application are the principle of development, the character of the area, amenity of the neighbouring properties, access and highway safety and archaeological interest.

Principle of development;

11. Planning Policy Statement 6 (PPS6) advises local authorities to plan positively for the growth and development of existing centres, by focusing development therein, all new retail developments may therefore require the developer to demonstrate the need for development, that the development is of appropriate scale, that there are no more sequentially preferable sites for the development, that there would be no unacceptable impacts upon existing centres and that the location is accessible. It also explains that the aim should be to locate the appropriate type and scale of development in the right type of centre, to ensure that it fits into that centre and complements its role and function.
12. PPS6 also requires proposals for retail development outside existing centres to demonstrate evidence of need. GVA Grimley argue in paragraph 4.9 of their Planning Statement that PPS6 only requires a need assessment to be undertaken for retail proposals which are in an edge-of-centre or out-of-centre location and which are not in accordance with an up-to-date development plan strategy. Equally paragraph 5.16 takes the view that because the proposed floorspace lies wholly within the local centre boundary a quantitative need assessment is not required nor has been carried out by GVA Grimley for this reason. However, if the proposed Tesco development can only be undertaken by developing beyond the defined local centre boundary, then the effect of the development will be to physically extend the local centre boundary in conflict with the Local Plan. An expansion of the local centre boundary could only be justified if it is needed and it meets the other policy criteria in the Local Plan and in PPS6.
13. Planning Policy Guidance 13: Transport, is also considered to be relevant as it aims to promote sustainable transport choices, accessibility to a range of activities such as jobs, shopping, leisure facilities and services as well as reducing the need to travel, particularly via the motor car. PPG 13 therefore

encourages new development to be in locations where a realistic choice of non-car modes (public transport, walking and cycling) can be provided.

14. The draft Regional Spatial Strategy (RSS) for the North East (June 2005) outlines in Policy 25 that new retail, entertainment and other high trip generating uses should be focused within defined urban centres appropriate with their scale, function, capacity and ability to be served by other modes of transport than the car. New retail elements in the Tees valley are in particular directed towards the sub-regional centres of Middlesbrough and Darlington. Although these types of development may be also be acceptable in other centres providing it is consistent with the scale and function of the centre to maintain and enhance their vitality and viability.
15. Equally the Tees Valley Joint Structure Plan (2004) in policy SUS2 criteria v) and Viii) encourages sustainable development through encouraging developments to be located in area which minimise the need for travel and are well served by public transport and that maintain and enhance the vitality and viability of existing town and district centres.
16. In addition Policy TC1 seeks to maintain and strengthen their vitality and viability of town and district centres within the area by a range of measures. Policy TC4 also states that a sequential approach will be applied to large-scale retail developments, with first preference for town centre sites. Policy TC5 applies to extensions to existing large-scale retail developments outside town centres, policy TC5 does therefore not strictly apply to the Tesco application but in terms of the criteria listed in the policy it is also necessary to consider the proposals against the policy tests in PPS6 which are more up-to-date than those in the Structure Plan.
17. The relevant policy of the 1997 Local Plan has now been superseded by the Council's Local Plan Alteration No.1. Policy S1 of Alteration no. 1 sets out the hierarchy of centres within the Borough, in which all new retail and town centre uses (high trip generators) are directed towards to encourage linked trips and to protect and enhance the vitality and viability of these centres, new developments should however, be of an appropriate scale, nature and character.
18. Policy S2 relates only to major retail developments that are located outside the primary shopping area of Stockton town centre and beyond the boundaries of the district and local centres. Whilst GVA Grimley argues that the proposed floorspace is within the boundary of Ingleby Barwick local centre and so the policy is not relevant, policy S2 does not refer to the proposed floorspace but to the "development". In this instance the proposed development extends beyond the boundary of the Ingleby Barwick local centre because the new car parking proposed is on land outside the boundary and is therefore considered relevant.
19. Also of relevance due to the locality of the district centre and due to Ingleby Barwick falling within the catchment area of Thornaby district centre, policy S15 outlines the wider Thornaby Centre, for mixed-use development. The supporting text also explains that planning permission has recently been granted for a scheme within the district centre (04/1309/FUL), which will enhance the vitality and viability of the centre. It is expected to include a significant element of comparison-shopping floorspace, it will however, also provide other uses.

20. Having regard to the above policies it can be seen that the principle of new retail development within the defined Ingleby Barwick Local Centre centre as outlined in policy S1 is acceptable. This is however, dependant on the size of the new development being of an appropriate scale, function and nature to that of the retail hierarchy that it falls within, having no adverse impacts on the potential impacts on the vitality and viability on other retail centres and being accessible by a variety of transport modes other than the car.
21. Ingleby Barwick is designated as a 'local centre' and therefore its function is to ensure that people's everyday needs are being met at the local level, and in particular through convenience goods. Whilst the additional floorspace may have been reduced from the previous application it still represents a significant increase of almost half the existing sales floorspace and it is considered that the proposal would create a centre that would rival Thornaby and Yarm in status. The fact that the development proposed can only be accommodated on the Tesco site by extending beyond the defined local centre boundary is an indication that the scale of development proposed is too large. The Tesco proposals would change the role of the centre by making it a main food-shopping destination for convenience goods and by introducing a significant amount of comparison goods into the centre.

Impact on the Vitality and Viability of defined centres

22. As is clear from the report above, the scale of the proposed extension is such that it could, if approved and implemented, could cause a significantly increase the attraction of Ingleby Barwick Local Centre and effectively elevate its status in the retail hierarchy. Taking into account the likely turnover generated from the development it is considered that the proposed development could have a detrimental impact upon the vitality and viability of existing centres and from the various policies highlighted above is therefore a significant issue in the consideration of this application.
23. The Nathaniel Litchfield retail study forecasts the level of expenditure across the Borough up to 2011. Applying constant market shares of turnover in the Thornaby study area (Sector 4 in the Retail Study) there is calculated to be a surplus expenditure capacity in 2011 of £11.4m. Subtracting £11.7m of turnover in commitments there would be no available capacity in 2011 for additional convenience goods floorspace in this area. Therefore there is no capacity for the estimated £7.0m of convenience goods turnover in the Tesco extension derived from the study area.
24. In terms of comparison goods expenditure, applying constant market shares of turnover in the study area there is calculated to be a surplus expenditure capacity in 2011 of £27.5m. Subtracting £23.1m of turnover in commitments there would be an available capacity in 2011 of £4.3m to support additional comparison goods floorspace in this area. The estimated comparison goods turnover of the Tesco extension derived from the study area is £3.9m. Therefore on the bases of these figures there would be just sufficient capacity for the estimated comparison goods element of the Tesco extension. However, since 2004 additional comparison goods floorspace has been developed at Teesside Park that will significantly increase the turnover of commitments that needs to be allowed for and is likely to reduce the capacity for additional comparison goods floorspace in the Thornaby sub area.

25. GVA Grimley outline the reasoning and basic need for the extension in the supporting planning statement the main points are that;
- ❑ The store does not provide a wide range of goods or choice, particularly when compared against Asda, Thornaby and other convenience goods stores in the Stockton area.
 - ❑ The extension of the Tesco store will enable Tesco to provide a wider range and choice of goods for local residents.
 - ❑ Tesco has a greater top-up shopping role than other larger food stores.
 - ❑ A larger store will improve Tesco's role as a main food-shopping destination for Ingleby Barwick residents.
26. It is considered that the existing store represents and offers a good range of convenience goods for its role as a local centre. This is reflected in the extent of top-up shopping that takes place. Equally GVA Grimley's case on qualitative need is not helped by the evidence of the Stockton Retail Study that the Tesco store in Ingleby Barwick is under-trading at £14.6m instead of its benchmark £21.5m. PPS6 regards over-trading as an indicator of qualitative need for additional floorspace. Evidence of under-trading suggests that there is not an over-riding need for additional floorspace to provide more satisfactory conditions for shoppers in the store.
27. In conclusion it is considered that there is likely to be a harmful impact on the vitality and viability of Thornaby district centre and that approval of the proposed extension to the Tesco's store could prejudice the successful redevelopment and improvement of Thornaby town centre.

Character of the area;

28. Whilst the proposed extension is of a large nature, increasing the frontage of the building by approximately one third, it is considered that in terms of the overall visual appearance of the proposed extension it is in keeping with the general style and appearance of the existing unit and in this respect accords with policy GP1 of the Local Plan.
29. Of some concern is the impact that the development will have on the open nature of Ingleby Barwick centre will the loss of a large area of open space to the east of the store with the creation of the new car park. It is however considered that with an appropriate landscaping scheme to both screen the development from Barwick Way and break-up the large expanse of car parking that these potential impacts could be minimised and would not in itself be significant enough to warrant a reason for refusal of the application.

Amenity;

30. It is considered that as there is an existing retail use for a large supermarket on the site and the Ingleby Barwick Local Centre is situated an acceptable distance from the neighbouring residential properties, that the proposed development would not significantly worsen the existing situation and justify a reason for refusal.
31. Although the proposed new car parking area would mean that vehicular traffic would be located nearer to residential properties, the visual impact could be overcome by the provision of a landscaping buffer along the eastern edge of

the car park area would limit any potential impacts and given that Barwick Way is a busy road which serves the majority of traffic within Ingleby Barwick any potential noise issues arising from the car park extension would not worsen the existing situation.

Access and Highway Safety;

32. Both the Head of Integrated Transport and Environmental Policy and the Highways Agency have been consulted as part of the application. Although the Highways Agency's comments are still awaited The Head of Integrated Transport and Environmental Policy have outlined a number of issues with the transport assessment submitted.

33. Overall, it is considered by the Head of Integrated Transport and Environmental Policy that the proposed extension will have an adverse material impact on the existing highway network of Ingleby Barwick and would be detrimental to highway safety and the free flow of traffic in the area, contrary to policy GP1 of the Local Plan.

Archaeological Interest;

34. Although the site was developed as the Richmond and Tees Bridge Ironworks in the late 19th century, these industrial sites had been cleared by the early 1970s and it is unlikely that there are significant remains surviving. The development therefore poses little impact on archaeological remains and is in accordance with policy EN30 of the Local Plan.

Conclusion.

35. In conclusion it is considered that the proposed development is not appropriate to the scale and function of the existing Ingleby Barwick Centre and there are very real concerns the proposal could increase the attraction of the local centre and have a detrimental impact on the vitality and viability of Thornaby and Yarm Town centres and even undermine the regeneration initiatives for Thornaby Town Centre.

36. Equally there are also concerns about the impact of the extension on the highway network of Ingleby barwick and the Head of Integrated Transport and Environmental Policy consider that there will be an adverse material impact on the existing infrastructure.

37. Considering the above the proposed development is considered to be contrary to policies GP1, S1, S2 and S15 of the adopted Local Plan as well as national and regional planning policies.

Corporate Director of Development & Neighbourhood Services

Contact Officer: Simon Grundy

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Financial Implications

As report.

Environmental Implications

As Report

Community Safety Implications

N/A

Human Rights Implications

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Background Papers

Stockton-on-Tees Local Plan

Regional Spatial Strategy for the North East

Tees Valley Joint Structure Plan

Planning Policy Statement 6: Planning for Town Centres

Planning Policy Guidance 13: Transport,

Ward and Ward Councillors

Ingleby Barwick West

Ward Councillors K Dixon, L Narroway and R Patterson