

# Tenbury and Burford Civic Society



08 November 2010

**PROPOSED TESCO SUPERMARKET, TENBURY WELLS**

**PLANNING APPLICATION NOS. 10/1276 FUL**

In June 2010 the Civic Society submitted comments on planning application no. 10/00561/FUL for a Tesco Supermarket on the cattle market site in Tenbury Wells (subsequently withdrawn) and 10/00562/CON) for the demolition of part of the existing Grade II Listed Workhouse (removal of the modern single storey extension at the front of the Workhouse) together with the old hospital building (the former Russell Baldwin and Bright building). This application no. was refused.

The comments submitted below relate to the new planning application (no. 10/1276/FUL) for the construction of a new 15659 sq. ft. (1453 sq.m) Tesco Supermarket. We understand from a discussion with the Planning Officer, Rosalyn Kirby, that an application for works to the Listed Building and demolition of the RBB building will be submitted separately.

## SECTION A – SUMMARY

All residents of the town want a healthy thriving centre but are aware of the increasing number of empty premises on the main shopping street and businesses closing down. The town appears to be divided with regard to the whether or not the Tesco proposal is a good or bad thing for the economy of the town and whether it will help or harm the situation. The Civic Society shares these concerns and would like more analysis of the likely impacts on the town. It is in favour of any new development that will genuinely be to the benefit of the town but it is concerned about the scale and quality of the proposed Tesco scheme. The major areas of concern are identified in the summary below. More detail on each subject heading is given in Section B.

If a scheme is approved Tesco will command a unique 'market situation' in a prime location which will have impact on the town. Section 106 powers should be used to compensate for these impacts and ensure that the town as a whole remains attractive to visitors and business.

### 1. SCALE

We are very concerned that the scale of the store is too large for the capacity of the site leading to both significant economic, visual and traffic impact (problems of traffic congestion and parking). A building with a smaller footprint and with adequate parking for shoppers and staff, would be more acceptable and would minimise the adverse affect upon the town.

### 2. ASSESSMENT OF IMPACT ON THE ECONOMIC LIFE OF THE TOWN

Tesco say that their proposed new store will compliment existing shops but have not demonstrated this with any independent retail impact assessment (required in PPS4) or comparison with the actual effect on similar market towns. Without a retail impact assessment and comparison information for other similar market towns it is not possible to objectively assess the true impact of the proposals on the economic life of Tenbury Wells. The Retail Statement submitted with the current application is not an objective assessment as it does not acknowledge any adverse changes. We understand from the planning officer that an independent impact assessment is currently being prepared and we will submit our comments on this report once it is available.

### 3. TRAFFIC

There is strong local concern about the impact of additional HGV traffic on the Teme Bridge (a Scheduled Ancient Monument) and congestion at the new Tesco junction not only from cars entering and leaving the site but also from delivery traffic. There is also conflict with existing site users – including Spar (which relies on drop-in trade with customers parking on street and whose

delivery yard is immediately to the rear of the store) and The Bridge (whose heavy delivery vehicles park on Teme Street causing congestion in the vicinity of the new junction). Severe congestion at this main entrance to the town would be a big deterrent for visitors locals and coming to the town and would thus affect the economic life of the town.

#### **4. PARKING**

We are concerned on a number of issues here:

- a. that there is insufficient parking for a development of the size proposed (significantly less than numbers originally advised by WCC)
- b. the application states that only 50% of staff on shift would be allowed to park in the supermarket car park – others will be ‘required to commute via sustainable means’. We do not feel that this is a realistic situation in a small market town. In reality we are concerned that the other 50% are most likely to come to work by car and occupy the free car park in the town which would exacerbate an already difficult parking problem and deter visitors. Tesco should be required to demonstrate that there is adequate parking provision for their own staff on site or at specified locations that they will provide elsewhere.
- c. we note that the site car park will have a 2hour limit ‘to allow shoppers reasonable time to do their supermarket shopping and spend time at other shops in the town’ – we do not feel that this is sufficient. A 3 hour limit would be preferred.
- d. the delivery yard is to the rear of the building and access for heavy goods delivery vehicles is through the car park creating a conflict between vehicle movement and pedestrians

#### **5. URBAN AND LANDSCAPE DESIGN**

The location of the proposed supermarket immediately to the rear of the existing Spar (possibly the ugliest building in Tenbury) creates a strong conflict both in terms of urban design (to the detriment of the street scene in this primary shopping street) and business use. Tesco may be anticipating that their new store will result in the demise of the Spar shop. There is certainly a strong conflict between the two and this raises serious issues. It is unacceptable that permission be given for a Tesco supermarket where a poor layout is dictated by the presence of an adjacent store which itself may well close because of the new supermarket. This issue must be addressed through the planning process.

#### **6. HERITAGE**

Demolition of the RBB (former infirmary) building is very much to be regretted and the ‘rotunda entrance’ to the store does not, in our opinion, compensate for its removal.

#### **7. PLANNING GAIN**

If the proposal is to be approved the developer must be required to provide significant investment in the town through Section 106 Agreement to compensate for any adverse impacts. This should include investment in public realm and open space areas to encourage visitors into the town and the open space of the Burgage and also additional public car parking.

## SECTION B – DETAILED COMMENTS

Whilst our comments below have been updated to relate to the current planning application many of our previous concerns still apply as the changes made to the application do not relate to fundamental issues of scale or location, indeed it is clear that through the consultation process Tesco have failed to address many of the local concerns. The changes relate only to the following items:

- Increased space between the rear of Spar building and the supermarket accommodating disabled parking
- Change in store design to include round lobby feature
- Reduction in site levels to incorporate a flood flow route
- Reduction in size of service yard
- No signage or lighting details (separate application)

### 1. SCALE OF THE DEVELOPMENT

Many of the issues of concern relate to the scale of the proposed supermarket which we feel is too large for the site taking into account its location at the entrance to the town and near the Teme Bridge. This will result in significant visual, economic and traffic impact on the town each of which is looked at in more detail below.

### 2. ASSESSMENT OF IMPACT ON THE ECONOMIC LIFE OF THE TOWN

No independent assessment has been produced to identify the actual likely impact of the development on other traders in the town. There seems to be a Policy conflict here as the Tesco Retail Statement para 4.8 states 'Planning Policy EC 14 confirms development proposals for town centre uses, including retail, within town centres are not required to satisfy the sequential approach to site selection and impact tests'. Policy EP18 of the 2006 Local Plan, however, states that:

*"(1) Proposals for the redevelopment or alternative use of the Tenbury Cattle Market Site and premises fronting Teme Street will be required to demonstrate that a) the development will support, complement and enhance the overall retail vitality and the continued economic viability of Tenbury Town Centre (2) Redevelopment or alternative use of the site for retail, commercial, recreation, leisure and community uses, either singly or as a mixed use proposal will accord with the site's location within the boundary of Tenbury Town Centre . However, proposals for all forms of acceptable development and specifically retail development will be required to be of a scale appropriate to the needs and capacity of the location and should not undermine sustainable transport objectives".*

Also Planning Policy Statement 4 Policy 3 Planning for Centres states '*at the local level, consider setting floorspace thresholds for the scale of edge-of-centre and out-of-centre development which should be subject to an impact assessment under (EC16.1) and specify the geographic areas these thresholds will apply to define any locally important impacts on centres which should be tested (see e. policy EC16.1.f)*

Tesco say that they are concerned to preserve the vitality of the town and that the new supermarket will bring shoppers, who normally go to Ludlow, Leominster or Kidderminster, into the town. They do not, however, identify the likely impact on the existing shops or infrastructure. Paragraph 3.1.3. of the Transport Assessment states that the store will contain food retail and other ancillary items but will also include a bakery, pharmacy and a small clothing line. This seems very wide ranging. We are all aware of the impact new supermarkets have had on other small market towns and know with absolute certainty that there will be an impact on other retail businesses in the town. In order for a more informed decision, more needs to be known about the scale of the impact. We strongly feel that an independent study of the likely effect on the pattern of shopping in the town should be a requirement so that residents have more information on which to base their judgement.

We understand from the planning officer that an independent report is now being produced and we will comment further on this as soon as it is available for public comment.

### 3. TRAFFIC

We are concerned about the likely traffic problems resulting from the construction of a supermarket of the size proposed at this location which already experiences traffic congestion at certain times of day. The specific areas of concern are as follows:

- Traffic backing up on the Teme Bridge – because of the number of vehicles entering and leaving the site, the close proximity of the site to the junction with the A456 and the cranked form of the bridge itself (a Grade II Listed Building and a Scheduled Ancient Monument rebuilt by Thomas Telford following the flood damage of 1795). The Transport Assessment Report produced by TPA in para 2.4.2 comments on the bridge restrictions *'the two way passage of larger vehicles such as buses and cars is not possible'*. The shape of the bridge, therefore, naturally restricts the passage of traffic yet this is not referred to in any part of the Transport Assessment Report or indeed any of the other reports produced in support of this application. Para. 8.4.5 of the Transport Assessment Report refers to the capacity of the junction with the A456 to cope with the new traffic movements and refers to queue length being reduced from 22 to 17 vehicles. Considering the impact that the cranked bridge alignment has on slowing traffic movement this could be a cause of unacceptable congestion. Traffic already mounts the pavement because of the restricted width. The minor modification that is proposed to A456 junction including an additional left turn lane seems inadequate to resolve these issues particularly as the length of this lane is limited by the bridge itself.
- Customer traffic for the Spar/Pizza Diane/laundrette – the access to the site is constrained between the existing 'Spar' building and Temeside House and we are concerned about congestion at busy times of day. There is a constant flow of vehicles to and from the Spar shop using both the on-street parking in front of Spar and parking on the disused cattle market site and access road. These vehicle movements are not separately identified in the traffic assessment but will add considerably to the congestion at this new junction. Spar custom is largely basket trade and Pizza Diane and the laundrette customers are similar. All the stores in the 'Spar' block rely on the availability of short stay customer parking to the front and side of the store. Any parking restrictions in this area would seriously affect their trade. Perhaps Tesco are envisaging that the demise of the Spar shop is an inevitable result of the new supermarket. There is certainly a strong conflict of uses and this raises serious issues (see section 4 below).
- The Spar shop relies on service vehicles using the side and rear of the store for access which seems a considerable point of conflict. The service yard for Spar lies close to the north west corner of the proposed supermarket. There would therefore be considerable congestion when Spar deliveries are made. There is similar congestion in this area when there are deliveries to the Bridge Hotel.
- The main vehicle access into the town is across the bridge including fire service vehicles from the station in Burford. The traffic movement generated by a store of this size and at this location appears to pose considerable problems for the town and could cause delay to emergency vehicles. The severe congestion that is anticipated would have a knock on effect – making it more difficult to access the town and, we fear, actually deterring people from visiting the town.

We have extracted traffic figures from the TPA Report for Friday pm (15.30 – 16.30) in the table below and it is apparent that the size of Tesco store proposed will increase traffic movement at the new entrance junction by at least 3 times the existing. The fact that these vehicles are undertaking turning movements across the flow of traffic on Teme Street will add severely to the congestion. The Delivery Management Strategy states that there will be at least 36 delivery vehicles per week entering and leaving the site – 15 grocery and fresh goods deliveries per week + 21 bread and milk deliveries all using max 14.25 m articulated vehicles. That is 72 movements – all accessing and exiting across Teme Bridge.

FRIDAY PM 15.30 - 16.30

	SITE IN		SITE OUT	
	North	South	North	South
Existing Traffic Flow/ With Tesco Traffic Flow	24/ 60	26/ 91	18/ 62	41/ 93
2011 Base/ With Tesco Traffic Flow at 2011	25/ 74	27/ 102	18/ 68	42/ 117
2016 Base/ With Tesco Traffic Flow at 2016	27/ 76	29/ 103	20/ 69	46/ 119

We are concerned that this store is too large for this site – a smaller development may reduce some of the above issues to an acceptable level. If the store is built it will be vital to ensure that visitors, residents, emergency vehicles and others seeking access to the town are not deterred by traffic congestion.

If the store is to be approved a more radical approach may be required to ease some of the congestion – perhaps a solution to be considered is the construction of a separate pedestrian bridge so that Teme Bridge becomes vehicular only and the carriageway width for motor vehicles is increased.

#### 4. PARKING

We are concerned that there is insufficient parking for a development of the size proposed – a letter from WCC to MHDC dated 05 August 2010 recommended a parking requirement of 155 vehicles. In addition we note that a 2 hour limit is proposed to allow shoppers reasonable time to do their supermarket shopping and spend time at other shops in the town – we do not feel that this is sufficient. A 3 hour limit would be preferred as in other local towns. Also it is stated that only 50% of staff on shift would be allowed to park in the car park – others will be ‘required to commute via sustainable means’. In reality we are concerned that the other 50% are most likely to occupy the free town car park which would exacerbate an already difficult problem in the town or they may park on street which would adversely affect shops relying on ‘drop-in’ trade. Tesco should be required to demonstrate that there is adequate parking provision for their own staff on site or at specified locations elsewhere provided at their own cost.

The proposed new car park will accommodate 90 vehicles plus 8 spaces for council parking (although the adjacent buildings are no longer in council ownership) 6 disabled spaces and 4 mother and toddler spaces. Tesco also say that they will be employing 180 staff approximately one third of whom will be full time (there is no explanation of job numbers and employment). Where will these employees come from? They state that they will be encouraging alternative methods of transport for staff but there is no definite commitment to this – so there is the possibility of up to 60 of the places being required for staff parking thus leaving only 30 spaces for shoppers.

The original Transport Assessment Report quotes guidance from the Malvern Hills District Council Local Transport Plan 2008 as follows:

*3.2.2 – ‘Development will only be permitted where on-site vehicle parking is kept to a minimum necessary to enable the development to function – our concern is that the store may function but the town may cease to function.*

*3.2.3 – in urban centres parking standards should be set to encourage the use of sustainable transport modes and that parking standards should be more onerous than set out in PPG 13 (1 per 14m<sup>2</sup>). TPA have used a parking density of 1 to 23 m<sup>2</sup>. Tesco have failed to recognise that Tenbury is not a dense urban area with an established public transport network but rather a small market town which serves a rural area where the car is likely to remain the main mode of transport.*

3.2.6 – *‘the right for non patrons to park on the site will be removed. 8 parking spaces are to be provided for council employees (although no council owned buildings are nearby).*

3.5.1 – *4 deliveries per day using 14.5m articulated vehicles –with all lorry access via the Teme Bridge.* This conflicts with the Delivery Management Strategy referred to earlier which identifies 36 delivery vehicles per week – max 14.25m articulated vehicles.

All of the above would suggest that the parking provision is being kept to the absolute minimum acceptable. If calculations are at all in error then it will be the fabric of the town that will suffer. The town already experiences parking difficulties and any proposal for Tesco employees and shoppers to use other free car parks in the town would aggravate this situation. If the development as proposed is to be permitted then additional free parking should be provided in the town, paid for by Tesco, to compensate for the potential impact on the town.

## **5. URBAN DESIGN AND LANDSCAPE DESIGN**

The Tesco site lies within the Tenbury Wells Conservation Area and near the main entrance to the town over the Teme Bridge. Quality of design in both the building and the external landscape are vital and should make a positive contribution to the street scene, using construction materials of the highest quality. The Local Plan Policy EP18 states *“The District Council believes that alternative use for the site must be of a scale which supports town centre regeneration as a whole and is within the capacity of the location to accommodate proposed development. Furthermore, it is essential that effective links are established between the site and the Town Centre as a whole to ensure the integration of any new development both physically and visually, utilising premises and frontage gaps where appropriate.*

*Key to this process will be the preservation and enhancement of the Tenbury Conservation Area and in particular the establishment of lively and prestigious frontages with Teme Street and the River Teme itself (along the riverside walk). At present much of the Cattle Market Site is screened from Teme Street by existing buildings which do not preserve or enhance the Conservation Area. The District Council will therefore encourage proposals which address both the Cattle Market Site and existing frontage buildings as part of a combined and innovative proposal’.*

The current proposal, however, is for the new store to be ‘tucked’ in behind the existing block of buildings which includes Spar and Pizza Diane (possibly the ugliest building in the town). The proposal to keep this building would require that the new supermarket entrance would be in close proximity to the Spar service yard. This is poor urban design and the effect upon the Conservation Area and is totally unacceptable. Incorporation of the Spar site would allow the development of a new building which truly addresses the street frontage and making an important contribution to the streetscape. An attractive contemporary building in this sensitive location could make a really important contribution to both the streetscene and the economic life of the town, encouraging shoppers into Teme Street and the rest of the town centre. The proposal to incorporate a round entrance lobby (a reference to the Round Market) does not provide a satisfactory solution in terms of the urban design properly addressing Teme Street.

As stated in section 1 above, perhaps Tesco are envisaging that their new store will result in the demise of the Spar shop. There is certainly a strong conflict between the two and this raises serious issues. It would be unacceptable that permission is given for a Tesco supermarket where a poor layout is dictated by the presence of an adjacent store which itself may well close because of the new supermarket. This issue must be addressed now through the planning process. If Tesco are happy with Spar as neighbours then Tesco should be asked to provide an architectural solution that encompasses the two businesses in the same building – thus resolving the building frontage and issues of links with the town.

### **Visual Impact**

The site is adjacent to the main entrance to the town and will be visible from the Teme Bridge, particularly as it is proposed to remove a number of evergreen trees along the northern edge of the site. We are concerned that the view, particularly in the winter months, will be of an illuminated car park and Tesco signage (we note that the signage detail has not been submitted with the current

application). The scale of the proposal leaves only a narrow area available for new planting along the river frontage as shown on drawing no. ADP5. It is vital that tree removal is limited only to trees whose condition necessitates it and the planting proposals (particularly the tree planting) includes a good mix of tree sizes with a high percentage of semi-mature trees for immediate impact.

### Landscape Proposals

We do not feel that the treatment of the external spaces has been satisfactorily considered or is of an appropriate quality within the Conservation Area, overlooking the River Teme SSSI and adjacent to a scheduled ancient monument. We are particularly concerned with the following:

- i. **Tree Removal and Replacement:** The arboricultural report includes the removal of trees (particularly no. 33 a Norway maple) which are outside the site on the river bank. We do not feel that this is acceptable and the maple in particular makes a significant contribution to the character of this part of the River Teme and should be retained. The group of leyland cypress at the edge of the site are not desirable species for such a site but they do make a significant contribution in screening the site from the river bridge. We therefore feel that it is vital that if these trees are removed strong new tree planting is specified as replacement screening. At present the largest tree sizes specified are extra heavy standard (16-18cm girth) – and there are very few of these. The tree screen should include a mix of extra heavy standard (16-18cm and 18-20cm girth trees) and include at least 50% semi-mature trees (20-25 and 25-30cm girth).
- ii. **Screening along the riverside:** the planting strip parallel to the river and beneath the new tree planting comprises a mixed native hedgerow which is welcome but no plant densities are indicated so it is not clear that this will become a really effective hedgerow (at least 5-7 plants should be specified per linear metre). Also the railing alongside the riverside footpath should be renewed.
- iii. **Design of the ‘Riverside Plaza’:** The layout of this space is far too formal and fussy for this location and the planting is inappropriate comprising privet hedges (to be maintained at 2 feet high!) filled with tall native species such as dogwood and hazel. This would not help to define the spaces and would create real maintenance difficulties. A simpler design would be more appropriate using hedging to define the open space and separate it from the car park. Semi-mature trees and shrubs (such as Amelanchier, cherry and hazel) set in areas of prostrate ground cover (such as ivy or periwinkle) would help to soften the area.
- iv. **Car park planting:** The planting proposals have been so constrained by the lack of space that it has not been possible to properly integrate planting into the car park layout – it has just been used to fill up left over space. The lack of structure planting makes it even more important that trees within the car park are predominantly semi-mature in size, coming out of low ground cover or tree grids. This this would help to maximise the softening affect of the trees whilst maintaining visibility through the car park for security. We are concerned about the appearance and durability of the 4m acoustic fence which occurs at the back of the site and along the boundary with Spar. It would be preferable if this was brick walling rather than timber fencing with shrubs and climbing plants on the car park side.
- v. **Teme Street Pedestrian Link:** The space between the store and Teme Street should be designed in the most attractive way possible to encourage shoppers to walk into the main part of the town. Again the Local Plan says that proposals for the site *“will be required to demonstrate that b) appropriate pedestrian links and signage will be provided to encourage pedestrian movement between the site and Tenbury Town Centre as a whole”*. The visualizations of the pedestrian link shown on drawing no. ASP4a indicate the lack of quality in the proposal including a fake Victorian archway sign with timber pergola behind and concrete slab and block paving beneath. None of these items reflect the quality of finish that should be looked for in the Conservation Area which should have an emphasis on natural materials (clay and/or stone) and furniture which is relevant to the modern building design.

### 6. Heritage

Much of the site, including the RBB building, lies within the Tenbury Conservation Area and Policy QL7 of the Local Plan states that new development will be permitted in Conservation Areas where it would preserve and enhance the Area’s existing character and appearance.

The Tesco proposals require the removal of the single storey extension at the front of the old workhouse which is not itself concerning, but they also require the removal of the RBB building at the rear of the site. Para 3.21 of the Heritage Statement says *“recent discussions with the local authority have indicated that their current view is that the building does make a positive contribution”*. It is of local historical interest and it is a great pity that there has been no effort to incorporate this building within the development. A smaller store based around this building would be more acceptable.

## 7. Planning Gain

Section 106 (S106) of the Town and Country Planning Act allows a local planning authority (LPA) to enter into a legally-binding agreement or planning obligation with a landowner in association with the granting of planning permission. The obligation is termed a Section 106 Agreement. These agreements are a way of delivering or addressing matters that are necessary to make a development acceptable in planning terms. They are increasingly used to support the provision of services and infrastructure, such as highways, recreational facilities, education, health and affordable housing.

Approval for a new supermarket in Tenbury would certainly impact upon the town and we feel that, if the planners approve the proposal in any form, the town should be compensated for this through Planning Gain. It will be important to improve the public realm by investment in new paving, lighting and street furniture to establish strong physical links between the store and the town. This would encourage visitors and shoppers to explore the town, ensuring its vitality and ensuring that any retail ‘voids’ which result from the presence of Tesco are more likely to be occupied. In addition contributions to additional parking, which will be needed to compensate for the potential loss of town parking spaces occupied by Tesco staff, and improved access to open space, including a pedestrian link to the Burgage, would also help integrate the new development into the fabric of the town.

## 8. Other issues

**Signage:** We understand that no details of signage have been provided and that a separate signage application will be submitted. This is likely to be a very important issue affecting the Conservation Area and the riverside. The development as currently proposed would have no building on the main street and it can be anticipated that Tesco would require a large free standing sign to advertise the site to both vehicles and pedestrians. The form of this signage would need careful consideration because of the location within the Conservation Area and at the entrance to the town.

**Litter:** We note that trolleys are to be fitted with magnets to prevent them being removed from site but we are concerned that both trolleys, rubbish and litter from the proposed car park will end up in the river which is a SSSI. This would be unacceptable. The car park management plan refers to cleaning the Tesco site but not any adjacent areas that may suffer from debris from the site and Tesco must make a binding commitment to remove any rubbish or debris from the Tesco site that does end up in the river (a SSSI). This should be on a regular and specified basis – weekly or fortnightly.

**Tenbury is unique:** It is the unique character of the town that is most valued by residents and visitors alike. The physical quirkiness of the town makes it impossible to apply ordinary planning standards without destroying it. Access into the main street is difficult across a rare ‘cranked’ bridge designed by Thomas Telford and this is a significant part of the charm of this entrance to the town. Traffic congestion is, however, already a problem and there is an underprovision of car parking –this needs to be taken into consideration for any development proposal.

We would suggest that common sense rather than national planning standards need to be applied in deciding this application. In this respect it would be better to have a development with a smaller building footprint which accommodates all necessary car parking on the site, minimises congestion and makes a proven positive contribution to the vitality of the town.