

Committee: **PLANNING**

Date of Meeting: **15 September 2010**

Title of Report: **S/2010/0350**
Sainsbury's 1-3 Liverpool Road, Crosby
(Manor, Victoria and Blundellsands Wards)

Proposal: Redevelopment of land within Crosby district centre comprising the demolition of buildings and erection of retail food store with undercroft parking (Use Class A1) and:

- i) Full planning permission for erection of 7 small retail units comprising shops (A1); and/or financial and professional services (A2); and/or restaurants and cafes (A3); and/or drinking establishments (A4); and/or takeaway (A5)
- ii) Full planning permission for erection of community use building comprising financial and professional services (A2); and/or business (B1); and/or community uses (D1) with parking to rear.
- iii) Full planning permission for change of use and alteration of existing foodstore to shops (A1); and/or financial and professional services (A2); and/or restaurants and cafes (A3) and/or drinking establishments (A4); and/or takeaway (A5).
- iv) Full planning permission for construction of multi-storey car park to Islington with bus interchange facility and decked car park over existing Allengate car park.
- v) Full planning permission for new and altered vehicular and pedestrian accesses, including the re-routing of Moor Lane, landscaping of centre, construction of infrastructure and associated facilities together with associated temporary works and structures and associated utilities/services required by the development.

Applicant: Sainsbury's Supermarket Limited

Executive Summary

The proposal seeks full planning permission for a major regeneration scheme in Crosby District Centre; including a new foodstore with associated car parking, a new multi-storey car park and public transport interchange, new retail units, conversion of the existing Sainsbury's store into new retail units and erection of a building for community uses. The proposal also involves the rerouting of Moor Lane to accommodate the foodstore.

Members considered a total of six petitions and discussed the proposals at the Planning Committee meeting of 18 August 2010. A full copy of the report and late representations are attached as appendices 1, 2 and 3.

The latest report summarises discussion held since the above meeting by both the applicant and officers and outlines the further discussion to be undertaken which will be reported in full prior to the Committee meeting.

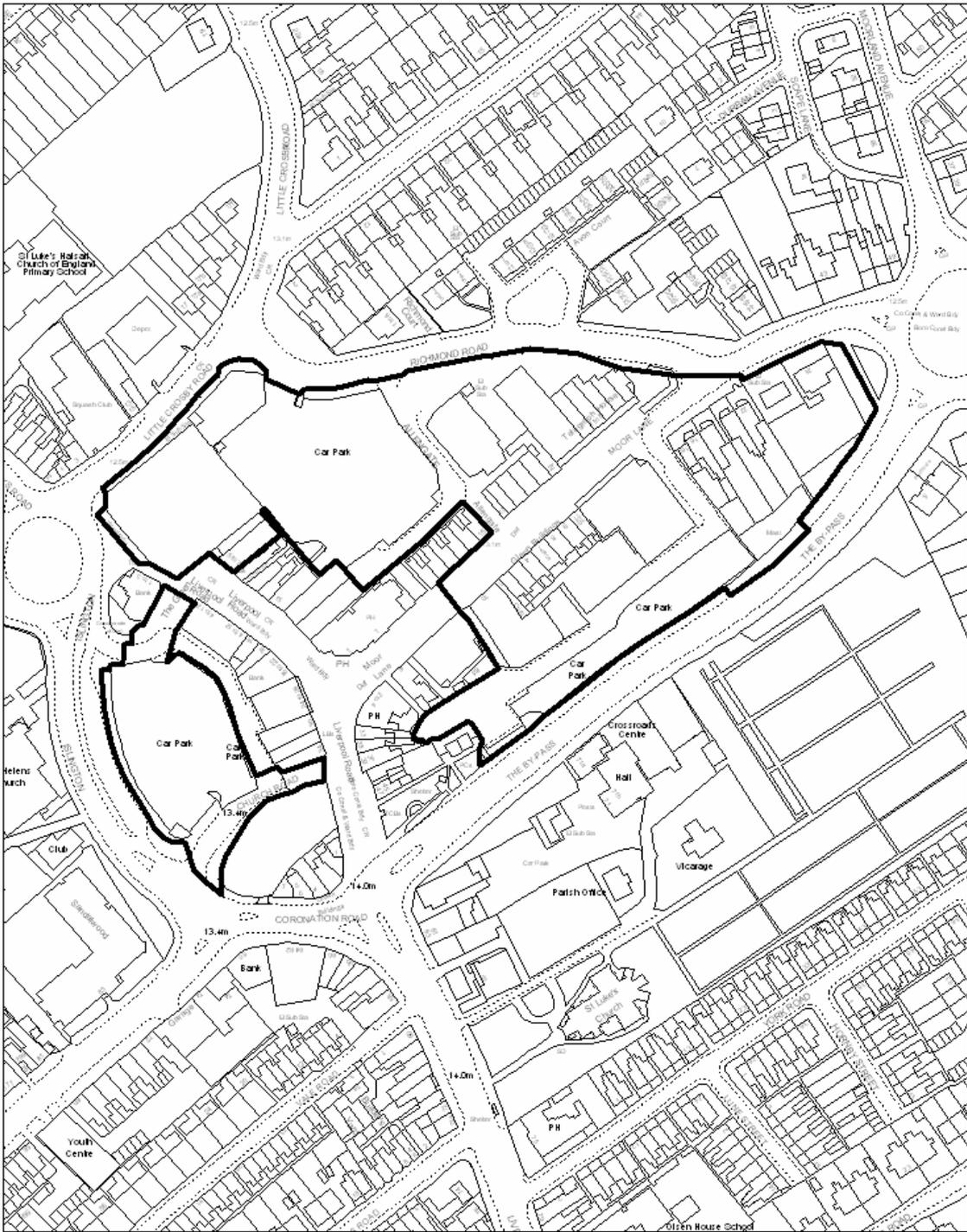
Financial Implications

CAPITAL EXPENDITURE	2006/ 2007 £	2007/ 2008 £	2008/ 2009 £	2009/ 2010 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
REVENUE IMPLICATIONS				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

List of Background Papers relied upon in the preparation of this report

History referred to

Policy referred to



Sefton Council
Planning & Economic
Regeneration Department
 Andy Wallis - Director
 Planning & Economic Regeneration is part of the
 Regeneration & Environmental Services Directorate

S/2010/0350
 Sainsbury's
 1-3 Liverpool Road
 Crosby
 L23 2SA
 OSGR: 332106, 400011 Streets: 128A, 147D, 127C, 148B Area: 31100 sqm

Standard Site Plan
 Scale: 1:2000
 Date: 3/8/2010
 Drawn By: EBERT on

Ward(s): Blundellsands, Manor, Victoria
 Postcode Sector(s): L23 5, L23 2
 Polling District(s): L3, M4, M2
 Parish(es): None Found

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1. THE APPLICATION

- 1.1 The application was originally submitted to the Council on 12 March 2010. The period for determination therefore expired on 11 June 2010.
- 1.2 The application was considered at the Planning Committee meeting of 18 August 2010 and following the consideration of several petitions and subsequent debate, Members resolved to defer determination for one cycle for the following reasons:
 - (1) To allow interested parties to further consider all information received within submitted reports, Late Representations, petitions and responses;
 - (2) To enable Officers to engage in further talks with the applicant on the aesthetics of the proposed development;
 - (3) To enable Officers to engage in further talks with the applicant on safety and highways issues, with particular reference to accessibility to the store for those with mobility difficulties;
 - (4) To allow the applicant to reflect on the views expressed by ABetterCrosby.
- 1.3 The original report and subsequent information was very comprehensive in setting out the key issues and appraising all aspects of the scheme. Nevertheless, there have been further developments since the meeting with a view to offering improved and wider explanation of the scheme to various parties, and potentially, added value.
- 1.4 It is recognised that whilst there can be no doubting the volume and extent of public consultation prior to the application, many of those expressing objection clearly felt that the scheme as submitted did not refer back sufficiently to the original exercises undertaken in terms of the timing of submission and inevitably, the volume of information required to be considered.
- 1.5 The applicant has taken these concerns on board. Since the previous meeting, the applicant has embarked on a detailed programme arranging face to face meetings with those lodging petitions and an objector from 3 The By-Pass. These are to be subject to observation by officers. The outcomes and minutes of these meetings, which are to be held on 2nd and 3rd September 2010, will be made available to Members at the Planning Committee meeting.
- 1.6 The applicants have also offered individual briefings with each of the three political groups on these same dates, which are considered to represent an opportunity for ongoing concerns to be raised and if necessary addressed.
- 1.7 A display was placed in Crosby Library on 27 August 2010 containing all of the plans and key application documents. A 'comments book' has been

provided to allow those with observations on the proposals to record their views. The comments book will be retrieved on 10 September 2010 and all observations reported to Planning Committee.

- 1.8 At the time of writing, 61 comments have been made and there is a 5:1 ratio of objection. Some of those who have added to the book have already commented on the scheme previously. It is expected that comments will continue to be received.
- 1.9 The applicant has written to all of those who have commented on the planning application, and all parties who were originally notified by the Council, to advise of the display, inviting the opportunity for comment. This is considered to be a helpful forum given that the library opens at weekends and in late evenings to accommodate those who would otherwise find it difficult to make their views known.
- 1.10 The applicant has been asked to review the submission in terms of its aesthetics. The Director has suggested a number of possible alterations which would not alter the fundamental nature of the scheme and will meet with the applicant to discuss these.
- 1.11 The applicant is committed to a commuted sum payment of £339,469 to add to the art feature proposed to the side of the new retail units, which would be recommended entirely for use within the town centre, in the undeveloped area. An additional sum of £50,000 would be provided to go towards CCTV repositioning necessitated by the development.
- 1.12 The applicants are also undertaking the production of a composite town centre plan which highlights specifically all proposed pedestrian, cycling and taxi movements and improvements on an easy to follow large scale drawing, which will be placed on display at the Committee meeting.
- 1.13 Discussion at the August meeting and further correspondence received from 'ABetterCrosby' (attached) relates to the size of the store and the potential for reduction. As part of this process, the applicant has been invited to produce their interpretation of the ideas of 'ABetterCrosby' to assist in discussion with their representative.
- 1.14 The Council's retail consultant, White Young Green, advises that a store of the size and scale proposed is needed to achieve a quality shopping experience that competes with other stores elsewhere in the Borough. There also needs to be a strong anchor in place to secure future viability and investment of the scale proposed is also required to deliver significant improvements to store quality in order that such investment is justified. A smaller store would not deliver a comprehensive solution and would require future extension or reconfiguration.
- 1.15 It is also possible that a reduction in size of store will not necessarily bring about substantial reduction in impact given the gross-net ratio of the store and

the need for ramps etc, nor will it offer considerable scope for further environmental improvement. Nevertheless, the applicant is to consider the ideas of 'ABetterCrosby' in more detail, including in particular the implications of a reduced store, and will report their full response to the ideas following the meeting with their representative scheduled for 3 September 2010.

- 1.16 The applicant will also be providing further information relating to accessibility to the store and safety of access in response to concerns raised in the minute above.
- 1.17 The applicant has been asked to resolve the issue arising at the Planning Committee meeting relating to on-line deliveries and the need for the level of car parking proposed. The outcome of these issues will be reported by late representation.
- 1.18 The applicant has swiftly responded to the concerns raised at the previous meeting and it is considered that whilst timescales are tight in respect of reporting to the next agenda, there is a will to follow up the concerns quickly and with a view to engagement across a range of issues.
- 1.19 Members are advised that an application was received by English Heritage on 18 August 2010 to list the Glenn Buildings on Moor Lane. This is currently being considered by English Heritage and whilst the outcome may not be known in advance of the Planning Committee meeting, Members are advised that this should not affect the procedure relating to the determination of the application. In the event of listing, the applicant would need to undertake further measures to secure demolition.
- 1.20 In conclusion, whilst the scheme when presented in its final form will not be materially different from that presented on 18 August 2010, it will be underpinned with the outcomes of further consultation and discussion and it is very much hoped that these discussions will afford added value to the proposals.
- 1.21 In the light of the above, and given the significant further work currently being undertaken, the Director will report on this and provide his recommendation in advance of the meeting on 15 September 2010.
- 1.22 There is a separate report on the proposal for temporary accommodation (S/2010/1008).

Contact Officer: **Mrs S Tyldesley Telephone 0151 934 3569**

Case Officer: **Steve Faulkner Telephone 0151 934 3081**

Committee: **PLANNING** **ANNEX 1**

Date of Meeting: **18 August 2010**

Title of Report: **S/2010/0350**
Sainsbury's 1-3 Liverpool Road, Crosby
(Victoria Ward)

Proposal: Redevelopment of land within Crosby district centre comprising the demolition of buildings and erection of retail food store with undercroft parking (Use Class A1) and:

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Applicant: Sainsbury's Supermarket Limited

Recommendations S/2010/0350: Approval subject to completion of Section 106 Agreement detailing provisions for trees, greenspace, public art, highway works and town centre security provisions

S/2010/1008: Approval

Justification

The proposals are fully compliant with the development plan and with national planning policy as set out in PPS1 and PPS4. The proposal is consistent with all local plan policies referred to within the report and the development will therefore accord with the aims of national and local planning policy in delivering mixed use development of a sustainable form in the heart of Crosby local centre.

It will provide a much needed injection of investment and a boost to the local employment sector, whilst offering townscape improvements and a high quality visual environment altering but maintaining key routes within the centre and improving links beyond the centre via an improved and safer environment for pedestrians and other road users which in turn will support linked trips.

The scheme will serve as a catalyst for further investment into the Crosby centre whilst making direct financial contributions towards improved tree provision and public realm beyond the area the applicant seeks to develop.

As such and having regard to all other material planning considerations, the granting of planning permission is justified.

Conditions

All planning conditions are attached at the rear of the report and remain subject to revision in advance of Planning Committee. Any changes will be reported in full where required.

Drawing Numbers

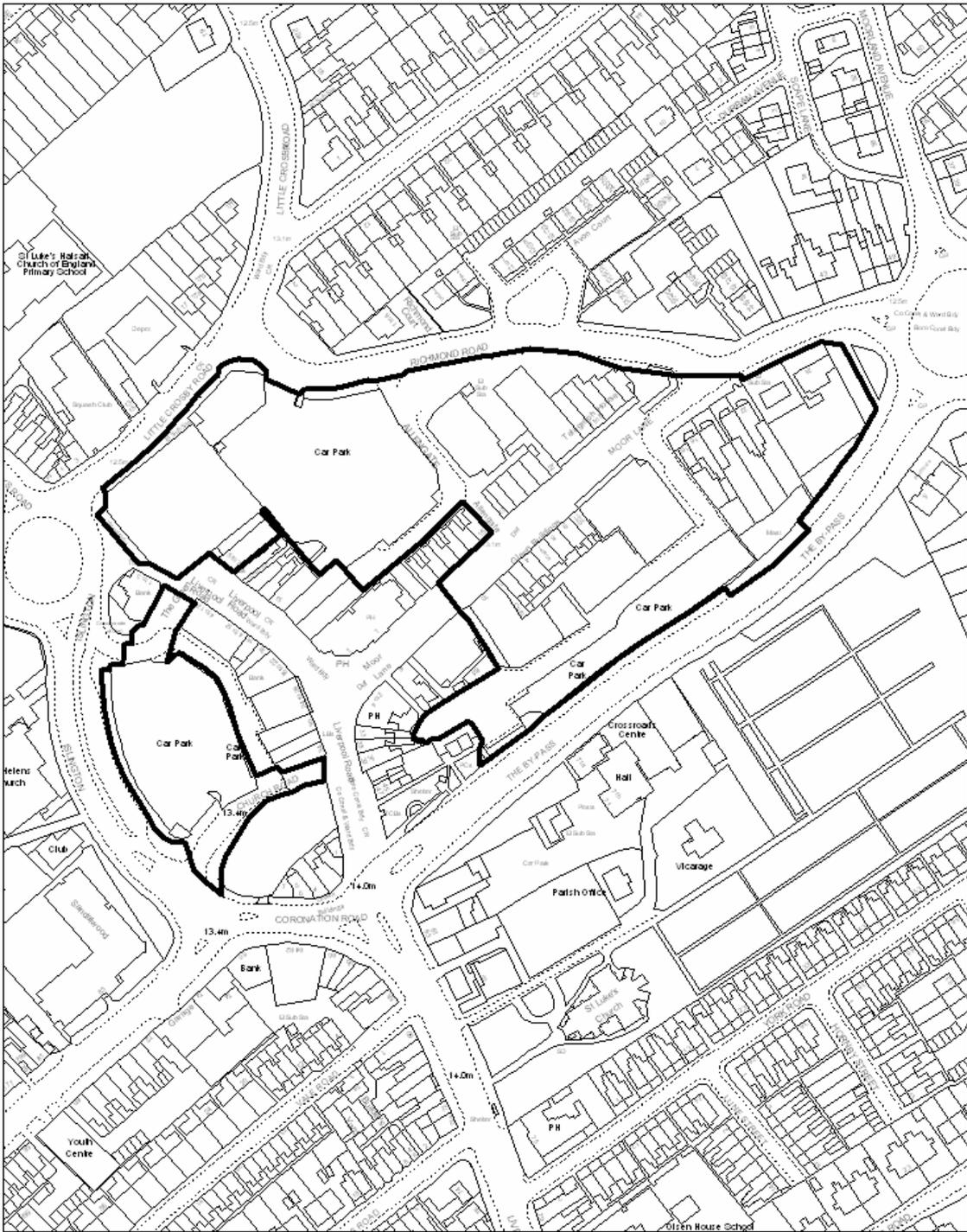
TO BE CONFIRMED IN FULL.

Financial Implications

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Sefton Capital Resources				
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REVENUE IMPLICATIONS				
Gross Increase in Revenue Expenditure				
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FULL CONTENTS OF REPORT S/2010/0350

1.	Executive Summary	1.1-1.18
2.	Site description/analysis	2.1-2.5
3.	Proposal	3.1-3.2
4.	History	4.1-4.6
5.	Consultation Responses	5.1-5.131
	5.1-5.83	Highways Development Control
	5.84-5.103	Environmental Protection Director
	5.104-5.105	Merseyside Fire Service
	5.106-5.114	Merseyside Environmental Advisory Service
	5.115	Environment Agency
	5.116-5.117	United Utilities
	5.118-5.119	Police Architectural Liaison Officer
	5.120-5.121	SP Energy
	5.122-5.123	Technical Services (Lighting)
	5.124-5.125	Sefton Equalities Partnership
	5.126-5.130	Merseytravel
	5.131	South Sefton Hackney Drivers/North Sefton Hackney Carriages Association
6.	Representations/Petitions	6.1-6.49
7.	Relevant Local Plan Policies	7.1
8.	Background and key issues	8.1-8.29
	8.1-8.23	Background
	8.24	Design
	8.25	Traffic Issues/Highway Safety
	8.26	Residential Amenity
	8.27-8.28	Environmental Issues/EIA
	8.29	Requirement for referral
9.	Individual Scheme Components	9.1-9.85
	9.1-9.20	New Foodstore
	9.21-9.35	New Retail Units
	9.36-9.49	Community Use Building
	9.50-9.57	Conversion of existing foodstore
	9.58-9.78	Multi-Storey Car Park
	9.79-9.85	Rerouting of pedestrianised part of Moor Lane

10. Other Planning Considerations

10.1-10.88

10.1-10.7	Designing Out Crime
10.8-10.20	Parking/Highway Safety
10.21-10.26	Air Quality
10.27-10.38	Landscaping/Public Realm
10.39-10.48	Accessibility/Inclusive Design
10.49-10.51	Flood Risk
10.52-10.53	Contamination
10.54-10.59	Ecological Appraisal
10.60-10.62	Recycling
10.63-10.65	External Lighting
10.66-10.67	Local Labour
10.68-10.81	Other matters/wider considerations
10.82-10.86	Application for temporary units
10.87	Section 106 Arrangements
10.88	Addendum

11. Conclusion

11.1-11.2

12. Reasoned Justification

12.1-12.4

1. Executive Summary

- 1.1 The proposal seeks full planning permission for a major regeneration scheme in Crosby District Centre; including a new foodstore with associated car parking, a new multi-storey car park and public transport interchange, new retail units, conversion of the existing Sainsbury's store into new retail units and erection of a building for community uses. The proposal also involves the rerouting of Moor Lane to accommodate the foodstore.
- 1.2 The scheme has been subject to widespread publicity and discussion between a range of interested parties. It has in various forms being public knowledge for the best part of 18 months that the applicants have been looking to undertake major investment in the centre. The proposals presented are the result of input from a host of parties but are inevitably driven by the applicants aim to increase their retailing offer.
- 1.3 The applicants involvement in Crosby dates back to 1982 and more recently, they have acquired a substantial portfolio of commercial property from another property developer, who sought to promote a comprehensive improvement scheme and began the preparation of a master plan. This was completed by Taylor Young Planning Consultants.
- 1.4 Whilst there were encouraging preliminary discussions, and a degree of local consultation on behalf of the developer, giving rise to discussion at Area Committee level, the draft plan did not advance sufficiently far enough for it to be considered either by Planning Committee Members or Cabinet Member Regeneration.
- 1.5 Improvement of Crosby District Centre and the range and quality of its retail offer is clearly necessary and new and enhanced retail development of an appropriate nature and scale is firmly supported by our retained retail consultants, White Young Green. Trading conditions have been challenging for some while, and vacancy rates are a cause of concern. The need for investment is longstanding as has been the appraisal of how to best tackle the problems.
- 1.6 As such, Crosby as a centre can only be regarded as having been in sharp decline in recent times. Such decline cannot be put down to more difficult recent economic conditions. The lack of recent investment has caused uncertainty and has with little doubt made matters worse.
- 1.7 There have been serious concerns over the vitality and viability of the main pedestrianised parts of Moor Lane and Liverpool Road over a long period and the perception of Crosby may easily be viewed as one of ample open car parking to key frontages and the facility to visit the main anchor food store without any particular diversion or need to visit other stores.

- 1.8 The thrust of PPS4 and local planning policy is fully supportive of retailing in town centres. Significantly, the proposals also put forward opportunities for a range of other complementary uses and with the building of other new units, and an upgrade of the existing store, refresh the retail offer for independent traders whilst framing the centre with vibrant retail hubs at both the west and east end. This brings major openings for ease of movement and linkage between the two, with the new units between directly benefiting from the substantially increased footfall this will generate and promoting an attractive offer from which existing retailers on the pedestrianised Liverpool Road will also benefit.
- 1.9 The applicant has undertaken consultation of the proposals with the CABE-endorsed design group 'PlacesMatter!'; it must be said that the discussions held have not entirely endorsed the proposals but the group have been cognisant of the wider regeneration requirements and the position of Crosby within Sefton's wider retail hierarchy. The discussions have resulted in a series of changes to the original proposals, as the report explains, and the group's serious concerns have been moderated considerably.
- 1.10 A major challenge in assessing these proposals has been to balance the wider long-term needs of the centre with the impacts this could bring on those living adjacent, those within the centre who may be displaced, and the views of those with wider interests.
- 1.11 To this end, the scheme has received a range of responses, some in support, some commenting, and many raising objection. It is impossible to expect that a scheme of this nature can be progressed without such significant levels of public interest. Equally, it is impossible to deliver a proposal of such scale that will satisfy everybody with objection and/or general interest in the future of Crosby as a centre. It is also beyond realism to expect that the scheme will be delivered without disruption or interference with ongoing activity in the centre, but significant resources have been centred on producing a framework that minimises this prospect.
- 1.12 The applicant in conjunction with officers in discussion of the scheme both prior to and during the application process have undertaken significant liaison extending to attendance at public meetings and reports to both Scrutiny and Overview Committee, and Area Committee. These meetings and discussions have furthered the opportunity for reflection and comment on the proposals submitted, and offer little credence to theories that the wider public have had no voice, which is picked up further in Section 8 of this report.
- 1.13 The scheme cannot be said to tick every conceivable box. Much has been made over the scale and massing of buildings, parking implications, and the changes in townscape that will result. However, I consider that however Crosby is developed, these criticisms are likely to remain relevant in some way, shape or form, and where one disadvantage is overcome, there remains real likelihood of other offsetting concerns resulting.

- 1.14 There has been much public discussion of a range of alternative options for investment in the centre. Realistically, the regeneration of the town centre cannot in itself be achieved merely through a repackaging of existing retail offer, or through the good will and ability of those committed and valued existing traders.
- 1.15 The proposals do pay regard to the historic core of the centre and leave this untouched with minor rerouting of an existing pedestrianised route. It is fully anticipated that the investment described will contribute to enhancing vitality and viability across the centre and there is a strong emphasis on delivering vibrant, lively public routes and improved linkages beyond the town centre for those who currently feel isolated by the predominance of traffic and highly visible parking provisions.
- 1.16 The proposals represent a rare opportunity for investment which I consider should be embraced without hesitation and I fully endorse this report recommending approval. The report sets out in full detail the various components of the scheme and comments on the individual planning issues that when combined provide ample policy reason to support these proposals with other material considerations fully reviewed and given appropriate weight.
- 1.17 The proposed development whilst bringing major change to Crosby would represent a major investment in the centre's future. It would bring significant employment benefits and lead to the regeneration of the centre. The scheme has been discussed in detail with the applicants who in turn have consulted widely with other interest groups.
- 1.18 All efforts have been made to ensure that existing businesses would have an opportunity to remain in Crosby. Taken as a whole, the Planning and Economic Development Director feels that the development would be a much needed positive regeneration for Crosby.

2. Site Description/Analysis

- 2.1 The application site is approximately 2.5 hectares in size and comprises properties on Liverpool Road, Moor Lane, Islington and The By-pass. The Application site itself comprises two principal parcels of land with Crosby District Centre. The first of these is the eastern part, which is bound by Richmond Road to the north, Moor Lane to the west and by the Bypass (A565) to the east and south. This area of the application site represents the eastern end of the primary retail frontage. The second parcel is the car park fronting Islington to the western side of the centre.
- 2.2 There are part two/part three storey retail units on the Moor Lane frontage are occupied by a range of retail and other town centre uses.
- 2.3 The existing foodstore is a two storey pitched roof building situated at the junction of Little Crosby Road and Islington and also forms part of the eastern portion of the site. The existing service yard lies on Little Crosby Road to the immediate north of the store building. Also within the site are five vacant residential properties on Richmond Road and two council operated public car parks. The site also includes the current open car park at Islington.
- 2.4 Residential properties are located directly to the north including Avon Court and a mix of detached and semi-detached residential properties. There are also residential properties located beyond the Richmond Road / Bypass (A565) roundabout which abuts the eastern boundary of the site. To the west is St Helens Church and a variety of residential properties including the Sandalwood apartment building.
- 2.5 Beyond the Bypass (A565) to the south of the application site lies Crosby Methodist Church, the Crossroads Centre and the grounds of St Luke's Church.

3. Proposal

- 3.1 S/2010/0350 - Redevelopment of land within Crosby district centre comprising the demolition of buildings and erection of retail food store with undercroft parking (Use Class A1) and:
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- 3.2 S/2010/1008 – Use of the land for the siting of 7 temporary shop units with use classes A1 to A5 and associated temporary ground works at Central Buildings Site, Church Road.

4. History

- 4.1 There have been scores of applications over the years relating to new shop fronts, advertisements, and other minor proposals, for example, trolley shelters. The main significant applications are as follows:
- 4.2 S/2004/0762 - Erection of a new four storey building comprising retail and car park at ground floor with three stories of office accommodation above – withdrawn 28 October 2004.
- 4.3 S/1991/0129 - Demolition of 6 houses and the erection of 4 new retail units, together with the refurbishment and alteration of the existing shop units to Moor Lane, with associated car parking and servicing – refused 18 July 1991.
- 4.4 S/23345 – Extensions and alterations to shop premises for use as an off-licence – approved 26 September 1984.
- 4.5 S/10660 - Erection of a two-storey retail trading store with ancillary storage, preparation and staff facilities, together with the provision of facilities for the loading and unloading of service vehicles – approved 23 May 1980.
- 4.6 The following application is also of relevance:

S/2005/0821 – Proposed four storey building comprising retail space, offices and residential apartments after demolition of existing buildings – approved 16 February 2006.

5. Consultations

5.1 HIGHWAYS DEVELOPMENT CONTROL

5.2 Existing Vehicle Access

- 5.3 The site currently has a number of existing vehicular access points.
- 5.4 The Allengate car park currently accessed from Richmond Road with separate ingress and egress points. The necessary alterations regarding vehicular access into the Allengate car park are mentioned in the Accessibility section of this report.
- 5.5 Telegraph House can be currently accessed by two separated controlled access junctions, which are also situated along Richmond Road. The first access is located 45 metres east of the Allengate car park ingress and the secondary access is situated approximately 20 further north.
- 5.6 The 'Cookslands' car park is accessed from Moor Lane, which also provides an area for the servicing to a number of existing small retail units that are outside of the application site.
- 5.7 There is also a three-arm, priority-controlled junction formed between Moor Lane and Richmond Road. Moor Lane forms two arms of the junction, with lane markings designating the southwestern section of Moor Lane as the minor arm, which gives way to traffic travelling between Richmond Road and the north –eastern section of Moor Lane.
- 5.8 Potentially the most significant junction in the vicinity of the site is the Islington/Cooks Road/Alexander Road/Little Crosby Road/ The Green roundabout. The ingress to the multi-storey car park is proposed to be from The Green, while egress is proposed onto Church Road.
- 5.9 Traffic Generation and Impact
- 5.10 As the location of the site is within Crosby Town Centre, links to the local and strategic highway network are within close proximity and are accessible.
- 5.11 Traffic Surveys were carried out at the following junctions:
- Islington/Coronation Road/Church Road mini roundabouts
 - Islington/ Alexandra Road/Cooks Road/Little Crosby Road/ The Green Roundabout,
 - Little Crosby Road/Richmond Road junction,
 - Richmond Road/Moorland Road Avenue/Moor Lane/The Northern Road/The By-Pass roundabout and

- Liverpool Road/Coronation Road/The By-Pass signal junction

- 5.12 The applicant also studied the A565 corridor and concluded that it is currently experiencing no material traffic growth trends and that the 2009 year flows should be taken as being indicative of 2011 opening year traffic conditions. The traffic impact assessment has demonstrated that the redevelopment proposals would not 'materially' alter the operation of any of the junctions within the study period.
- 5.13 The proposed development in its entirety will have an impact on the surrounding highway network and as a result a contribution will be required by the applicant towards the A565 corridor improvement strategy.
- 5.14 As the proposed development incorporates land currently occupied by the Cookslands car park, it is the intention of the applicant to increase the intensity of car parking at The Green in order to replace the existing number of car park spaces that will be lost due to the eradication of the Cookslands car park. Traffic surveys identified the arrivals and departures at the Cookslands car park and these levels of trips have been re-assigned to the MSCP.
- 5.15 Moor Lane also currently provides access for vehicles that service a number of the existing commercial and retail units within the town centre. Although a proportion of these units will be removed due to the relocation of the foodstore, the applicant has made provision for the remaining units to be serviced from the By-Pass through the creation of a new priority controlled access, which will provide access to the existing service yard situated to the rear of these units. Traffic surveys also identified the number of service vehicles that accessed the service yard and the re-distribution of these trips has been taken into account in relation to the re-assignment of this traffic from the existing Richmond Road/Moor Lane junction to the proposed service access.
- 5.16 The traffic surveys identified the existing split in traffic at the Richmond Road/Moor Lane junction to the proposed service access along the By-Pass as well as the reassignment of this traffic from the existing Richmond Road/Moor Lane junction to the MSCP.
- 5.17 The re-assignment of traffic due to the closure of the Allengate car park and its associated access points has also been taken into consideration and despite the alteration in traffic flows this will create, it will not have a detrimental impact on the existing highway network.
- 5.18 It is important to highlight that research indicates that traffic generation associated with the expansion of established supermarket sites, does not increase in direct proportion to the increase in floorspace. None the less there will be an overall increase in vehicular traffic to the surrounding highway

network that justifies a contribution by the applicant towards the A565 corridor improvement strategy.

5.19 Servicing

- 5.20 As mentioned previously the service arrangements within Crosby town centre require amendments, with exception to the commercial and retail units to the west of Liverpool Road which are accessed from Islington.
- 5.21 A new priority controlled junction access junction is to be created along the By-pass, which will provide direct access to the existing service yard, for the units located south of Moor Lane.
- 5.22 The store is to be serviced through the introduction of a priority-controlled junction on the By-pass. There are concerns regarding service vehicles turning right into this ramp access, due to the existing traffic flows that have been surveyed heading north along the By-pass and the potential of services vehicles restricting the flow of traffic heading south along the By-pass as they attempt to enter the site.
- 5.23 However, taking into account the respective low frequency of deliveries that the applicant indicates the store will generate, there are no alterations to the service arrangements required at this access. However, as the vehicular access is significantly wide, a designated pedestrian route will need to be demarcated across the vehicular access, to reinforce that there is still a pedestrian route along the north side of the By-Pass.
- 5.24 A new service access is proposed on Little Crosby Road for the commercial and retail units located to the north of the site. According to the proposed site plan, there is however a pedestrian route designated through the service area. This is far from ideal and may be particularly hazardous for pedestrians using this route. As a result the entire service area should be constructed as a shared surface. This is in order to improve pedestrian safety, as there is the potential for conflict between service vehicles and pedestrians.
- 5.25 It is for this reason that the applicant also needs to illustrate through the use of auto-track that there is sufficient space within each of these areas to enable vehicle to enter, manoeuvre, turn around and exit the site safely. Details are also required as to how these areas are to be controlled/managed.

5.26 Parking

5.27 Residents Only Parking Scheme

- 5.28 A Residents Privileged Parking scheme will be necessary to safeguard against any exacerbation of the on street parking which takes place in the surrounding residential area. The extent of the area is yet to be determined, but consideration should be given to all roads within the 800m isochrones as detailed on SBA drawing no. N81418/06. This will most likely be introduced in

2 phases.

5.29 The first phase will include surrounding residential roads, which have been identified as roads that potentially will be immediately affected by the proposed development. The second phase will be identified around 12 months after the store is opened and will deal with any further displaced parking problems.

5.30 The applicant will be required to fund the implementation of this scheme through a Section 106 Agreement (including legal procedures, advertising, traffic signs and carriageway markings.) Enforcement for at least 10 years should be covered through the s106 agreement.

5.31 On-site Parking

5.32 The proposed foodstore will afford a car parking provision of 419 customer car parking spaces. The applicant proposes to divided the customer car parking spaces, with 298 car parking spaces on the ground level underneath the foodstore and 121 car park spaces situated on a deck to the west of the store building. This allocation of parking is appropriate and in accordance with Sefton Borough Councils SPD 'Ensuring Choice of Travel.'

5.33 The number of proposed small commercial units total 6, with a combined floorspace of 1,115 sq metres. A new community facility is also proposed with a floorspace of 636 sq metres to the east of the site.

5.34 The '(MSCP) site' is to provide 209 car park spaces in order to provide replacement parking for car park spaces that would be lost as a result of the removal of the existing car park. As a result the maximum total of car parking spaces that the applicant proposes for within Crosby town centre is 628 which is also in accordance with Sefton Borough Councils SPD 'Ensuring Choice of Travel.'

5.35 A systematic approach will be required through the entire development site in relation to on site car parking. A car park management plan will be required setting out charging, enforcement and a demand management regime, to be agreed in writing and can not be varied without the agreement of the LPA.

5.36 Accessibility

5.37 In accordance with the submitted drawing No. N81418-SK18, a new traffic signal controlled junction at Islington/Coronation Road/Church Road (exit only)/Bus interchange (exit only), will be required to replace the existing double mini roundabout.

5.38 The proposed layout will need to incorporate full controlled (green man) pedestrian facilities across all arms of the junction and across the middle of the junction as these would be the recognised pedestrian desire lines. Advanced Stop Lines (ASL's) will need to be included and where possible

feeder approach lanes for cyclists.

- 5.39 The junction should also be configured to give priority to buses exiting from the interchange to reduce delay and help ensure more reliable journey times. This new signalised junction will need to be linked to the nearby Liverpool Road/Coronation Road/The By-Pass signal junction through the highway signal system Scoot, in order to improve the flow of traffic through the surrounding highway network.
- 5.40 Although not shown on the proposed drawings, a new signalised junction with pedestrian facilities, will be required at the proposed vehicular access to the proposed car park off Richmond Road. The anticipated demand of vehicles accessing and exiting the site at this access requires a traffic signal control junction to control and limit the rate of egress onto the highway network and thereby minimise congestion and delay.
- 5.41 A scheme of works will be required for this signalised junction to be introduced, as Richmond Road will need to be altered, realigned and widened to allow the introduction of a designated right turn lane into the proposed vehicular access.
- 5.42 These pedestrian routes adjoining the blocks of houses are considered to be public highway. If these areas are to be permanently closed off, the applicant will need to make an application for a 'Stopping up' Order to the Highway Authority and give an undertaking to pay all costs involved.
- 5.43 In addition as the applicant has proposed an uncontrolled vehicular egress onto the By-Pass, in order to control the impact that vehicles exiting the site from this vehicular access point may have on the surrounding highway network. The introduction of crash bollards under the control of the UTC will be required.

5.44 Accessibility for Non-Car Modes of Travel

5.45 Pedestrian Access

- 5.46 The development site requires a scheme of highway improvements in the form of pedestrian facilities (i.e. flush kerbs and tactile paving) up to a maximum of 200 metres from the development site, to ensure safe pedestrian access is achievable from all the pedestrian links.
- 5.47 These links in question would be: Richmond Road, Islington, Coronation Road, The Bypass, Liverpool Road North, Moor Lane, The Northern Road, Moorland Avenue, Cooks Road and Alexandra Road.
- 5.48 As part of this scheme of highway improvements, the introduction of tactile paving will be required at all arms of the roundabout junction of the By-pass/Richmond Road/Moorland Avenue/The Northern Road/Moor lane.

- 5.49 All new and existing vehicular accesses within the development site will also require flush kerbs and tactile paving to ensure safe pedestrian access within the site, while the redundant vehicular access into the existing Allengate car park is closed off and footway is reinstated.
- 5.50 As part of this scheme the construction of pedestrian crossing facilities and improvements to the pedestrian refuge at the junction of Richmond Road and Little Crosby Road will be required.
- 5.51 A traffic signal controlled pedestrian crossing (Puffin) will also need to be introduced north of the existing service vehicular access on The By-pass. This pedestrian crossing would be situated adjacent to a pedestrian link within the site that would extend to a new proposed pedestrian square at the centre of the development site. The introduction of this link does improve accessibility between the site and the residential areas to the east of Crosby.
- 5.52 As the foodstore is to be constructed on stilts, access to the store is to be achieved either by travelator or lifts located at the front of the store. This is recognised as a sufficient level of accessibility for pedestrians and is DDA compliant.
- 5.53 The proposed pedestrian facilities at the new traffic signal controlled junction of Islington/Coronation Road/Church Road (exit only)/Bus interchange (exit only) and the proposed vehicular access off Richmond Road will enhance the accessibility for pedestrians to the site further, highlighting the importance of their introduction.
- 5.54 The proposed development will also require some of the existing pedestrian links which are public highway, such as sections of the Allengate car park, the access road to The Green car park as well as The Green car park itself and sections of Moor Lane to be permanently closed off. The applicant will need to make an application for a 'Stopping up' Order to the Highway Authority and give an undertaking to pay all costs involved. In this regard, the applicant should be advised to contact the Highways Development Control Team on 0151 934 4175.
- 5.55 Public Transport (Bus)
- 5.56 It is acknowledged by the applicant that the existing bus stop facilities within the vicinity of the site will require significant improvements. These improvements include the introduction of two layover spaces along Islington, adjacent to the three existing bus stops. The introduction of these layovers will result in buses no longer having to wait along Richmond Road as is the current situation. In order to accommodate bus lay-bys either side, the bus interchange will need to be widened to allow buses to pass each other.
- 5.57 The improvements also include the introduction of two new bus stops on the A565 By-pass carriageway within close proximity to the principal walking routes to Crosby Town Centre. The bus stop on the southern side of the

carriageway would be linked to the town centre via a Puffin crossing as mentioned earlier.

- 5.58 The submitted drawing (No. N81418-SK21) illustrates that the proposed bus lay-by on the northern side of the by-pass will partially be positioned off the existing by-pass, in order to reduce the possible restriction of the flow of traffic travelling north along the By-Pass. These measures will also be required for the proposed bus stop on the southern side of the By-Pass.
- 5.59 All of these improvements should include the provision of shelters, access kerbs and enhanced carriageway markings.
- 5.60 The new traffic signal controlled junction of Islington/Coronation Road/Church Road (exit only)/Bus interchange (exit only) will also improve the ability of buses to exit the site more efficiently and join the surrounding highway network with greater ease.
- 5.61 Cycling
- 5.62 The TA suggests there is good cycle access to the site based upon a number of “suggested cycle routes within the area on the Sefton Cycle Map. These are only shown as without them there would be no routes to Crosby Village or permeability across the area and do not imply good cycle access. They merely show the only routes that can be used to access the village.
- 5.63 The proposals as shown fail to provide any improvement to this. As a minimum they should provide safe access to Moor Lane, The Northern Road, Coronation Road, Manor Road, Little Crosby Road so the those people living in the surrounding area can have safe access to the site. To do this will require improved crossing facilities together with the shared use or segregated path's linking to these routes serving the wider area.
- 5.64 All the cycle parking provision appears to be in one location, with no obvious access by cyclists and there is no reference to separate more secure parking for employees. The new controlled crossing facilities to be provided appear to link directly to the main pedestrian accesses to the site and do not provide access for cyclists and do not link to the cycle parking.
- 5.65 In order to encourage cycling to the development, there is a need to provide direct linkages between the town centre and surrounding side roads, which do not require cyclists to cycle round the ring road surrounding the town centre. The most appropriate way to improve cycle access to the new development would be to allow cycling within the existing pedestrianised area. This would allow cyclists approaching from the North, West & South to access the development without travelling round the ring road.
- 5.66 To provide access to the pedestrianised area the following should be implemented.

- 5.67 Improved crossing facilities and links between Cooks Road and Alexandra Road and the pedestrianised Liverpool Road. A Contra flow cycle facility on Alexandra Road should also be considered.
- 5.68 Crossing facilities at the junctions of Coronation Road/ Islington/ Church road, possibly included within a new signal controlled junction, linking Coronation Road to Church Road, with contra flow cycle facility linking along Church Road, towards the pedestrianised area.
- 5.69 Provision to access/egress the pedestrianised portion of Liverpool Road directly from its junction with Coronation Road/The Bypass.
- 5.70 Provision of shared use cycle route along the development side of The Bypass from the A565 Moor Lane Roundabout from the roundabout to at least the new controlled pedestrian crossing on the bypass and preferably linking to the pedestrianised area of Liverpool Road.
- 5.71 Additional Cycle Parking should be provided adjacent to the pedestrian entrance off Richmond Road, together with the provision of more secure cycle parking for staff.
- 5.72 Taxi
- 5.73 Proper provision for taxis needs to be made across the whole of the site. A token 'Taxi/Drop-off' lay-by for two or three taxis is shown on the south side of Richmond Road, which is insufficient. A dedicated 'Taxi Rank' for at least 8-10 hackney carriages should be provided on or near Richmond Road as well as a similar sized facility on the upper storey of the decked car park, close to the store entrance. Separate provision for 'Private Hire Vehicle' to pick-up and drop-off also needs to be accommodated at convenient locations.
- 5.74 Traffic Regulation Orders (TRO's)
- 5.75 With the introduction of a residents parking only scheme (as mentioned above), all relevant traffic signs and carriageway markings will need to be installed before the development is occupied.
- 5.76 The introduction of 'No Right-Turn' TRO will also be required on the By-Pass between the traffic signal junction and the existing roundabout junction, in order to prohibit motorists who have exited the undercroft car park from making such a manoeuvre.
- 5.77 Traffic Accident History
- 5.78 Over a 5 year period 24 accidents have occurred on the highway network surrounding the development site. 7 of the accidents occurred at the Little Crosby Road/The Green/Alexandra Road/ Cooks Road roundabout.
- 5.79 The analysis of the information would suggest that all of the accidents that

occurred on the local highway network are as a result of human error and the proposed development is unlikely to increase the level of accidents within the surrounding highway network.

5.80 Travel Plan

5.81 The travel plan will need to encompass other users within the Crosby town centre as well as the applicant in order to ensure a robust and efficient Travel Plan.

5.82 Further comments will be provided on receipt from the Strategic Transportation Team.

5.83 Conclusion and Conditions

In view of the above, there are no objections to the proposal subject to a comprehensive scheme of off-site highway improvements being funded by the developer. The improvements will be secured by conditions and a Section 106 Agreement to secure the following:

- A car park management plan through a Section 106 Agreement, which will require setting out charging, enforcement and a demand management regime, to be agreed in writing and can not be varied without the agreement of the LPA.
- The applicant will also be required to fund a contribution towards the A565 corridor improvement strategy through a Section 106 Agreement.
- A Residents Privileged Parking scheme will be necessary to safeguard against any exacerbation of the on-street parking which takes place in the surrounding residential area. The extent of the area should correspond with designated roads within the 800m isochrones as detailed on SBA drawing no. N81418/06. The applicant will be required to fund the implementation of both phases of this scheme through a Section 106 Agreement (including legal procedures, advertising, traffic signs and carriageway markings). Enforcement for at least 10 years should be covered through the S106 agreement.

5.84 ENVIRONMENTAL PROTECTION DIRECTOR

5.85 Noise and General Matters

5.86 Condition required for suppressing noise and dust during construction.

5.87 Condition required restricting demolition to certain times; 0800-1800 Monday to Friday, 0800-1300 on Saturday, no time on Sundays/Bank Holidays.

- 5.88 Construction management plan to be submitted for consideration.
- 5.89 On the basis that the effective height of the building will be 15.8 metres, the proposed flue should be no less than 1.8 metres above the building ridge height. This has since been submitted and subject to a minimum 1.8 clearance above store roof will be acceptable in avoiding unwanted emissions.
- 5.90 All luminaries shall be cowled to avoid overspill onto residential dwellings.
- 5.91 All ancillary plant, equipment and servicing to be acoustically treated to avoid impacts on residential property; at a noise level of 5dB below the existing 'Background Noise Level'.
- 5.92 Schemes of noise and odour control required.
- 5.93 Concern over impacts of A4 (drinking establishments) in units 1-7. Prior to occupation for such purposes, full PPG24 Noise Assessments to be submitted.
- 5.94 Management strategy required for service yard operation.
- 5.95 Gap in acoustic screen originally identified but screen now been extended to prevent noise breakout from service delivery vehicles.
- 5.96 Conditions suggested restricting opening hours on A3, A4 and A5 uses (A3 to a lesser extent).
- 5.97 It would be prudent for applicant's opening hours to be restricted.
- 5.98. Air Quality**
- 5.99 Confirms that the proposals will have no adverse impacts on air quality, in terms of PM10 and NO2 calculations, however, conditions suggested to provide for range of air quality improvements and testing of biomass boiler. These would contribute towards the lowering of emissions.
- 5.100 Contamination**
- 5.101 The site is understood to have had previously potentially contaminative land users and the applicants have themselves recommended that a Phase II site investigation be carried out. This will need to be submitted to the Local Planning Authority prior to the commencement of ground investigation works and it is considered appropriate that this be conditioned.
- 5.102 Recycling**

5.103 Proposals should give rise to no net loss of recycling facilities within centre. Suggestion to remove and relocate facility outside centre unacceptable. Revised plan since produced to clarify location.

5.104 MERSEYSIDE FIRE SERVICE

5.105 No objection to the proposals.

5.106 MERSEYSIDE ENVIRONMENTAL ADVISORY SERVICE

5.107 Risks not quantified in respect of Flood Risk and suggest views of Environment Agency sought.

5.108 Scheme for SUDS welcomed and suggested that porous paving/soakaways, or swales and ponds be used to enhance biodiversity.

5.109 Bat survey report required. Following receipt of report, bat survey acceptable and correctly quantifies minimal potential for bat roosting.

5.110 Ecology Report acceptably addresses impacts on breeding birds.

5.111 Site within Red Squirrel buffer zone; suggests planting species of small seeding to encourage red squirrels and dissuade greys.

5.112 Positive comment on aspirations of applicant to achieve a BREAAAM standard.

5.113 Biomass boiler capable of achieving minimum 10% requirement; likely that approaching 20% of store's requirements would be achieved but further information of the boiler performance should be sought by condition.

5.114 Site Waste Management Plan adequate in content; condition not required to ensure submission of further detail.

5.115 ENVIRONMENT AGENCY

No objection following submission of revised Flood Risk Assessment. Condition required on surface water drainage.

5.116 UNITED UTILITIES

5.117 No objection to the proposal provided that the following conditions are met:

1) Surface water should not be allowed to discharge to the foul/combined sewer. This prevents foul flooding and pollution of the environment. The site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/water course/surface water sewer and may require the consent of the Environment Agency.

2) Land drainage or subsoil drainage water must not be connected into the public sewer system directly or by way of private drainage pipes. It is the developer's responsibility to provide adequate land drainage without recourse to the use of the public sewer system.

5.118 POLICE ARCHITECTURAL LIAISON OFFICER

5.119 A full Designing Out Crime Advice Note has been produced. In summary, the following points should be addressed:

- Suitable perimeter treatments to the electricity sub-stations,
- Securing of perimeter of under store and adjoining decked car parks (including vehicular/pedestrian exits) outside operational hours,
- Redesign of the pedestrian link/service route between the rear of the George Public House/Bank/existing retail and decked car park,
- The undercroft car park should be of enhanced structure to withstand a 100kg explosive device, and
- Physical security measures including doors, windows, curtain walling, glazing, roller shutters, gates, bollards, lighting, CCTV and intruder alarms to the appropriate standards.

5.120 SP ENERGY

5.121 No comments.

5.122 TECHNICAL SERVICES (LIGHTING)

5.123 No objections to the proposal following review of External Lighting Assessment.

5.124 SEFTON EQUALITIES PARTNERSHIP

5.125 The consultation has taken the form of two presentations at the Sefton Access Forum, held every month. The views of the forum and responses from the applicant are presented in the section entitled "Accessibility and Inclusive Design".

5.126 MERSEYTRAVEL

5.127 Request that Sefton Council ensure that sufficient provision is made within the development for the necessary level of parking.

5.128 Note and welcome significant new bus infrastructure will be achieved, including:

- 1) The provision of a new dedicated bus facility between the Islington carriageway and proposed new multi-storey car park,
- 2) A new bus stop at Richmond Road, and
- 3) The provision of two new bus stops on the Crosby by-pass.

5.129 Welcomes the provision within the scheme for a framework Draft Travel Plan for the main foodstore.

5.130 Would request that Sefton Council ensure appropriate provision for Merseylink Dial-a-Ride facilities to gain close access to all building entrance/exits within the development.

5.131 SOUTH SEFTON HACKNEY DRIVERS ASC/NORTH SEFTON HACKNEY CARRIAGE ASSOCIATION

OBJECT on grounds of no/insufficient provision for formal ranks. Rank facilities required at all entrances and exits. Access required to each licensed premises. Scheme unattractive and lacking in amenity. Service entrance to main store inappropriate as it has egress onto major road.

6. Representations/Petitions

6.1 A total of 696 individual properties were notified of the application.

Last date for replies: 6 May 2010 (expiry of Press Notice).

Representations received from the following addresses (number of property stated in each case, Crosby unless otherwise stated). Some have commented on multiple occasions.

Abbotsford Avenue: 3a; Alexandra Road: 16 Pinfold Court, 70, 108; Ashbourne Avenue: 14; Boundary Drive: 30; Broad Lane, Thornton: 2 Orchard House; College Road North: 31; Coronation Road: 51, 68; Crosby Road South, Waterloo: 23; De Villiers Avenue: 13, 17, 24, 44; Dewlands Road, Seaforth: 25; Durban Avenue: 5; Ennismore Road, 2; Eshe Road North, Blundellsands: 2; Ince Avenue: 36; Kingswood Drive: 17; Little Crosby Road: Brookside Cottage, 17b, 17c; Manor Avenue: 22; Manor Road: 10, 13, 35, 49; Marine Terrace, Waterloo: 2; Mayfair Avenue: 6; Moor Close: 8; Moor Lane: 34a, 41; Moorland Avenue: 1, 9; Oaklands Avenue: 55; Princes Avenue: 33; Richmond Road: 16, 45 Avon Court; Rossett Road: 22, 52; Rothesay Drive: 1; Second Avenue: 10; Sefton Road, Litherland: 60; Selsdon Road, Brighton-le-Sands: 28; Southview Court, Waterloo: 10; The By-Pass: 3, 5; The Northern Road: 2, 12; Vermont Avenue: 27; Victoria Avenue: 11; Vogan Avenue: 2; Walmer Road, Waterloo: 24; Windmill Avenue: 1; York Road: 6; York Avenue: 26.

6.2 The above letters break down broadly as follows:

Objections/concern:	48
Support:	11
Both object/support:	7
General comment:	8
Clarification/suggestion:	4

6.3 Representations continue to be received at the time of writing but the above list is correct up to and including July 25 2010.

6.4 A **petition** has been received from the residents of 'Sandalwood', Coronation Road that is endorsed by Councillor Peter Papworth. This raises concern over the presence of the multi-storey car park to Islington and increased traffic and difficulty of crossing the road.

6.5 It is known that a further petition containing in the order of 6,000 signatures is being circulated throughout the Crosby area but at the time of writing, it is unconfirmed as to whether this will be put forward as a petition to address the Planning Committee.

6.6 All representations received as explained above express a range of

comments, objection and support. These are summarised as follows:

6.7 MATTERS RELATING TO CENTRE OVERALL

- Concern over need for and future occupation of the Community Facility.
- Development for commercial ends at the expense of the village.
- Marginalising of existing village traders and concern over reprovision.
- Reference on plans to non-food retail for some new units – reducing range of potential users
- Insufficient infrastructure and village too small to support scheme of this size and scale.
- No need for further superstore of this size in South Sefton.
- No reference made to jobs being reserved for locals.
- Community centre wrongly positioned.
- Lack of community engagement and residents' opinions ignored.
- Concern over disruption during building period.
- * Would like to see Petrol Station provided.
- * Area Action Plan should be initiated working with commercial partners for long term future for village.
- * Reference made in representations to online Facebook Group 'Save Crosby Village from Sainsburys'
- * Centre should be located in docklands.
- + Additional employment to be welcomed.
- + Will modernise tired, messy look of village.
- + Development should potentially benefit all parties...an example to other small, traditional centres of commerce facing similar problems.
- + Will attract further local investment.
- + Will create sustainable future for area.
- + Recycling facility served from by-pass would be big improvement.

6.8 PEDESTRIAN FACILITIES

- Lack of crossing provisions for residents on opposite sides to the scheme.
- * Need for integration between new square and existing pedestrian areas.

6.9 DESIGN

- Building looks like a distribution warehouse.
- Unsympathetic choice of materials.
- Size and scale out of proportion with existing.
- Multi-storey car park too high.
- Scheme disconnects from Liverpool Road/Cooks Road in design terms.
- Location of store at first floor level decreases accessibility.
- * Store could be repositioned to preserve historic routes.
- * Rooftop parking could have been used to save space.
- * Partial underground accommodation of multi-storey car park would have

reduced impact.

- * Former store would become a backwater and should be remodelled to open up and connect to existing townscape.

6.10 AMENITY

- Concerns over routing, timing and noise from deliveries.
- No further bars or drinking establishments.
- Important trees will be lost.

6.11 CRIME/DISORDER

- Rerouting of Moor Lane may be quiet and unsafe at night, going nowhere.
- Issue of security for cycle parking in undercroft.
- Concern over anti-social behaviour to rear of George Public House.
- Building on stilts may be subject to terrorist attack.
- ? What security/management will be in place for the car park?

6.12 TRAFFIC/HIGHWAY CONCERNS

- Additional multi-storey will encourage unwanted car use.
- Further problems of parking in residential areas outside immediate centre.
- Traffic congestion all around Crosby and too much priority for cars over pedestrians
- Shoppers vehicular exit to by pass a cause of concern.
- Servicing should not take place onto major road.
- Insufficient provision for taxi facilities.
- ? Will provision be made for staff parking?
- ? Will provision be made for residents permit parking?
- ? Will slip road be available for servicing once multi-storey car park built?
- * Suggested that parking refunds might be provided in store.
- * Parking refund should be available for other traders to offer.

6.13 The comments received inevitably focus on the future of the centre as a result of the proposals, and the perception that the applicant is concentrating on their own requirements as opposed to those of the centre as a whole. A response is offered to many of the points put forward, and many concerns are answered in fuller detail throughout the report.

6.14 DEVELOPMENT FOR COMMERCIAL ENDS OF APPLICANT

It is clearly obvious that the applicant will gain considerably from any permission but the report champions the proposals for the correct planning reasons and fully evaluates the benefits that will also be realised by others. The applicant is making a considerable investment that should entitle them to the commercial gain appropriate to their business.

6.15 EXISTING TRADERS MARGINALISED

This is a clear concern and one which the proposals accommodate as far as can legitimately be expected. The proposals have generally been welcomed by existing traders who believe the applicant will deliver benefits that will filter down to the level of independent retailers.

6.16 REFERENCE TO NON-FOOD RETAIL REDUCES RANGE OF POTENTIAL USERS

This is generally a matter for the applicant in their negotiations. The planning conditions will afford maximum flexibility for any form of retail to be accommodated in new units.

6.17 INSUFFICIENT INFRASTRUCTURE AND VILLAGE TOO SMALL TO SUPPORT SCHEME

The infrastructure is available and no utility provider has raised concerns over greater needs. The existing store is known overtrades significantly and though the store is clearly bigger, the scale will resolve the overtrading concern and appropriate parking and pedestrian requirements are clearly met.

6.18 NO NEED FOR ADDITIONAL RETAIL

Though previous retail assessments may have drawn the conclusion of there being no need for further retail provision, there is no requirement for town centre or any form of retail development to demonstrate such need, as was set out via the most recent edition of PPS6 and is continued in the revised PPS4. The need cannot be questioned and the increased offer should be viewed as beneficial.

6.19 NEED FOR COMMUNITY FACILITY

Public consultation generally was in favour of this and highlighted a certain need for it. Opinion over this is divided to a degree but it is proposed nevertheless and it is for the applicant to ensure that it is built and in their interests to secure appropriate occupation. The building is flexibly designed and the scope of the planning recommendation sufficiently broad to allow for office use.

6.20 COMMUNITY BUILDING IN WRONG PLACE

There are no other realistic locations available in the centre that would avoid compromising parking or other town centre requirements. The location of a building in this corner is important in townscape terms. The absence of one will open considerably views of the acoustic wall and service ramp to the foodstore which would represent a poor perception for visitors to the centre on the A565 southbound.

6.21 LACK OF COMMUNITY ENGAGEMENT AND RESIDENTS OPINIONS IGNORED

As described it is impossible to accommodate all concerns. The report demonstrates overwhelmingly conscientious efforts by the applicant to involve

local groups and the Council's own procedures have seen nearly 700 letters of notification sent. Of those sent, around a 10% response rate has resulted.

6.22 DISRUPTION DURING BUILDING PERIOD

The applicants have secured the use of the Central Buildings site to accommodate traders who wish to be relocated during the period, and there is a specific mechanism to be employed by condition that will facilitate this process. There are also many conditions relating to construction management, hours of operation, etc. A proposal of such magnitude cannot be expected to be delivered without a degree of disruption.

6.23 WOULD LIKE TO SEE PETROL STATION INCLUDED

This cannot be achieved as its originally intended location would have given rise to a poor visual solution adjacent to the by-pass and southbound approaches. Additionally, it would have introduced a requirement for much more significant vehicular movement and new accesses and egresses close to the roundabout.

6.24 AREA ACTION PLAN SHOULD BE PROVIDED

There is no requirement for one and the Council is obliged to consider the planning merits of the scheme presented. The scheme for consideration results from considerable working together between the applicant and officers and has made considerable provision for external input. The regulatory process followed clearly shows that the proposal can be delivered without this requirement.

6.25 CENTRE SHOULD BE LOCATED IN DOCKLANDS

Such a proposal would be subject to the requirement for significant sequential testing and would require a far more rigorous series of policy tests to be passed than the current proposal. Moreover, further retail outside the centre of such scale could only be seen as of detriment to existing and already struggling centres, whilst failing to provide for a sustainable form of development and reduced opening for linked trips.

6.26 SUSTAINABILITY APPRAISAL SHOULD BE CARRIED OUT

The scheme makes provision for sustainable building and use of renewable energy and there is no requirement for the scheme to undergo a Sustainability Appraisal. Additionally the scheme makes provision for pedestrian/cycle improvements to increase means of travel choice. It is sufficient and entirely appropriate to condition these elements.

6.27 LACK OF CROSSING PROVISIONS

This has been critical and the applicants will be undertaking schemes of tactile paving and dropped kerbs at all points within 200 metres of the site and dedicated new pedestrian crossing facilities including the redesign of the double mini-roundabout to Islington for improved crossing. Overall links to the centre will improve markedly.

6.28 NEED TO INTEGRATE NEW SQUARE AND EXISTING PEDESTRIAN

AREAS

Agreed; the applicant therefore will make provision for a significant contribution to new public realm which can reasonably be expected to offer scope for improvements to townscape not directly within the application site.

6.29 DESIGN CONCERNS

These are explained in full throughout the report but in short there are many varied potential design solutions that would vary in both character and merit. The chosen solution goes for a lighter contemporary approach which reflects a new chapter in Crosby's evolution. Preferences for brick, tile, slate materials etc could seriously add impact to a building of the size and scale proposed. It is not unreasonable that the design chosen properly reflects the building's function, and this is a key component of PPS1.

6.30 MULTI-STOREY CAR PARK TOO HIGH

It is unclear as to what height may be regarded as appropriate, but the building is to an extent of its own nature and uniqueness and fulfils a critical purpose in providing the parking necessary for the town centre to function as a whole.

6.31 FIRST FLOOR LOCATION OF STORE REDUCES ACCESSIBILITY/ROOFTOP PARKING COULD SAVE SPACE

It is accepted and understood that the ground floor positioning of the store would in many ways be desirable. However, the effects of this would likely drive the building's height further up as ramps and other infrastructure become necessary. It would also significantly expose servicing arrangements to greater public view, or make their screening all too prominent. Equally, underground parking generally is excessively costly, with reduced surveillance and would not resolve the criticism that many customers are still not being parked at store level. The submitted scheme does much to reduce the feel of Crosby being three car parks on an island.

The applicants propose travelators and lifts to carry many people at a time and the store is also level with and links direct to the decked car park across Moor Lane. There has been significant consultation with the Sefton Access Forum on this issue. It is not in the applicants interests to build a store that is either inaccessible or excludes certain groups.

6.32 STORE COULD BE REPOSITIONED TO PRESERVE HISTORIC ROUTES

The historic routes are barely altered; there is however a rerouting of an existing pedestrianised part of Moor Lane. The overall character of movement was arguably altered more significantly by the original pedestrianisation of Moor Lane/Liverpool Road in the 1990s, just as the building of the original store in the early 1980s will have changed patterns of movement. The applicants have carried out numerous alternatives which do not work and one of these involved closing the route altogether which was of significant concern to the Council.

6.33 FORMER STORE SHOULD BE REMODELLED TO RECONNECT COOKS

ROAD

Suggestions relating to partial demolition of the existing store to open up the routes to Cooks Road are not without merit, but cannot be accommodated as part of this application and the failure to do so is not a reason to reject the proposals. The opening of the blank elevations to the existing store will achieve the desired effect albeit in a different form and allied to pedestrian improvements improving connectivity at this point will enable traders in that part of Crosby to feed off the increased footfall in pedestrianised areas. Such works would also reduce the available retail offer and thereby opportunity for existing traders.

6.34 ROUTING AND TIMING OF DELIVERIES

There is no gate to the service access which will allow deliveries to enter and exit without restriction and prevent unwanted waiting on the public highway. Significant acoustic walling is proposed and has been extended on the Council's request. All noise within the service yard is attenuated and there is will be management of the yard to prohibit a series of activities overnight. There is no reason to restrict hours of servicing. The existing route is the A565 and servicing vehicles will run in conjunction with other larger vehicles that need to use this route on a regular basis.

6.35 NO FURTHER BARS/DRINKING ESTABLISHMENTS

There is appropriate control to ensure that any new establishments operate to hours consistent with those permitted elsewhere and any such use would be subject to a full noise assessment to determine its acceptability. There is an existing establishment which would be displaced and it would be unreasonable not to allow certain re-provision on a point of principle particularly within a town centre environment.

6.36 IMPORTANT TREES WILL BE LOST

There are trees viewed from Richmond Road which would be lost but the wider reshaping of the landscape and trees designed not to outgrow their town centre location, together with the landscaping of key frontages, will off set this impact. There is no sufficient merit in the trees to be removed that justifies specific Tree Preservation Order (TPO).

6.37 RE-ROUTING OF MOOR LANE MAY BE QUIET AND UNSAFE AT NIGHT

There is no evidence that the existing route causes unmanageable problems. There is ample surveillance of the area and this is improved further by the repositioning of one retail unit to Moor Lane opening up views in particular to the rear of the public house backing onto the current Allengate car park.

6.38 SECURITY OF CYCLE PARKING IN UNDERCROFT

This will be a matter for the applicant to manage in line with their overall security regime.

6.39 ANTI-SOCIAL BEHAVIOUR TO THE REAR OF THE GEORGE PUBLIC HOUSE

This is commented on in detail in that section of the report relating to crime and anti-social behaviour.

- 6.40 BUILDING MAY BE SUBJECT TO TERRORIST ATTACK
The applicant has been given clear advice to consider the use of bomb-proof stilts in the construction of the building but this is not a matter which is considered appropriate to cover by condition. It is open to the applicant to follow this advice all the same.
- 6.41 SECURITY AND MANAGEMENT OF CAR PARK
This is a matter covered by planning condition.
- 6.42 UNWANTED CAR USE AS A RESULT OF MULTI-STOREY
The scheme provides a level of parking that is compliant with planning policy. The proposals will also bring improved opportunities for bus use, taxi provision, cycling and pedestrians. The lack of a multi-storey, which has been subject to significant design improvement, will place severe pressure on the ability of the remaining spaces to accommodate the centre's realistic needs.
- 6.43 PARKING IN RESIDENTIAL AREAS OUTSIDE CENTRE
This has been a key issue for discussion. Measures are proposed requiring the applicant to undertake investigation of surrounding roads and where deemed appropriate and necessary following discussion with the Council extend residents parking provision. This would be reviewed after 12 months and if necessary revised to suit.
- 6.44 TOO MUCH PRIORITY FOR CARS OVER PEDESTRIANS
The scheme must balance the realistic requirements of all movement and for reasons stated above and within the report does exactly that.
- 6.45 VEHICULAR EXIT TO BY-PASS A CONCERN
This will be moderated by an approach involving bollarding which will prohibit egress from this route at the busiest of times.
- 6.46 INSUFFICIENT PROVISION FOR TAXI FACILITIES
This is noted and is an important provision. The scheme will provide measures for both in-store and out of store taxi provision.
- 6.47 STAFF PARKING ON SITE?
The applicant will be required to produce a fully working and enforceable Green Travel Plan that sets out measures for reducing car dependence throughout the development, with staff parking requirements key to this and complementing the residents provisions described above.
- 6.48 WILL SLIP ROAD BE AVAILABLE FOR SERVICING ONCE MULTI STOREY BUILT?
Yes. This is a key requirement for traders on the Liverpool Road frontage and is retained.

6.49 PARKING REFUNDS INSTORE/OTHER TRADERS?

The applicant intends to refund parking provision for those spending an as yet to be confirmed in-store minimum and it is open to them to consider expanding that offer to other traders but will not be a specific planning requirement.

The above comments respond in full to the range of comments and observations received. As indicated at the beginning of this report, it is impossible to accommodate, resolve or agree every concern.

Objections are continuing to be received at the time of writing at the approximate rate of 2 to 3 per day, and are each of very similar tone expressing opposition to the size and scale of the proposals.

These submissions are considered with the same weight as those who have objected throughout, but it is nevertheless unusual for more vehement objection to manifest itself at such a late stage in the planning process, and at a time when the main components of the proposal are to a large extent in place and unlikely to change.

Moreover, the proposals are not of substantially greater scale than was first envisaged some 18 months previous, nor has there been any obvious attempt to suggest otherwise.

7. Relevant Policies

- 7.1 The application site is situated in an area allocated as District Centre on the Council's Adopted Unitary Development Plan.

PLANNING POLICY STATEMENTS

- 1 Delivering Sustainable Development (2005)
- 4 Planning for Sustainable Economic Growth (2009)
- 22 Renewable Energy (2004)
- 23 Planning and Pollution Control (2004)
- 25 Development and Flood Risk (2006)

REGIONAL SPATIAL STRATEGY

- DP1 Development Principles
- DP4 Making the Best Use Of Existing Resources
- DP5 Manage Travel Demand; Reducing The Need To Travel, and Increasing Accessibility
- DP7 Promote Environmental Quality
- EM17 Renewable Energy
- EM18 Decentralised Energy Supply
- RDF1 Spatial Priorities
- W5 Retail Development

SEFTON UNITARY DEVELOPMENT PLAN

- AD1 Location of Development
- AD2 Ensuring Choice of Travel
- AD3 Transport Assessments
- AD4 Green Travel Plans
- AD5 Access onto the Primary Route Network
- CS1 Development and Regeneration
- CS3 Development Principles
- DQ1 Design
- DQ2 Renewable Energy in Development
- DQ3 Trees and Development
- DQ4 Public Greenspace and Development
- DQ5 Sustainable Drainage Systems
- EDT18 Retention of Local Employment Opportunities
- EMW9 Recycling Facilities
- EP1 Managing Environmental Risk
- EP2 Pollution
- EP3 Development of Contaminated Land
- EP6 Noise and Vibration
- EP7 Light Nuisance
- EP8 Flood Risk
- R1 Retail Development Strategy
- R6 Development in District and Local Centres
- T1 Transport Network Priorities
- UP1 Development in Urban Priority Areas

SUPPLEMENTARY PLANNING DOCUMENTS

- Ensuring Choice of Travel
- Trees and Public Greenspace

8. Background and Key Issues

- 8.1 The application site is an established district centre retail location and is within the district centre boundary of Crosby.
- 8.2 Given the scale of the proposed store, which is to be 4,645 sq m in net sales area, and 8,802sq m gross, just over three times the size of the existing, the Council's retained retail consultants have been asked to appraise the proposals and a copy of their letter is attached for the benefit of members, setting out that Crosby is capable of accommodating this additional retail provision. The floor area is 3,252 sq m for food sales, and 1,393 for non-food. The principle of retail use and associated town centres uses on the site is, therefore, established.
- 8.3 The proposals as described bring considerable change to the townscape of Crosby; in particular, widely visible surface car parks and dated retail units will be removed. Opportunities are being explored for significant public realm improvement. The scheme will also make for a significant investment in Crosby creating a large number of new jobs.
- 8.4 The streetscape will change, as will anticipated footfall, and the scheme ought to encourage a more active centre environment that currently resulting from the store's existing position at the western end of the village.
- 8.5 Crosby as a centre has a local identity as a village but is in reality a District Centre. The facilities and environment it provides have suffered from a lack of investment in recent years and the applicants' existing store, which is the only store in the centre of significant size, overtrades significantly.
- 8.6 The opportunity has arisen for a major investment into the centre, bringing a larger supermarket and smaller retail units, with potential for a community use building, improved car parking and other facilities. There is no doubt that such a large investment would provide a major change to Crosby, and the applicant has faced the challenge of trying to incorporate this in a way which promotes investment whilst retaining the character of the centre.
- 8.7 The scheme has been subject to significant public consultation, taking the form of public exhibitions and leafleting, in two stages. The first stage to obtain general views; the second to seek comment in more detailed form.
- 8.8 700 stakeholders were identified, and contact points established. The applicants have also documented attendance at a Crosby Village Action Group attended by around 450 people in February 2009, and a Crosby Village Steering Group the following month. A website was set up the month after that alongside a freephone consultation hotline, and text messaging update service.
- 8.9 Following these provisions, all stakeholders were invited to attend a mobile exhibition in May 2009, covering 15 hours over two days, and on a Friday and

Saturday to cover individual working patterns. There were press releases to the Crosby Herald and Liverpool Echo. 229 questionnaires were received in response to this exhibition, with the most important factors seemingly the management of public realm and a clear identity for Crosby Village.

- 8.10 A second exhibition was held providing more detailed design in November 2009, attended over two days by an estimated 1,000 people. Of 129 feedback forms, 79 were in favour, 35 against and 12 not sure. The main points of concern related to the relocation of key facilities, car parking charges, and maintaining community facilities. There was also comment on the scale of the store not being in keeping with surrounding shops.
- 8.11 Following the second exhibition an information leaflet was circulated to 10,000 local households.
- 8.12 The nature of the scheme is such that it demands a high level of liaison with the local community and all with a keen interest in the future of Crosby. In my opinion, the applicant has been rigorous in seeking the views of interested parties and any criticisms of failure to discuss the proposals with the local community are entirely unfounded, given the extent and level of publicity that the scheme has received. Additionally, I consider that the applicant has responded as reasonably and fairly as possible to the concerns raised and it must be emphasised that it is not possible for the applicant to address every concern, in particular relating to size and scale.
- 8.13 In short, the consultation exercise undertaken is regarded as appropriate and proportionate to the magnitude of the proposals and I consider that the applicant has given considerable weight to the responses received.
- 8.14 The scheme has also been put to the North West Design Review Panel 'Places Matter!', who following consideration of a series of options, have offered broad support to the scheme on the basis of their understanding that the scheme has a range of wider objectives that go beyond the sheer scale of the proposals in their own right. The original plans presented to this panel raised a number of concerns which the applicant has now responded to:
- The plans make provision for rerouting as opposed to closure of Moor Lane,
 - The plans better respond to identified key routes through centre,
 - Increased scale of new retail units fronting Moor Lane,
 - The foodstore relates far better to Richmond Road elevation,
 - The petrol filling station has been removed,
 - Closer analysis has been undertaken of other fabric to be demolished,
 - There is much greater respect of existing street hierarchy,
 - New retail units addressing Moor Lane street scene,
 - Alternative treatments to the Richmond Road elevation,
 - Screening treatment to the ground floor elevation along Richmond Road,
 - Improvements to servicing route from Little Crosby Road, and

- Colour cladding to the Multi-Storey car park.
- 8.15 In short they are accepting that Crosby is in need of significant change in order to sustain its status as a centre bringing vitality, viability and vibrancy.
- 8.16 The Panel have expressed strong views over the design merits of the scheme. However, their final conclusion of the possible alternative has served to expose the physical difficulty faced by the centre in accommodating development of the scale proposed (and in principle justified). Their eventual concluding suggestion was to propose the use of Islington car park as the basis for the proposals.
- 8.17 The Islington car park is around half the size that would be required, but even if big enough, would have most likely resulted in a scenario with the following limitations:
- limited parking availability for the scheme and poor proximity to the store,
 - substantial impacts on the residents of property at 'Sandalwood',
 - predominance of non-active uses on key frontages due to functional requirements of servicing and storage,
 - a positioning of store which would further fragment existing retailers on Moor Lane limiting footfall along established routes,
 - difficulty in distinguishing between customer and service access, and
 - a requirement for a new bus routing and interchange.
- 8.18 Certain reservations of the design put forward by PlacesMatter! are not without justification, but they must nevertheless be regarded as a component of the wider planning process which must also carefully review the implications in terms of pedestrian and vehicular movement, and the wider benefits the proposals must bring to the town centre.
- 8.19 Other options have been considered but none have been found to work effectively in reducing the impact and scale of development. Alternatives have involved assessing the continued use of the pedestrianised part of Moor Lane as a through route, and increases in height that would potentially result from the combination of ground floor parking requirements or ramping arrangements to provide additional parking decks.
- 8.20 An ideal solution is far from easy to achieve, as it is proposing a large food store within a town centre location that must respond to and recognise the needs of a wide range of surrounding occupiers and other centre users.
- 8.21 There will be significant impacts both following and during construction, but equally, there is little likelihood that a scheme for the successful regeneration of the centre could be delivered that brings much needed investment and also adopts an approach of minimal intervention.
- 8.22 The scale of the proposal is bold and ambitious, and represents a once in a generation opportunity for regeneration if controlled and managed correctly.

8.23 This report examines the four key planning issues, followed by a description and assessment of each component of the proposal in respect of these. Other matters relating to impacts on the town centre both as existing and reconstructed are then analysed.

8.24 DESIGN:

- The need for the proposals to contribute to a safe, secure environment for users at all times, with security, safety and passive surveillance at the heart of the scheme, and the need for the scheme to sit comfortably alongside other neighbouring uses with a view to minimalising instances of anti-social behaviour.
- The presentation of the various aspects of built form and their impacts from a considerable range of vantage points,
- The commitment to a design approach that maximises potential for ease of access and movement, provision for a full range of potential users, and the maximising and maintenance of opportunity for linked trips,
- The potential for significant public realm enhancement, public art and high quality landscaping,

8.25 TRAFFIC ISSUES AND HIGHWAY SAFETY:

- The overall traffic impacts of the development, parking levels and future management, and the opportunities the development brings for a range of alternatives to the car,

8.26 RESIDENTIAL AMENITY:

- Impacts on residential amenity, in terms of the physical impacts of built form, servicing, the new retail units and potential changes to traffic patterns, and the positioning of taxi provision,

8.27 ENVIRONMENTAL ISSUES:

- The effect of increased traffic and renewable energy requirements on air quality, and the extent to which measures may be put in place to both mitigate the impacts whilst offering enhancement, and
- The need to give no net loss of existing recycling facilities.
- The need to assess the proposal in respect of impacts on habitat and to ensure that potential for flood risk is assessed and mitigated where necessary.

8.28 The application has been screened for the purposes of Environmental Impact

Assessment and it has been concluded that no assessment is required.

8.29 With regard to the suggestions on the need for referral, the Town and Country Planning (Consultation) (England) Direction 2009 and Circular 02/09 (Departures) set out criteria against which planning application for town centre uses should be referred:

- *Any application for the development of a town centre use outside of a town centre (includes edge-of-centre, out-of-centre and out-of-town locations) where 5,000 sq m or more gross external floorspace is proposed and which is not in accordance with one or more provisions of the development plan in force;*
- *Any application for the development of a town centre use outside of a town centre where 2,500 sq m or more gross external floorspace is proposed, which is not in accordance with one or more provisions of the development plan in force, and which when aggregated with existing floorspace of the same type of use situated within a 1 km radius of the proposed development would exceed 5,000 sq m.*
- *Existing floorspace comprises floor space already provided, floor space which has been substantially completed within the period of 5 years preceding the date of the application, proposed floor space in respect of any application which has not been determined on the date of the application to which the Direction relates, or proposed floorspace in respect of any application for which planning permission has been granted within the period of 5 years preceding the date of the application to which the Direction relates.*

Having reviewed the above in relation to the applicant's proposals for Crosby, it is not considered that there is a requirement to refer the application to Government Office North West (GONW).

9. Individual Scheme Components

9.1. Demolition of buildings and erection of retail food store with undercroft parking

- 9.2 This is the principal component of the scheme. The existing store would relocate to a new, purpose built location which is derived in part from the demolition of some existing properties on Moor Lane including the Glenn Buildings, and some residential properties at Richmond Road, whilst making partial use of the existing car park adjacent to the current store and the Cookslands car park to the rear of the Glenn Buildings accessed from Moor Lane.
- 9.3 The store would be at the eastern most part of the application site and will have a range of visible frontages, from Moor Lane, the by-pass and Richmond Road. The footprint proposed necessitates the re-routing of the existing pedestrianised area and this is described further at (6) below.
- 9.4 The store would be of around 15.5 metres in height and is a modern, contemporary design which will involve the sales floorspace being provided at first floor level. This is accessible from both the main pedestrian area of Moor Lane, and the adjacent decked car park discussed at (5) below. Travelators are proposed in addition to two customer lifts capable of accommodating 38 people at any one time.
- 9.5 In addition to food store sales, the scheme will also have a bakery, back up area and staff areas visible to Moor Lane but with a customer restaurant and toilet facilities at first floor level, the latter of which affords views of Richmond Road.
- 9.6 Servicing would occur directly from the by-pass and is an all movements junction. Vehicles would utilise a service ramp and undertake servicing at first floor level.
- 9.7 All parking is accessed via Richmond Road but an exit for customers is also proposed to the by-pass.
- 9.8 The store proposes to open during the hours of 0700-2300 Monday to Saturday, and 0900-1900 on Sundays (for six hours only within the provisions of the Sunday Trading Act).

Analysis/Appraisal

- 9.9 The building when viewed in plan form is undoubtedly of substantial footprint, but is broken in its elevational form to provide a range of acceptable impacts from ground level vantage points. From Richmond Road, the chief component is cladding of grey and white colour, but the glazed features and use of terracotta break this up and for its height give the building a lighter feel.
- 9.10 The building to the newly re-routed Moor Lane is expected to be of lively, active appearance, with full glazing for the majority of the elevation to a point close to roof level, and a glazed entrance visible from the west end of Moor Lane.

- 9.11 The by-pass elevation also represents a key public face to the building, but this generally reflects the functional requirements of the store in terms of servicing, delivery and back up. The elevations are broken at this point such that unduly obtrusive elevations are avoided, due largely to the constraints presented by the positioning of the by-pass. There is also a requirement for a sprinkler tank and pump house adjacent.
- 9.12 In amenity terms, the building will undoubtedly change the outlooks for residents on Richmond Road. In particular, many residents of Avon Court on the opposite side of the road currently see the back and side elevations of Telegraph House, and wider views are of this building and the open Allengate car park.
- 9.13 Albeit the orientation is unfavourable, the northern elevation of this building at the height proposed will not give rise to adverse impacts in respect of overshadowing of windows, being around 30 metres from the offset elevations of Avon Court, and the first floor will not impact on the privacy of residents whose windows are largely off set from the building itself. There are no other residents directly affected in respect of the built form though indirect views of the building will clearly be obtainable.
- 9.14 The nature of the operation is such that servicing will take place on a 24 hour basis. The applicant estimates 12 deliveries a day, equating to one every two hours. However, for the store to function, overnight and early morning deliveries are required. The impact of these is mitigated in two ways. One is that there will be no gate at the service access itself.
- 9.15 A common complaint of service vehicles is that the vehicle has to wait on the highway for a gate to open and the re-starting of its engine is often a cause of disturbance. The absence of the gate enables the vehicle to enter with due care but also with no waiting requirement. In addition, noise from reversing beepers is entirely contained.
- 9.16 In addition, a key component of the building is a high acoustic wall, which will absorb all noise connected to servicing once the vehicle is within the raised service area. This will resolve all concerns relating to impacts from servicing and means there is no need to condition servicing access hours. The Environmental Protection Director has raised no objection on this point.
- 9.17 Unlike some other similar stores, the applicants' opening hours' arrangements are not centred on a 24 hour operation. I recognise that nearby residents would not welcome later hours of opening and therefore a condition is attached to ensure no opening outside the hours of 0700-2300 Monday to Saturday, and 0900-1900 on Sundays. At present the 1994 Sunday Trading Act precludes retailing for more than 6 hours on a Sunday, but there is a need for this to be adapted flexibly depending on local trade patterns. This is considered sufficient to ensure that there is no harm resulting from store activity.
- 9.18 The store itself is considered to be of acceptable design quality and of the form that may realistically be expected for a development of this scale. It is considered that the servicing and retailing restrictions will preserve the amenity of residents whilst the scale of the built form itself will not cause harm to outlook or result in loss of light.

- 9.19 The store will achieve a minimum of 10% of its energy requirements from renewable sources. Though it is considered that some assumptions contained in the report are generous, it remains the case that the likely energy generated would be closer to 20%. A planning condition is attached to require a range of in-built measures to provide for a sustainable construction.
- 9.20 Having established that the redevelopment of the centre involving buildings for retail purposes is acceptable, it is considered that is element of the scheme is acceptable and complies with policies CS3, R1, R6, AD1, AD2, DQ1, DQ2, DQ5, EP2 and EP6 of the Sefton UDP.
- 9.21. Full planning permission for erection of 7 small retail units comprising shops (A1); and/or financial and professional services (A2); and/or restaurants and cafes (A3); and/or drinking establishments (A4); and/or takeaway (A5)
- 9.22 In addition to the food store, and following the demolition of the existing retail units from Allengate onwards in a north easterly direction, it is proposed to reprovide smaller single storey units adjacent to the foodstore. Two of these are proposed on the southern side of the store at ground level, and four would be positioned on the opposite side of the entrance to the foodstore on the re-routed Moor Lane. The latter four would be sited under the decked car park to Moor Lane, but they directly address the street scene and the applicant is not seeking approval for a bar/drinking establishment in any of these.
- 9.23 In total, these six units will provide for 1,204 square metres of new gross retail floor space.
- 9.24 The seventh unit in the strictest sense is not a new construction, but would be a further independent retail unit within what is currently the applicant's off licence directly in line with the existing entrance to the main store. This has a gross external area of 456 square metres.
- 9.25 If planning permission is granted, it would be on a flexible basis such that any use could occur during the first ten years of occupation, with the ongoing lawful use reverting to that as it exists ten years from the date of first occupation.
- 9.26 The applicant has commissioned an independent appraisal of existing built fabric within the town centre including those units it is proposed to demolish.

Analysis/Appraisal

- 9.27 In view of the scale of the new main food store, it is essential that the centre also provides a range of units which are flexible in terms of both size and use. The design of the six units will reflect the more contemporary approach to the main store itself and will benefit substantially from the considerable footfall expected to be achieved on Moor Lane.
- 9.28 The reprovision of new retail units is entirely consistent with aims and objectives for a vibrant and viable centre, and in particular will complement the new food store attracting people to the centre for the purpose of linked trips within an newly formed and attractive environment.

- 9.29 The units will in themselves not compensate entirely for the loss of the current retail space, however, this is more than covered by the conversion of the remainder of the existing store at (4) below. Additionally, though numerically the number of units is seven, the floorspace is readily divisible in various ways to suit the needs of smaller retailers if necessary, or to accommodate those with more extensive requirements.
- 9.30 The appraisal document clearly sets out the history and development of the centre; the cluster of commercial properties around the turn of the 20th century (now addressing the pedestrianised former roundabout at Moor Lane was centred on Liverpool Road, Crosby Road and Cooks Road. The Art Deco buildings proposed to be demolished are of slightly later era, dating back to 1936 and there are also some residential properties remaining from a group demolished to enable the construction of Richmond Road.
- 9.31 The residential properties are considered to require a level of investment too great to justify their retention and previous attempts at repair work have been of rather poor quality.
- 9.32 It is noted that the more historic parts of Crosby will remain; these being the corner buildings identified above. They are considered to be of considerable character, and the Victorian buildings moving east the same albeit there have been some more significant alterations to these.
- 9.33 The Art Deco buildings also exhibit a distinctive character and it is considered that though not worthy of listing, they are rare in type and any replacement must achieve quality subject to improvement of the area's character and appearance. The post war buildings at the far east end which include Telegraph House are seen to be of no interest and not worthy of keeping.
- 9.34 The loss of this fabric in the centre is not without regret. However, it is not considered that such loss offers a sufficient argument for the withholding of planning permission when balanced against the other wider planning and regeneration objectives explained elsewhere in the report.
- 9.35 This component of the scheme accords entirely with planning policy at all levels, including PPS4: Planning for Sustainable Economic Growth, and the range of uses enabled are entirely consistent with what would be expected in a local centre and therefore complies with policies CS3, R1, R6 and DQ1 within the Sefton UDP.
- 9.36. Full planning permission for erection of community use building comprising financial and professional services (A2); and/or business (B1); and/or community uses (D1) with parking to rear.

9.37 The third component is the proposed community use building to be provided adjacent to the Moor Lane roundabout. This seeks permission for use as offices, business or community uses.

9.38 The building is of two storey brick construction with white render, and would total 636 square metres in area.

9.39 Parking is provided to the rear via a separate access off Richmond Road.

9.40 If planning permission is granted, it would be on a flexible basis such that any use permitted could occur during the first ten years of occupation, with the ongoing lawful use reverting to that as it exists within the building ten years from the date of first occupation.

Analysis/appraisal

9.41 Discussion of this component evolved over time following initial concern relating to the use of this part of the site as a Petrol Filling Station (PFS). The site is recognised to be an important gateway to Crosby for those visiting the centre from the north, who will tend to take the Moor Lane approach.

9.42 If this part of the site is not developed, it would open the far less attractive acoustic walling and blank ends of the main foodstore with landscaping the only buffer. It is considered that the built form proposed will assist in offering a different perspective on arrival.

9.43 The design is of low key nature but is intended to offer a response to other buildings nearby of more domestic scale, including residential property addressing or adjacent to the roundabout. It is not of outstanding quality but equally is not considered harmful in street scene terms and represents an acceptable response in terms of its built form, reflecting the scale and materials common in this area.

9.44 The issue of end user is a concern. It is known that the applicant has approached a range of community-based end users, but is yet to find an occupier. Most notably, there has been discussion with Sefton Primary Care Trust, but these are now to be abolished and in any event, it was felt unlikely that the building proposed would be big enough for their requirements.

- 9.45 In addition, Sefton CVS have commented that the use of the building for community purposes could have the reverse effect of impacting on the facilities made available by existing community uses.
- 9.46 In planning terms, it is not possible to specify the end user of the building within the use classes applied for, however, it is open to the local planning authority, given the identification of the site as a community building, to require that discussion has occurred with all available potential community uses to at the very least establish their interest before the units are made available to office or other business occupation.
- 9.47 The proposed demolition within the centre will involve the loss of 1,200 square metres of mostly first floor office space (though not all of it occupied). As such, the alternative is to reprovide office space within the building in the event that a community user cannot be found, as it is in the interests of the centre as a whole to see the building occupied.
- 9.48 The applicant intends to own and manage the building for a five-year period following completion of development and clearly it is also in their interests to establish a return. The Council would clearly not wish to become directly involved in management or ownership following this five year period and it would then become a matter between the owner/tenant at that given juncture.
- 9.49 The building is seen as an appropriate form of development for the corner and will add to the range and mix of uses within the centre. It is compliant with Policies DQ1 and R6 of the Sefton UDP.
- 9.50. Full planning permission for change of use and alteration of existing foodstore to shops (A1); and/or financial and professional services (A2); and/or restaurants and cafes (A3) and/or drinking establishments (A4); and/or takeaway (A5).
- 9.51 The existing store will continue to trade until such time as the new food store is ready to open. At this point, the existing will be converted into new retail units, one of which has been described at (2) above as that currently opposite the existing store which serves as the off licence, and with four provided in the main building itself. Three of the units would be accommodated over two storeys, and the fourth one would be a single level unit fronting Little Crosby Road.
- 9.52 The current brick building would be opened up further to provide retail frontage to both Liverpool Road and Little Crosby Road and servicing would be off a new road serving the latter and is shared by all occupiers.

Analysis/appraisal

- 9.53 As per the new units described at (2), the converted store will provide flexible and more sizeable opportunity for retail provision to the centre. The new foodstore may be seen to anchor the east of the centre with the subdivided units presenting a complementary retail offer to the west. This arrangement should give rise to a vibrant centre and increased profile for existing occupiers who do not need to relocate as a result of the proposals.
- 9.54 The building being opened up will see the removal of large, deadening areas of blank frontage and introduces new retail frontage visible from the pedestrianised areas of Liverpool Road, from opposite the bank and also on approaches from Cooks Road and Islington. There is a clear positive street scene impact and this opening will help the feel of the centre extending further to break the isolation of premises on Cooks Road.
- 9.55 Though less flexible than the new units described at (2), the largest unit of around 1,800 sq metres could still be disaggregated in practical fashion by making use of the part of the building facing the new decked car park. Units 1 and 2 could also be divided.
- 9.56 The conversion of the existing store excluding the off licence will offer around 3,000 square metres of useable retail space. This when added to the new units compensates for the loss of the existing retail floorspace, albeit re-providing in a different form. As with (2), hours conditions are attached to control opening in the event of any A3, A4 or A5 use being proposed.
- 9.57 As with (2), this component of the scheme accords entirely with planning policy and the range of uses enabled are entirely consistent with what would be expected in a local centre. A flexible range of uses is sought for these. Therefore this part of the proposal complies with policies CS3, R1, R6 and DQ1 within the Sefton UDP.
- 9.58. Full planning permission for construction of multi-storey car park to Islington with bus interchange facility and decked car park over existing Allengate car park.
- 9.59 A three tier multi storey car park is proposed on the site of that existing at Islington. This would provide for a total of 208 parking spaces, with 10 at ground level provided for disabled users. This element also comprises the provision of shared surfacing to The Green and Church Road at the northern

and southern ends respectively.

- 9.60 A glazed escape staircase with coloured cladding is proposed at either end and the base would take the form of a brick plinth.
- 9.61 The main part of the structure would be built from a vertical cladding system of aluminium colour coated specification. A curved, covered waiting area will be provided for bus passengers. The proposals will also increase the available space for buses to wait.
- 9.62 Access points to this are as existing, and the proposal will retain existing lime trees to the Islington frontage.
- 9.63 The existing car park at Allengate would be subject to an additional deck, with cars able to park in the existing space via the new main access point to the foodstore, with vehicles afforded movement over the new pedestrian route and a ramp running parallel to the existing store on its eastern side allowing for access to the deck above, which in turn allows customers direct on foot access over the bridge across the new route into the store itself. This supplements the parking available underneath the store.

Analysis/appraisal

- 9.64 The multi-storey car park is positioned very prominently and presents a significant design challenge. Given the scale of development elsewhere it is felt appropriate that this reads as a building in its own right as opposed to being a continuation of the design elsewhere in the centre.
- 9.65 Following discussion with the applicant, a multi-coloured system of vertical cladding is proposed, which will minimise the impact of vehicle parking above ground level and present a structure of interesting and distinctive appearance. The staircases and glazed elements at either end add further interest.
- 9.66 The proposed shared surfacing will make for a satisfactory access to existing pedestrian areas.
- 9.67 The scale of development necessitates the levels of parking proposed via a multi-storey and the full implications in relation to highway safety and parking for the both this area and the centre as a whole are discussed elsewhere in the report.

- 9.68 The other key issue is that of the impact of the multi-storey on surrounding property. The building will undoubtedly alter the outlooks for nearby properties, most notably those at Sandalwood, on the opposite side of Islington turning the corner with Coronation Road.
- 9.69 The existing outlook is currently one of the bus stops and bus lanes on the opposite side to Islington, with ground based car parking behind the line of existing lime trees, which are to be retained within the scheme. This arrangement gives rise at busier times to a lively, bustling environment, but by no means visually appealing one.
- 9.70 The multi-storey cladding would be 7.6 metres in height from ground level, the towers either end are 8.6 metres in height, and overall the building is positioned over 40 metres from the windows of dwellings at Sandalwood. This will not cause loss of light or privacy for those residents.
- 9.71 It is noted that the Central Buildings Site directly to the south has permission for mixed retail and residential use, which could still be implemented, and the residential dwellings in this location would be much closer, but still at sufficient distance of at least 15 metres from the south elevation and again, no adverse impacts are expected.
- 9.72 There are no main windows to residential property elsewhere and the cladding is lower to the rear and partway around the sides at the entrance/exit points. This is sufficient to ensure no adverse impacts from the multi-storey car park.
- 9.73 With regard to the decked car park fronting Richmond Road, this is to be constructed from white metal clad panels and with dark grey rendered towers at either end when viewed from Richmond Road.
- 9.74 Following discussion, the applicant has agreed to provide landscaping to the front of this car park in the form of stainless steel "green walling", which accommodates planting to ground level, and overhang planting from the cladding itself, which will do much to soften the visual impact.
- 9.75 Planting will also be provided within the decked area at first floor level and there will also be ground based planting and tree cover to the Islington frontage, continuing across the front of the main food store. In my view this will improve the visual feel of Richmond Road and afford more pleasant outlooks for those residents nearest at Avon Court.

9.76 Both car parks will be fully secured and this issue will be discussed later in the report under the sections 'Designing Out Crime' and 'Parking/Highway Safety'.

9.77 Proposals involving built car parking can often give a notably hostile and unfriendly impression of an area, with swathes of concrete and minimal opening. However, on this occasion, the respective built forms offer an attractive and colourful solution bringing identity to Islington and a softer approach to Richmond Road, which make for a visual impact as good as can reasonably be achieved, given what these parts of the scheme entail.

9.78 It is considered that the built parking areas will offer acceptable levels of visual amenity without compromising or harming the living conditions of residents nearby. The scheme complies with Policies DQ1, H10 and AD2 of the Sefton UDP.

9.79. Full planning permission for new and altered vehicular and pedestrian accesses, including the re-routing of Moor Lane, landscaping of centre, construction of infrastructure and associated facilities together with associated temporary works and structures and associated utilities/services required by the development.

9.80 The following summarises the changes in access/egress in and around the centre.

a) Re-routing of the pedestrianised part of Moor Lane. This re-routing is necessary to make available the development footprint for the food store and new retail units to be provided whilst maintaining pedestrian flow through the centre. This will give rise to a new pedestrian route onto Richmond Road some 70 metres west of that already existing and will require closure of the pedestrian route currently in place.

b) New vehicular access from by-pass for servicing of existing retained retail premises to Moor Lane. This would also afford access for recycling, which will be discussed later in the report.

c) Widening of pedestrian route from new central square on Moor Lane linking to by pass.

d) New all-movements vehicular access from by-pass for servicing of main food store. This would replace the existing arrangement which sees the store serviced from Little Crosby Road in close proximity to the junction with Richmond Road.

e) New bollarded vehicular egress from undercroft car park onto by-pass with left turn only facility.

f) New vehicular access/egress via Richmond Road to serve the community use building.

g) New traffic signal controlled vehicular access/egress via Richmond Road to serve the undercroft and decked car parking adjacent to the store.

h) Extension of route from Little Crosby Road where servicing takes place to afford servicing of converted foodstore and other existing premises to the rear of Moor Lane.

9.81 A plan is attached to the report to explain these more clearly.

9.82 The applicant has as mentioned previously also applied for planning permission to revert the use of the cleared site at Central Buildings for the provision of temporary retail facilities both during the construction period and whilst the existing store is being converted.

Appraisal/Analysis

9.83 The proposals described at 8.82 are likely to bring significant change in respect of general pedestrian flow around the centre, and a range of traffic impacts. However, the proposals for all their scale and proportion are not considered to deflect key routes unreasonably, with the change to the pedestrian route of Moor Lane the key component, and will through the range of uses proposed encourage movement and footfall across the centre as a whole.

9.84 There will also be a need for stopping up orders and other highway works to facilitate the development but these and the other linkages above are discussed in further detail under the heading of 'Parking and Highway Safety'.

9.85 Many of the issues relating to movement and access are reviewed under the heading 'Parking/Highway Safety'. Overall the measures are in compliance with Sefton UDP Policy AD2.

10. Other Planning Considerations

10.1 Designing Out Crime

- 10.2 The main concerns in discussion with the Police Architectural Liaison Officer relate to car park security, boundary treatments and general opportunity for surveillance. Additionally, there are currently known issues on Allengate car park late in the evening relating to crime and anti-social activity.
- 10.3 The plans have been amended to address and resolve a number of the above concerns.
- 10.4 The decked car park and undercroft parking will be secured via the use of gates and railings. This will apply around the entire boundary of the car park, with gates provided to open during store hours into various parts of the town centre. To prevent pedestrians entering the car park at the vehicular access points whilst the store is closed, roller shutters will be provided.
- 10.5 The securing of the decked car park will alleviate concerns relating to anti-social activity to the rear of properties on Allengate. As such, there is a need to ensure pleasant and well considered routes that do not serve as areas for congregation. To that end, there has been amendment to the service road serving Richmond Road, with additional tree planting provided, and one of the small units fronting Moor Lane has been recessed, to allow views for those at the end of the same service road to move unobstructed back to the main pedestrianised part of Moor Lane opposite the food store.
- 10.6 Discussion is taking place with the Council's Community Safety team with a view to establishing the possibility of improved Closed Circuit Television (CCTV) facilities and an in kind contribution from the applicant to enable its provision across the centre.
- 10.7 The proposal minimises areas of open gathering for crime and anti-social activity and as a consequence, there is no sustainable basis for objecting on this ground. The scheme complies with PPS1 (Delivering Sustainable Development) and Sefton UDP Policy DQ1.

Parking/Highway Safety

- 10.8 The comments of the Council's Highways Development Control team are reported in full within Section 5, however, the following key points are reemphasised and will be covered either by revised plan, condition or Section 106/278 Agreement. The current total parking provision for the centre is 349 spaces within the three car parks.
- 10.9 The proposed development in its entirety will have an impact on the

surrounding highway network and as a result a contribution will be required by the applicant towards the A565 corridor improvement strategy via Section 106.

- 10.10 Given that the vehicular access to the service yard is of significant width, a designated pedestrian route will need to be demarcated across the vehicular access, to reinforce that there is still a pedestrian route along the north side of the By-Pass. This will also need to include a rumble strip at the bottom of the slope gradient to prevent skateboarders and other unwanted uses of the ramp at the lowest point.
- 10.11 The entire service area from Little Crosby Road will need to be constructed as a shared surface. This is in order to improve pedestrian safety as there is the potential for conflict between service vehicles and pedestrians. A plan will be required by condition to show areas for parking, turning and manoeuvring.
- 10.12 The applicant will be required to fund the implementation of a residents parking scheme, with provision for further review following store opening, through a Section 106 Agreement (including legal procedures, advertising, traffic signs and carriageway markings.) This will also cover enforcement for at least 10 years through the Agreement. It should be emphasised that the agreement will not be required to cover the 800 metres surrounding the isochrones in full, these areas will be assessed and provision made within the 800 metres as appropriate.
- 10.13 The 628 total parking spaces for the centre accords with Sefton Borough Councils SPD 'Ensuring Choice of Travel.' Additionally, the Section 106 Agreement will make provision for a car park management plan will be required setting out charging, enforcement and a demand management regime, to be agreed in writing and can not be varied without the agreement of the Council.
- 10.14 Revised plans make provision for a new traffic signal controlled junction at Islington/Coronation Road/Church Road (exit only)/Bus interchange (exit only), will be required to replace the existing double mini roundabout. This will provide important pedestrian crossing facilities and improved priorities for bus users and can be covered by Section 278 Agreement.
- 10.15 In addition to this, provision will also be made for dropped kerbs and tactile paving at all points necessary within 200 metres of the application site, and a puffin crossing to the by-pass. This will improve further facilities for pedestrians and can also be covered by Section 278 Agreement.
- 10.16 The new provisions of bus stops and associated infrastructure, including a widening of the existing interchange via cutting back into the existing car park, and stops at Richmond Road and the by-pass (the latter partly to be recessed into the footways to maintain traffic flow) is considered acceptable.
- 10.17 Highways Development Control have also specified much needed

improvements for cyclists including a contra-flow cycling lane via Church Road to link cyclists to pedestrianised areas of the town centre and minimise requirements to circuit the ring road.

- 10.18 Amended plans will be required for additional taxi parking provision both within the store and outside. It is not considered appropriate that the latter be provided to Richmond Road given the sensitivities associated with residential dwellings opposite. The applicant will be asked to give further consideration to provision closer to the multi-storey car park.
- 10.19 Requirements for a Travel Plan are covered by condition, and there will be a need for a full suite of Traffic Regulation Orders to cover the entire centre to sit alongside requirements for stopping up orders.
- 10.20 Subject to the necessary amendments and completion of agreements, it is considered that the scheme will not materially harm conditions for vehicle users, and bring positive enhancement for pedestrians and cyclists. This is compliant with Policies AD1, AD2, AD3, AD4, DQ1 and CS3 of the Sefton UDP.

10.21 Air Quality

- 10.22 The main issues on air quality relate to emissions from the proposed biomass boiler (designed to deliver renewable forms of energy to the proposal), and the potential effects that extra traffic will bring. Of particular importance is the fact that the site is within 2 kilometres of an identified Air Quality Management Area (AQMA).
- 10.23 The proposed flue for the main foodstore would be at a height of 17.6 metres. It has been confirmed by the Environmental Protection Director that this is sufficient for the purpose of dispersal of emissions in line with the Clean Air Act 1993, and also in conjunction with Air Quality issues of PM10 and No2 emissions.
- 10.24 The levels of traffic using the centre are set alongside the number of vehicles that travel through Crosby on a daily basis and in this context, it is not considered that the level of traffic increase described above will give rise to unacceptable Air Quality impacts.
- 10.25 The recommendation also includes a specific condition that will require the applicant to commit to a series of measures towards reduced emissions within a five year period following the opening of the store. This chiefly relates to service vehicles, electric charging points and suppression of stored material for the biomass boiler. This is of particular importance in the light of the site's relation to the AQMA and ties in with the Council's Low Emission Strategy.
- 10.26 It is considered that there is sufficient evidence available to conclude that no harm will result to air quality as a result of these measures, and will also provide meaningful contributions towards improved air quality such that that

the scheme complies with Sefton UDP Policy EP2.

10.27 Landscaping and Public Realm/Public Art

10.28 Under Policies DQ3 and DQ4 of the UDP, major development is required to contribute to tree provision and urban greenspace either on site or via a commuted sum payment for its provision elsewhere.

10.29 The tree requirement is based on one tree per 50 sq metres of main store floorspace, with two required for each one removed.

10.30 This equates to a total of 397 trees based on floorspace. There will also be 66 trees removed as a result of the proposal, and as two are required for each to be replaced, this equates to 132, which adds up to 529 in total.

10.31 As 107 are proposed to be planted, the off site requirement for trees is 422. The cost of this provision is based around £464.50 per tree at 2010/11 rates, giving rise to a required commuted sum payment of £196,019.

10.32 The greenspace requirement is based on the gross floorspace one unit of £1,734.50 per unit of 100 square metres for the part of the scheme comprising major commercial development. This equates to 100 units in total which gives rise to a total commuted sum payment of £173,450 being provided on site.

10.33 The applicant has submitted a series of cost breakdowns as follows to explain why this sum is not believed to be necessary:

- Fencing/pedestrian gates/roller shutters: £179,500
- Pedestrian paving around retail units: £153,700
- Trucking route/pedestrian link: £44,500
- Town Square Feature: £23,000
- Trucking routes: £44,500
- Street Furniture: £35,000
- Planting: £20,000
- Feature Lighting £80,000
- Signage £15,000
- **Total £550,700**

10.34 The above is regarded as an undertaking by the applicant to carry out specific infrastructure required in conjunction with their scheme and in particular, much of the costs above stem from their own requirements for a store of the footprint and position proposed. The provision of pedestrian paving around retail units is nothing other than what should be occurring in view of the existing Moor Lane route being stopped, and items such as trucking routes are not to be regarded as benefits that offset required greenspace provision.

10.35 The town square feature is a series of steps and benches and the works will be required to be carried out by a Sefton approved contractor. Rerouting an access is not seen as a discernable offsetting benefit of the scheme. Lighting and signage should also be seen as a standard and necessary component of

any centre, as opposed to being a significant concession on the part of the applicant.

- 10.36 The only offsetting of the required sum relates to the applicant's agreement to the provision of a mosaic to the side elevation of retail unit 5 on the pedestrian route from Moor Lane to the by-pass. This is estimated to cost in the order of £30,000 and it is agreed that this will be offset against the total greenspace contribution. The chosen design will be finalized via a competition amongst local schools and the Section 106 Agreement will set out the mechanism for the final decision. This gives rise to a total greenspace requirement, at 2010/11 rates, of £143,450.
- 10.37 The total commuted sum requirement is £339,469 and will be contained in draft heads of terms to be agreed prior to the granting of planning permission.
- 10.38 Subject to the total required being provided, the scheme will meet the requirements of Policies DQ3 and DQ4 of the Sefton UDP.

10.39 Accessibility and Inclusive Design

- 10.40 The scheme has been presented to Sefton Access Forum both prior to and during the planning application process. A number of concerns relating to access have been raised by them and discussed to the applicants.
- 10.41 As the store is at first floor level, travelators are positioned inside the entrance core measuring 25 metres in length. These will allow access on a shallow gradient for trolley and disabled users and is a known and proven form of access in the applicant's other stores around the country. There will be audible warnings for customers as they approach the end of the travelator.
- 10.42 Additionally, two customer lifts are to be provided each of which will accommodate 21 people at a time, therefore giving a further option to those wishing to use the first floor. These will afford substantial turning space for wheelchair users and are expected to include sound alerts for the blind to inform of their location.
- 10.43 Disabled parking is provided both in convenient locations to the entrance at both store level and within the undercrofts; and it is considered that the choice available is sufficient to allow parking for those wishing to be protected from external elements on their visit to the store, whilst there should be no difficulty given the arrangements above for first floor access for those using undercroft disabled spaces.

10.44 The applicant will apply a management assistance regime for those who would have difficulty evacuating the store in the event of emergency. This takes the form of specialised chairs and colleague assistance, with refuge spaces designed into evacuation staircases.

10.45 The WC's within the proposed store will be constructed in accordance with the technical parts of the Building Regulations. The floor area of the toilets is over 100 square metres, and will be located at first floor level adjacent to the customer café, which itself would be around 300 square metres in floor area with outlook over Richmond Road.

10.46 The applicant has confirmed that all tables and chairs within the café area will not be fixed.

10.47 The proposals also comply with Merseytravel's requirements for Merseylink vehicles to get customers in and out of the store with ease.

10.48 It is considered that the above measures ensure appropriate provision for all users in line with the requirements of Policy DQ1 of the Sefton UDP.

10.49 Flood Risk

10.50 Revised information on drainage and discharge rates was sent to the Environment Agency on 30 July 2010 and has been sent to the Environment Agency and United Utilities with a view to resolving current concerns. The latter have advised that all surface water must be drained to a separate system and not into the foul/combined sewer.

10.51 Subject to revised comments from the statutory undertakers on these points, there should be no issue with regard to flood risk and the requirements of PPS25 (Flood Risk) and Sefton UDP Policy EP8 would be met.

10.52 Contaminated Land

10.53 The site is understood to have had previously potentially contaminative land users and the applicants have themselves recommended that a Phase II site investigation be carried out. This will need to be submitted to the Local Planning Authority prior to the commencement of ground investigation works and it is considered appropriate that this be conditioned. The full remediation of the land would accord with the requirements of PPS23 (Contaminated Land) and Sefton UDP Policy EP3.

10.54 Ecological Appraisal

- 10.55 The original report entitled “Ecological Assessment and Bat Surveys: Sainsbury’s Development, Crosby, Merseyside”, Landscape Science Consultancy was updated in June 2010 to include the results of internal inspections of buildings undertaken in January 2010 and bat activity surveys undertaken in June 2010.
- 10.56 MEAS have confirmed that the survey found no evidence to suggest that bats were roosting on the application site and minimal bat activity was recorded in the area.
- 10.57 The proposed development is therefore considered unlikely to have any measurable effects on bats and it is not necessary for the Council to assess the proposals against the three tests in the Habitats Regulations. However, the report includes measures designed to ensure that the project will comply with relevant legislation in the unlikely event of bats being present. An appropriate condition is to be used to secure this.
- 10.58 The original report also assessed the potential for breeding birds and the condition will cover this point too.
- 10.59 There are no other interests of acknowledged nature conservation importance and with there being no requirement for Appropriate Assessment, and the necessary surveys being completed and found to be acceptable prior to the granting of planning permission, the scheme complies with Policies NC1, NC2 and NC3 of the Sefton UDP and advice contained in PPS9 (Biodiversity and Geological Conservation).

10.60 Recycling

- 10.61 The applicant has following discussion agreed to recycling provision at a point accessed and egressed via the by-pass. A range of other options have been discounted. The site adjacent to the substation off Little Crosby Road would give rise to residential amenity issues through the dropping of cans and bottles, and inside one of the car parks was felt prohibitive as it removes the facility to recycle for free.
- 10.62 A scheme maintaining the visual amenity of the area where recycling takes place will be required by condition. The scheme is considered on this basis to comply with Sefton UDP Policy EMW9.

10.63 External Lighting

- 10.64 The proposed lighting to the car parks is seen as acceptable by the Council’s Technical Services (Lighting) department. The equipment to be used will give rise to “little or no light pollution”. There should be no light spillage into areas that would not require or welcome it.

10.65 The scheme does not therefore conflict with the requirements of Sefton UDP Policy EP7.

10.66 Local Labour

10.67 A condition is attached requiring the applicant to enter into a scheme that will require them to maximise the potential for local labour during both during construction and once the store opens, to comply with Sefton UDP Policy EDT18.

10.68 OTHER MATTERS/WIDER CONSIDERATIONS

10.69 The draft heads of terms, which will in part refer to the tree and greenspace obligations above, are still the subject of discussion at the time of writing with the Council's property management advisors.

10.70 The Council has a role as landowner, which is completely separate from the role of the Council as Local Planning Authority. It is nevertheless important to advise members that these discussions relate to the Council's valuation of its land interests, and also the potential future liabilities to the Council.

10.71 Of particular concern in this respect is the multi-storey car park to Islington. The current scenario is that the applicant would fund the construction of the car park, and hand this over to the Council on completion. However, the Council's position is currently that it would not wish to assume the liabilities connected to future management and maintenance.

10.72 Discussion is therefore taking place to agree a single strategy for the management of all car parking across the town centre. The multi-storey makes a significant contribution to the level of car parking seen as necessary to service the centre on completion of development.

10.73 This being said, the application remains for the multi-storey car park and the whole scheme could not proceed in any form until the management regime is in place and agreeable both to the Council and the applicant. Nevertheless, the question of who manages and maintains the car parks is not strictly a planning issue and does not prevent the granting of planning permission; in the same manner that the need for the applicant reach agreement with other third parties does not prevent permission being granted. It is therefore the case that whilst agreement is desirable, it is essential that the absence of specific agreement is not used as a tool to withhold the development proposal.

10.74 The discussion relating to parking management regimes across the centre ties in directly with this issue and the applicants propose to refund to customers spending a minimum amount in their store if they park adjacent to the store. The finalised arrangement will need to ensure the best balance of car users to ensure that in particular, the multi-storey is used to its proper

potential.

- 10.75 Should agreement arise on this matter prior to Committee, it will reported by way of a separate appendix item.
- 10.76 The scheme would also involve the displacement of a range of existing retailers, and whilst the applicant has advised that they will receive first refusal on the new retail units, their eventual relocation is not a planning matter against which the scheme may be adversely judged. Nevertheless, the applicant has applied for planning permission to use the Central Buildings site for temporary provision. This is reported separately and is considered an appropriate solution.
- 10.77 It is considered that the need to re-provide within the town centre on a wider basis is an issue that can be secured via the planning process. However, the planning process cannot be used to decide which individuals will get first option, nor define the terms or prices by which the applicant will offer the units. It is suggested that a planning condition is applied to this recommendation require the applicant to submit a "relocation framework", setting out the measures they intend to take to accommodate existing traders, with documentary evidence of the discussions held and with whom.
- 10.78 It remains the case that not all existing traders will need new facilities; some may decide to cease operation altogether, some may relocate to existing vacant buildings elsewhere in the centre, and it is therefore impractical to require the applicant to provide 700 square metres of physical floorspace prior to any agreement on relocation.
- 10.79 In my view, the Council will have fulfilled its obligation to existing traders as far as possible by requesting that the applicant provides complete evidence that they have asked existing traders exactly what they require, in a prescribed form, and for the combined answers to dictate the level of temporary occupation constructed.
- 10.80 Once this information is presented, it will afford clarity on the level of temporary provision that the applicant must provide and will enable the Council to formally specify that the units be built up to the maximum 700 square metres.
- 10.81 The applicant will subsequently be required to provide that level of accommodation. It is then a matter between them and the eventual occupier as to the terms by which they will occupy the unit. The planning condition attached to the recommendation sets out the mechanism in clear and specific detail.

- 10.82 The proposed siting on land off Church Road, adjacent to the Islington car park, is considered acceptable, and is consistent with the decision to grant planning permission for permanent development of this land in 2006. This application remains capable of implementation on the basis that a start was made.
- 10.83 There is a planning condition connected to the recommendation of S/2010/0350 which ensures that provision will be made for the temporary units as required, however specific conditions are attached to the recommendation on this proposal that require frontage to Church Road, security measures both for the buildings and the site as a whole, and the layout of the units such that where required, they are positioned with the first as near to Moor Lane as possible, and so on.
- 10.84 Though of a temporary nature, the design of the units is above the standard of a conventional portakabin.
- 10.85 An objection has been received from the occupier of 36 Sandalwood, 83 Coronation Road, reaffirming objection to the main application but commenting that the residents of Sandalwood will be “looking at a wall around a car park which will resemble the Berlin Wall”. It is commented that conditions will be attached to the permission to ensure the right balance between security and frontages directly addressing street scene. The site is hoarded off in its entirety and at present represents ‘dead frontage’ within the centre.
- 10.86 The proposal makes acceptable provision for the relocation of traders during construction and is entirely compliant with planning policies R1, EP6 and DQ1 of the Sefton UDP and in the absence of any other overriding material planning considerations, the granting of this permission is therefore justified.

Section 106

- 10.87 Regulation 122 of the Community Infrastructure Regulations (CIL) 2010 states that a planning obligation will only constitute a reason to grant planning permission if it is necessary to make the development acceptable in planning terms, it is directly related to the development and fairly and reasonably related in scale and kind to the development. This legal test applies to all determinations made on or after 6 April 2010. It is considered that the requirements of the planning obligations as set out by the approval recommendation are entirely consistent with making the development acceptable in planning terms.
- 10.88 In view of the timing of the report, any further issues raised between the time of writing and the date of Committee will be the subject of a further addendum report.

11. CONCLUSION

- 11.1 The proposed development whilst bringing major change to Crosby would represent a major investment in the centre's future. It would bring significant employment benefits and lead to the regeneration of the centre. The scheme has been discussed in detail with the applicants who in turn have consulted widely with other interest groups.
- 11.2 All efforts have been made to ensure that existing businesses would have an opportunity to remain in Crosby. Taken as a whole, the Planning and Economic Development Director feels that the development would be a much needed positive regeneration for Crosby.

12. REASONED JUSTIFICATION:

- 12.1 The proposals are fully compliant with the development plan and with national planning policy as set out in PPS1 and PPS4. The proposal is consistent with all local plan policies referred to within the report and the development will therefore accord with the aims of national and local planning policy in delivering mixed use development of a sustainable form in the heart of Crosby local centre.
- 12.2 It will provide a much needed injection of investment and a boost to the local employment sector, whilst offering townscape improvements and a high quality visual environment altering but maintaining key routes within the centre and improving links beyond the centre via an improved and safer environment for pedestrians and other road users which in turn will support linked trips.
- 12.3 The scheme will serve as a catalyst for further investment into the Crosby village whilst making direct financial contributions towards improved tree provision and public realm beyond the area the applicant seeks to develop.
- 12.4 As such and having regard to all other material planning considerations, the granting of planning permission is justified.

Contact Officer: **Mrs S Tyldesley Telephone 0151 934 3569**

Case Officer: **Steve Faulkner Telephone 0151 934 3081**



Ref: A064407

Date: 17th May 2010

Alan Young
Sefton MBC
First Floor
Magdalen House
30 Trinity Road
Bootle
L20 3NJ

Dear Alan

PROPOSED SAINSBURY'S SUPERMARKET, CROSBY

Further to your request to provide an appraisal of the suitability and acceptability of the proposed Sainsbury's foodstore at Crosby, our advice in relation to the development is set out below.

Introduction

Sainsbury's Supermarkets Limited have applied for full planning permission on land at Crosby District Centre for a new foodstore with associated car parking, a new multi-storey car park, public transport interchange, new retail units, conversion of the existing Sainsbury's store into new retail units, and the erection of a building for community uses. The scheme is identified as a major regeneration project which would transform the eastern gateway to Crosby District Centre, making use of an under-utilised brownfield site which would allow for the development and integration of a new Sainsbury's foodstore.

The proposed development can be summarised below:

	Existing Commercial Floorspace (GIA)	Commercial Floorspace Lost (GIA)	New Commercial Floorspace to be Developed (GIA)	Net Increase In Floorspace (GIA)
Existing Sainsbury's	3,576 sqm	3,576 sqm	0 sqm	-3,576 sqm
New Sainsbury's	0 sqm	0 sqm	8,802 sqm	+8,802 sqm
Small Retail Units	4,189 sqm	4,189 sqm	4,320 sqm	+131 sqm
Office Space	1,204 sqm	1,204 sqm	0 sqm	-1,204 sqm
Community Use	552 sqm	552 sqm	636 sqm	+84 sqm
Total	8,969 sqm	8,969 sqm	13,122 sqm	4,237 sqm

In seeking to justify the proposed redevelopment, Turley Associates (TA) have prepared a planning and retail statement in support of the application which sets out the key arguments as to why planning permission for the development should be granted. WYG have reviewed this document and have used this as the basis against which the acceptability of the proposal in retail planning terms has been tested.

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In dealing with the proposed development, WYG have also reflected upon the key findings of previous retail research undertaken on behalf of the Council, most recently set out in the 2009 version of the retail strategy review. This document is also referred to at length by TA within their planning and retail statement.

Although a key starting point in the determination of any planning application should be the Development Plan, it is important to note that new guidance has been recently issued by Central Government in the form of PPS4. Whilst the Development Plan including the adopted Regional Spatial Strategy and the adopted UDP will guide the overall suitability of the proposed scheme, it is important to note that neither of these Development Plan documents have benefited from the most recent guidance set out in PPS4. Therefore, in preparing this advice, significant weight has been given to PPS4 in this appraisal process.

The most significant change set out in PPS4 in relation to retail development is the removal of the needs test. However, it is evident that the proposed development falls within the defined boundary of Crosby District Centre and therefore, any assessment of need under previous PPS6 guidance would also not have been necessary. More importantly, PPS4 confirms that if a development is located within an established centre, then it is not necessary for the applicant to satisfy the sequential approach.

However, as set out in paragraph EC14.6, PPS4 makes it quite clear that an impact assessment is required for planning applications in an existing centre which are not in accordance with a Development Plan and which would substantially increase the attraction of the centre to an extent that the development could have an impact on other centres. Given that the proposed Sainsbury's store represents a significant increase in the overall net sales area compared to the existing store, WYG believe that it is important to test the impact of the development. Therefore, we believe that it is necessary to satisfy the impact tests as set out in Policy EC16. In addition, it is evident that all planning applications for economic development should also satisfy the impact considerations set out in Policy EC10.2.

The Principle of Retail Use

As highlighted above, the proposed development involves the re-use of an existing brownfield site within the defined boundary of Crosby District Centre. Given that both the Development Plan and PPS4 seek to enhance the vitality and viability of established centres, the principle of the type of development proposed is clearly acknowledged.

In understanding the background to this planning application, it is important to note that research undertaken by Sefton Council since 1997 has identified that the existing Sainsbury's foodstore within Crosby has been significantly overtrading as it is not large enough to satisfy the needs of its local catchment. The overtrading of the store has led to in-store congestion at peak times and in some cases will force other people to travel further distances to access foodstores elsewhere. Therefore, the need for a new and enlarged Sainsbury's foodstore within Crosby is well established and would help address significant qualitative deficiencies with the current store. The new store will not only provide a more attractive environment for shoppers but it will also enable the full range of convenience goods to be stocked which will again benefit consumer choice.

Furthermore, it is evident that the proposed development will deliver more than just a new foodstore at the heart of Crosby District Centre. The development will allow the re-use of the existing Sainsbury's store for approximately five retail units which would form part of the primary shopping area. In addition, a new multi-storey car park will also be provided serving both the foodstore and the District Centre as a whole. Clearly, there are strong arguments in favour of the comprehensive development proposed, particularly in terms of reinforcing the vitality and viability of the primary shopping area and securing a new anchor

WYG Planning & Design

part of the WYG group



foodstore which would underpin the future attractiveness of the centre and secure significant footfall for other facilities.

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Assessment of Potential Impact

As outlined previously, PPS4 states that all applications for economic development (including retail) must be assessed against the requirements of both Policy EC10.2 and Policy EC16.1. Policy EC10.2 effectively deals with the key sustainability issues such as accessibility and carbon emissions, as well as the overall quality of design and the impact on local employment. As WYG have been asked to assess the retail implications only, we have not commented on the quality of design or the opportunity to limit carbon emissions. However, it is evident that in terms of accessibility, given the sites in-centre location, the site is clearly accessible by all forms of transport and will also benefit from a local walk-in catchment. This in turn will have positive impacts on carbon emissions whereby the need to travel by private motor vehicle will be reduced.

It is also important to note when assessing the development against Policy EC10.2, the new enlarged foodstore will create significantly more employment than the constrained store at present. In fact, TA assumes that an additional 150 jobs will be created by the new development which, although it is unclear how many of these will be full-time equivalents, appears to be a reasonable assessment. Therefore, in assessing the proposed development against Policy EC10.2, it is evident that the scheme would have significant positive impacts in terms of providing resilience to climate change, being accessible by a choice of means of public transport, securing economic and physical regeneration within the established centre, and providing local employment. Whilst we have not commented on the quality of the design, we believe that the proposed development more than satisfies the requirements set out in Policy EC10.2.

Policy EC16

As highlighted previously, it could be argued that as the development is located within an established centre, it should not be necessary to assess the impact of the scheme on the vitality and viability of that centre. However, given that the proposed development is of a significant scale that will substantially increase the attractiveness of the centre; we believe it is necessary to test the development against Policy EC16 as set out in paragraph EC14.6 of PPS4. Whilst this impact test is not focussed on Crosby District Centre, it must consider the implications for other centres within the local hierarchy that may be adversely affected by the development.

In dealing with the six criteria set out under paragraph EC16.1, our conclusions on each matter are as follows.

The Impact of the Proposal on Existing, Committed and Planned Public and Private Investment in a Centre or Centres in the Catchment Area of the Proposal

It is evident that the scheme proposed for Crosby represents a significant private sector investment within the primary shopping area which will transform the overall attractiveness of Crosby as a main food shopping destination as well as meeting the needs of the local community.

With regard to other centres in the catchment area, it is evident that the provision of a new enlarged foodstore within Crosby would not have an adverse impact on investment in other centres throughout the Sefton area. As highlighted previously, the existing foodstore within Crosby has been compromised for a significant period of time and, as a result, has been trading well above its company benchmark average. Therefore, the primary role of the new enlarged foodstore will be to alleviate this over trading and the symptoms (including in-store congestion) which are associated with that. Clearly, we would anticipate that people currently not shopping within Crosby may be attracted to the new development who may shop at other foodstores elsewhere. However, given that the majority of the competing provision surrounding Crosby is located on out-of-centre sites, any impact on these stores, including the existing Tesco at Formby and the new Tesco store at Lanstar, are not afforded any policy protection. In addition, given the overall



shortfall of convenience provision in the South of the Borough in the past, there is a need for further investment within Crosby to relieve over-trading and help meet the day-to-day needs of the local community.

Although new investment has been secured recently within Bootle including the provision of a new Asda foodstore, this foodstore will be competing directly with the new Tesco at Hawthorne Road and would not be drawing from the same primary catchment from which the proposed Sainsbury's at Crosby will draw the majority of its trade. Therefore, whilst there may be some concerns about the potential impact on Bootle created by the new development in Crosby, WYG do not believe that this will be an issue at all, given that the Sainsbury's in Crosby has historically been over-trading and therefore any additional trade drawn to the store will not be significant enough to create any adverse impact.

Impact of the Proposal on Town Centre Vitality and Viability, Including Consumer Choice

As highlighted previously, the proposed development will have a positive impact on the future vitality and viability of Crosby District Centre. In addition, the development will also provide a modern, high quality Sainsbury's foodstore which will add to the choice of new foodstore provision within the South of the Borough which is currently dominated by Tesco (with stores at Formby, Litherland and Bootle) and Asda (with stores at Aintree and Bootle). Therefore, there will be significant positive impacts on enhancing the choice and range of convenience goods within this part of the Borough.

The Impact of the Proposal on Allocated Sites Outside Town Centres Being Developed in Accordance with the Development Plan

As there are no sites within Sefton that have been allocated in out-of-centre locations, this test does not apply.

The Impact of the Proposal on In-Centre Trade/Turnover

As highlighted previously, we anticipate that a significant proportion of the stores turnover will be transferred from the existing store in Crosby which has been over-trading since the mid-90's when retail surveys were conducted by the Council. Since then, this position has not changed and therefore, it is unlikely that the proposed development would draw significant trade from other established centres elsewhere within the catchment, particularly given that the two major foodstore in close proximity to Crosby are large out-of-centre Tesco stores which are afforded no protection under retail planning policy.

If Located In or On the Edge of a Town Centre. Whether the Proposal Is of an Appropriate Scale in Relation to the Size of the Centre and its Role in the Hierarchy of Centres

In assessing the appropriateness of scale of the development, it is evident that whilst the development will represent a significant increase in the size of the Sainsbury's store, the store itself would not be uncommon in District Centres elsewhere throughout the North West. Clearly, the size of the Sainsbury's store is influenced by a number of factors including the need to better provide for the demands of the local community as well as providing an offer and range of products that is competitive when compared to other large foodstores elsewhere in South Sefton. Constraining the size of the Sainsbury's foodstore would do little to address the qualitative deficiencies of the existing store and would not enable Sainsbury's to compete effectively with other modern provision elsewhere. This in turn would not bring about the positive impacts for Crosby District Centre as a whole.

Therefore, whilst the proposed development represents a significant proportion of the established centre of Crosby, the scale in our view is not inappropriate for the role and function of the centre and will enable

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Crosby to compete effectively as a convenience goods destination in the future, which can only bring about wider positive benefits.

Any Locally Important Impacts

Although there are no obvious locally important impacts in relation to the retail development, it is evident that there are a number of other positive benefits which will need to be weighed in the balance when determining the planning application. These are set out in chapter 11 of TA's planning and retail statement and include the:

- regeneration and investment of Crosby;
- linked trips to support other shops and services in the centre;
- improvements to the quality of the townscape;
- improvements to town centre parking;
- job creation;
- improvements to public realm and accessibility;
- improvements to the quality of shopping provision from the new units;
- improvements in the retail offer created by the large foodstore;
- customer comfort;
- helping meet the needs of the local community; and
- community building provision.

Summary and Conclusions

Based on our knowledge of the past performance of Crosby District Centre and the Sainsbury's foodstore, the need for new investment and a new foodstore within the centre is well established. The development now promoted by Sainsbury's would appear to not only provide the necessary anchor foodstore required to secure the future vitality and viability of the centre, but will also provide additional retail and community units, as well as enhance parking which will benefit the centre as a whole. Although we believe that post-development the centre of Crosby will be more attractive as a retail destination, we do not anticipate that this will in any way adversely affect the role and function of other established centres within the catchment and South Sefton. The over-trading at the existing Sainsbury's store is significant and will ensure that the new enlarged store will not have to rely on drawing trade from a significant distance just to support the scale proposed.

Given that we do not anticipate there to be any significant adverse impacts created by the future trading pattern of the proposed development, it is evident when this conclusion is combined with the significant positive impacts that will be delivered for the centre as a whole, the only conclusion that can be reached in relation to this development from a retail planning point of view is that it is wholly compliant with both the Development Plan and the most recent national guidance. PPS4 makes it quite clear that town centre investment is the absolute priority in maintaining vitality and viability. The development before the Council represents a prime example of in-centre comprehensive redevelopment which will transform the fortunes of Crosby District Centre and secure its future vitality and viability in both the medium and long-term.

However, in ensuring that the wider benefits of the scheme are delivered, it will be fundamental that appropriate phasing conditions or legal agreements are put in place to ensure that all the components of the development are delivered as part of the scheme. Although the Applicant has provided suggested conditions as to how the development could be phased, it will be important for the Council to ensure that the development is delivered in the comprehensive manner as proposed and that all of the phases will be implemented in the short-term. In addition, in order to control the scale and turnover of the foodstore (ensuring that it is appropriate); we would suggest that conditions are put in place to control the net sales

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area as proposed. Although imposing conditions on the split of convenience and comparison goods may be viewed by some to be less appropriate in this circumstance given its town centre location, we believe that there is a need to control the scale of the foodstore element so as to satisfy the test set out at paragraph 14.6 of PPS4. Therefore, it would be beneficial to devise a condition which restricts the net sales area to that proposed and then agree a sensible convenience and comparison goods split within the foodstore with the applicant.

In terms of the other retail units that are created by the proposed development (including the former Sainsbury's store that will be subdivided) we believe that as these stores will operate from a town centre location they should be given the maximum flexibility to attract as diverse a range of tenants/retail operators as possible. Therefore, any condition should just seek to limit the gross area of these stores and no restrictions should be placed on the range of goods that they sell or the net sales area.

Subject to these conditions, WYG can see no reason why the proposed development should not be fully supported by the Council with regard to retail planning matters.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Keith Nutter', with a horizontal line underneath.

Keith Nutter
Director
WYG PLANNING & DESIGN

DRAFT SCHEDULE OF PLANNING CONDITIONS – S/2010/0350

1. The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
2. The development hereby granted shall be carried out strictly in accordance with the details and plans hereby approved and shall not be varied other than by prior agreement in writing by the Local Planning Authority.
3. a) Before any construction commences, samples of the facing, glazing and roofing materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority.

b) The approved materials shall then be used in the construction of the development.
4. a) Before any construction commences, detailed drawings of all doors, windows and shopfronts at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority.

b) Development shall proceed in accordance with the approved details.
5. a) Before any construction commences, details shall be provided of the internal ground floor layout of areas within 10 metres of glazed sections to the Moor Lane elevation of the foodstore. Such details shall indicate open areas behind the proposed frontage with no posters, boards or other obstructions placed within the identified shop window areas.

b) The development shall thereafter be laid out and retained in accordance with the approved details.
6. a) A scheme of noise control for any plant and equipment to be installed on site shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.

b) The approved scheme shall be implemented before the plant and machinery is brought into operation and the approved noise protection measures shall thereafter be retained.
7. a) A scheme of odour control for any proposed kitchen extraction equipment shall be submitted to and approved in writing by the Local Planning Authority prior to installation.

b) The approved odour control scheme shall be implemented on site prior to the extraction system being brought into use and shall thereafter be so retained.
8. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme and scope of works are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the most appropriate remediation strategy for the site.

This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

9. In the event that contaminated land is identified, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment, must be prepared, and is subject to the approval in writing of the Local Planning Authority. The strategy must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and roles and responsibilities. The strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 after remediation.
10. In the event that contaminated land is identified, the approved remediation strategy must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation works.
11. In the event that contaminated land is identified and following completion of the remedial works identified in the approved remediation strategy, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority, prior to commencement of use of the development.
12. In the event that previously unidentified contamination is found at any time when carrying out the approved development immediate contact must be made with the Local Planning Authority and works must cease in that area. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 8, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 9, which is subject to the approval in writing of the Local Planning Authority.

Following completion of the remedial works identified in the approved remediation strategy a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 11 above.

13. A full scheme of off-site highway improvements as set out in Schedule 1 of the

decision notice shall be submitted to and agreed writing by the Local Planning Authority prior to the commencement of development. The works shall subsequently be implemented in accordance with an agreed timetable.

14. Unless otherwise agreed in writing, the development shall not be brought into use until the following Traffic Regulation Orders (TRO's) have been implemented in full :-
 - a) to prohibit 'right turns' out onto the Bypass at the exit from the car park
 - b) to prohibit U-turns on the Bypass;
 - c) to allow cyclist access to the pedestrianised area;
 - d) to introduce waiting/loading restrictions on all roads in the immediate vicinity of the development site;
 - e) to introduce taxi ranks within the development site and the immediate vicinity;
 - f) to introduce controls on all off-street car parking areas within of the development site;
 - g) to introduce a Residents Only Parking Scheme (in two phases) on nearby residential roads; and,
 - h) to introduce bus stop/lay-over facilities on roads in the immediate vicinity of the development site.
15. The development permitted by this planning permission shall not be started by undertaking a material operation as defined by Section 56(4) (a-d) of the Town and Country Planning Act 1990 until details of an employment charter/code has been agreed in writing by the Local Planning Authority.
16. Prior to the commencement of development, a scheme for temporary relocation of existing traders with interest in land within the application site shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall comprise the following:
 - a) the submission of a planning application for alternative retail provision during the construction period;
 - b) documentary evidence of discussion and contact made with traders identified in connection with any approval if granted to be submitted to and agreed in writing by the Local Planning Authority outlining the total requested and required area of retail floorspace within any approval granted by (a) and an offer of said area to the interested party;
 - c) the provision of such temporary accommodation as may have been approved in (a) and subsequently agreed in (b) prior to the demolition of existing retail units fronting Moor Lane for the duration of the construction period to be retained for a minimum period of 6 months following the newly built/converted retail units being made available.
17.
 - a) A scheme of temporary traffic measures including facilities for pedestrians and cyclists and the management of construction traffic shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
 - b) The scheme shall thereafter be implemented during the construction period.
18.
 - a) A detailed scheme for the provision of surface treatment to be used on the service ramp gradient shall be submitted to and agreed in writing by the Local Planning

Authority and shall make provision for a form of surfacing to act as a deterrent to unauthorised activity.

b) The agreed scheme shall be implemented in full prior to the service ramp being brought into use.

19. Prior to the demolition of the existing building/ buildings a schedule of demolition works shall be submitted to and agreed in writing with the Local Planning Authority. The demolition shall then be carried out strictly in accordance with the agreed schedule.
20. The acoustic wall as detailed by drawing no. ---- shall be constructed in full prior to the first servicing of the foodstore and fully retained in accordance with the plan thereafter.
21. The applicant shall submit the following details to the Local Planning Authority prior to the opening of the foodstore:
 - i) A detailed scheme for the suppression of dust from fuel storage for biomass.
 - ii) A requirement to the provision of a minimum 10% of all parking spaces providing electric charging points within five years following the opening of the foodstore.
 - iii) A requirement that 50% of all vans for deliveries associated with the store to be powered by electric means within five years following the opening of the foodstore with all non-HGV deliveries to be undertaken by Euro 4/5 and all HGV deliveries to be undertaken by minimum Euro IV/Euro V vehicles.
 - iv) A requirement for a total reduction in carbon emissions by 25% over a period of five years following the opening of the foodstore using measures which include those above.
 - v) The applicant shall within 3 months of the five year period following opening provide evidence that measures 1-4 have been implemented and achieved in full and such measures as necessary shall enure in perpetuity.
22. At a period no less than three months following the initial use of the biomass boiler, but no more than 12 months following initial use, detailed test results demonstrating that the emissions from said boiler are no more than those identified in Table 17 of the submitted Air Quality Assessment (March 2010) shall be submitted to and agreed in writing by the Local Planning Authority. In the event of any exceedance of the figures identified in the table referred to, appropriate mitigation measures shall be submitted within one month of the Council's notification of such exceedance, and implemented in a timetable to be subsequently agreed in writing.
23. The measures outlined in the submitted Renewable Energy and Energy Efficiency Statement shall be incorporated into the final design of the foodstore building and shall be implemented on site and made available for use prior to the opening of the foodstore to the public and shall thereafter be retained, unless the Local Planning Authority gives written consent to any variation. Within 12 months of opening, evidence shall be forwarded to the Local Planning Authority detailing the following:
 - i) that a minimum of 10% of energy from the building has been derived from renewable sources,
 - ii) use of rainwater harvesting measures, low flush WCs and waterless urinals, and

- iii) use of natural light for the sales areas through solartube daylighting.
24. a) Prior to occupation of the foodstore a Car Park Management Plan must be submitted to and approved in writing by the Local Planning Authority.
- b) The provisions of the Car Park Management Plan shall be required to set out charging, enforcement and a demand management regime alongside the mechanism for daily opening and closing be implemented and operated in accordance with the timetable contained therein and shall not be varied other than through agreement with the Local Planning Authority.
25. No part of the development shall be brought into use until areas for vehicle parking, turning and manoeuvring have been laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan for the part of the development to which it relates (including the multi-storey car park which shall relate to the foodstore for the purposes of this condition) and these areas shall be retained thereafter for that specific use.
26. a) No part of the development shall be brought into use until space and facilities for cycle parking have been provided for the part of the development to which it relates in accordance with plans to be submitted to and agreed in writing by the Local Planning Authority
- b) These facilities shall be retained thereafter for that specific use.
27. a) Prior to occupation of any part of the development a draft Travel Plan covering all new and converted buildings shall be submitted to and approved in writing by the Local Planning Authority.
- b) The provisions of the Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.
28. The approved hard and soft landscaping scheme shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced with others of a species, size and number as originally approved in the first available planting season unless the Local Planning Authority gives its written consent to any variation.
29. a) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development.
- b) The landscape management plan shall be carried out as approved.
30. All ground level gating and fencing of the decked car park to Richmond Road and the undercroft car park to the store shall be erected prior to first use of the car park in question and retained as such thereafter,
31. a) No part of the development shall be occupied until space and facilities for bin/refuse

storage and recycling have been provided in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority.

b) These facilities shall then be retained and permanently reserved for the prescribed purpose.

32. The community use/office building as set out on plan number ---- shall be constructed and made available for occupation prior to the opening of the foodstore hereby approved or in accordance with a timetable to be agreed in writing with the Local Planning Authority.
33. No demolition or construction works (other than internal fitting out) shall take place outside the hours of 0800-1800 on weekdays, 0800-1300 on Saturdays and at no time on Sundays or Public Holidays. Any variation in these hours shall be approved in writing by the Local Planning Authority no less than 7 days prior to the planned variation and notification of affected residents shall take place in accordance with the requirements of the Local Planning Authority.
34. The main foodstore shall not be open for business outside the hours of 0700-2300 Monday to Saturday and 1000-1800 on Sundays.
35. The retail premises 1-11 shall not be open for business outside the following hours:

Sunday to Thursday
0700-2330 in the case of A3 use,
0900-2330 in the case of A4/A5 use,

Friday and Saturday.
0700-0000 in the case of A3 use,
0900-0000 in the case of A4/A5 use.
36. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no fences, walls or other means of enclosure shall be erected unless expressly authorised.
37. No external speakers shall be installed to any building unless the Local Planning Authority gives its express written consent.
38. The entire gross floor area of the proposed foodstore shall not exceed 8,802 sq metres, and the net retail floor area of the proposed foodstore shall not exceed 4,645 sq metres, of which no more than 3,252 sq metres net shall be food retail/convenience goods and no more than 1,393 sq metres net shall be non-food or other comparison goods.
39. The total gross floor retail area of the converted existing foodstore and new retail units 6-11 shall not exceed 4,320 sq metres.
40. All works relating to demolition shall accord with the recommendations contained in the ecological assessment dated 22 March 2010 and additional bat survey document of June 2010. Should demolition or refurbishment of buildings not be completed on or before 31 March 2012, an updated survey shall be resubmitted to and agreed in writing by the Local Planning Authority.

41. All development shall take place in accordance with the approved Flood Risk Assessment dated July 2010, referenced.....
42. All activity within the service yard shall accord entirely with the provisions of page 14 of the submitted Environmental Noise Impact Assessment dated 13 January 2010.
43. Units 1 and 5 shown on approved drawing reference number ----- shall be used only for A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes) use, A4 (drinking establishments) or A5 (hot food takeaways) in accordance with the scope afforded by Schedule 2, Part 3, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). Units 7-11 shall be subject to the same scope with the exception of A4 (drinking establishments) unless the Local Planning Authority gives its consent to any variation.
44. The proposed Community Use Building shown on approved drawing reference number ----- shall be used only for A2 (financial and professional services), B1 (office use) or D1 (non-residential institutions) in accordance with the scope afforded by Schedule 2, Part 3, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Reasons:

1. To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.
2. To ensure a satisfactory development.
3. To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with policy DQ1/MD1 of the Sefton Unitary Development Plan.
4. To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with policy DQ1 of the Sefton Unitary Development Plan.
5. To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with policy DQ1 of the Sefton Unitary Development Plan.
6. To prevent the emission of noise above a level which would be detrimental to the aural amenity of the area and to comply with policy EP6 in the Sefton Unitary Development Plan.
7. To prevent the emission of fumes which would be detrimental to the amenity of the area in accordance with Policy EP2 in the Sefton Unitary Development Plan.
8. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EP3 of the Sefton Unitary Development Plan.
9. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in

accordance with policy EP3 of the Sefton Unitary Development Plan.

10. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EP3 of the Sefton Unitary Development Plan
11. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EP3 of the Sefton Unitary Development Plan.
12. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EP3 of the Sefton Unitary Development Plan.
13. In the interests of highway safety and to accord with policies CS3 and AD2 in the Sefton Unitary Development Plan.
14. In the interests of highway safety and to accord with policies CS3 and AD2 in the Sefton Unitary Development Plan.
15. To ensure the provision of locally accessible employment during and following construction in accordance with the Council's Labour Policy and to comply with Sefton UDP Policy UP1.
16. To manage, maintain and encourage continuity of trade within the centre in the interests of centre vitality and viability and to comply with Policy R1 of the Sefton UDP.
17. In the interests of highway safety and to accord with policies CS3 and AD2 in the Sefton Unitary Development Plan.
18. To reduce potential for anti-social activity and to comply with Sefton UDP Policy DQ1.
19. To prevent unreasonable noise and disturbance to nearby occupants in the interests of residential amenity and to comply with policy EP6 in the Sefton Unitary Development Plan.
20. To prevent unreasonable noise and disturbance to nearby occupants in the interests of residential amenity and to comply with policy EP6 in the Sefton Unitary Development Plan.
21. To safeguard and improve air quality on land within 2 km of an identified Air Quality Management Area (AQMA) and to comply with Sefton UDP Policy EP2.
22. To safeguard air quality on land within 2 km of an identified Air Quality Management Area (AQMA) and to comply with Sefton UDP Policy EP2.
23. To ensure that the proposed development meets the requirements of Policies DQ1,

DQ2 and DQ5 in the Sefton Unitary Development Plan in the interests of sustainability and renewable energy provision.

24. To secure appropriate, balanced and timely delivery of car parking for the centre and to accord with policies CS3 and AD2 in the in the Sefton Unitary Development Plan.
25. In the interests of highway safety and to accord with policies CS3 and DQ1 in the in the Sefton Unitary Development Plan.
26. In the interests of highway safety and to accord with policies CS3 and AD2 in the in the Sefton Unitary Development Plan.
27. In the interests of highway safety and to accord with policies CS3 and AD2 in the in the Sefton Unitary Development Plan.
28. In the interests of visual amenity and to comply with policy DQ3 of the Sefton Unitary Development Plan.
29. In the interests of visual amenity and conservation and to comply with policy DQ1 of the Sefton Unitary Development Plan.
30. To safeguard the amenities of occupiers of adjoining properties and ensure a secure and safe centre environment complying with polices CS3 and DQ1 of the Sefton Unitary Development Plan.
31. To ensure appropriate means of refuse disposal and recycling facilities and to comply with Sefton UDP Policies DQ1 and EMW9.
32. To secure timely development directly addressing a key arterial route whilst making the earliest provision for other displaced centre uses and to comply with Sefton UDP Policies CS3 and DQ1.
33. To ensure that nearby properties are not adversely affected by the construction activity or demolition and to comply with Sefton UDP Policy EP6.
34. In the interests of residential amenity and to comply with policy EP6 in the Sefton Unitary Development Plan
35. In the interests of aural and residential amenity and to comply with policy EP6 in the Sefton Unitary Development Plan.
36. In order to protect the character of the area and to accord with policy CS3 of the Sefton Unitary Development Plan.
37. To prevent noise and disturbance to nearby residents/ to prevent the emission of noise above a level which would be detrimental to the aural amenity of the area and to comply with policy EP6 in the Sefton Unitary Development Plan.
38. In order to safeguard the vitality and viability of the centre and to comply with Sefton UDP Policy R1 and the provisions of PPS4 (Planning for Sustainable Economic Growth) paragraph 14.6.
39. In order to safeguard the vitality and viability of the centre and to comply with Sefton

UDP Policy R1 and the provisions of PPS4 (Planning for Sustainable Economic Growth) paragraph 14.6.

40. To safeguard the conservation of species/habitats and to accord with policy NC2 of the Sefton Unitary Development Plan.
41. To reduce the impact of flooding on the proposed development, future occupiers and customers and other nearby properties and to comply with Sefton UDP Policies EP7 and advice contained in PPS25 (Development and Flood Risk).
42. To prevent unreasonable noise and disturbance to nearby occupants in the interests of residential amenity and to comply with policy EP6 in the Sefton Unitary Development Plan.
43. To afford an appropriate and flexible range of uses within the centre to assist vitality and viability and to comply with Sefton UDP Policy R1.
44. To afford an appropriate and flexible range of uses within the centre to assist vitality and viability and to comply with Sefton UDP Policy R1.

SCHEDULE 1 WORKS (see condition 13)

- i. Close off the redundant vehicular access on Richmond Road and reconstruct the footway/verge;
- ii. Alter the existing vehicular access on Little Crosby Road and reconstruct the footway/verge as necessary;
- iii. Construct a new vehicular access on Richmond Road and introduction of a signalised junction at the vehicular access and a scheme of works to alter, realign and widen Richmond Road, to allow the introduction of a designated right turn lane into the proposed vehicular access at the new signalised junction.
- iv. Construction of pedestrian crossing facilities and improvement of pedestrian refuge at the junction of Richmond Road and Little Crosby Road
- v. A scheme of footway improvements on the south side of Little Crosby Road between the vehicular service entrance and the roundabout junction with Islington and Cooks Road;
- vi. A scheme of highway improvements which result in the bus lay-by off Islington being widened to accommodate new bus shelters on the lay-by, with footway improvements with pedestrian crossing facilities and the upgrade of all existing bus stops with access kerbs, paving and enhanced 'bus stop' carriageway markings. All bus improvements are to be done to current standards
- vii. The removal of the existing double mini roundabout junction at Islington/Coronation Road/Church Road and the introduction of a signalised junction with advance stop lines, pedestrian facilities at each arm in the form of flush kerbs and tactile paving and a contra flow cycle facility linking along Church Road, towards the pedestrianised area.
- viii. The instalment of a new Toucan Crossing north of the existing service vehicular access on The By-Pass;
- ix. Construct a new vehicular access on The By-Pass designated only for vehicles leaving the site and measures introduced to ensure only left turns from the access are possible and the introduction of pedestrian facilities on the new vehicular access on The By-Pass in the form of flush kerbs, tactile paving and the provision of hydraulic bollards to be controlled by the UTC;
- x. Construct a new vehicular access on The By-Pass designated only for service vehicles only, with pedestrian facilities either side of the access in the form of flush kerbs and tactile paving and a designated pedestrian route across the vehicular access;
- xi. Construct new bus stops on the south side of Richmond Road and both sides of The By-Pass adjacent to the site with access kerbs, paving and enhanced 'bus stop' carriageway markings, one incorporating a lay-by and shelter;
- xii. Improved crossing facilities and links between Cooks Road and Alexandra Road and the pedestrianised Liverpool Road including a Contra flow cycle facility on Alexandra Road.

xiii. Construction of a shared use cycle route along the development side of The Bypass from the A565 Moor Lane Roundabout from the roundabout to the new controlled Pedestrian crossing on the bypass and preferably linking to the pedestrianised area of Liverpool Road.

PLANNING PERMISSION S/2010/1008 – APPROVAL AND CONDITIONS

Reasoned Justification and reason for approval

The proposal makes acceptable provision for the relocation of traders during construction and is entirely compliant with planning policies R1, EP6 and DQ1 of the Sefton UDP and in the absence of any other overriding material planning considerations, the granting of this permission is therefore justified.

PLANNING CONDITIONS:

1. a) Any retail units provided shall be removed within a period 9 months following the provision of the new permanent units granted by planning permission S/2010/0350.
b) All fittings and fixtures connected to the units operation on site shall be removed in accordance with the above time scale.
2. The development hereby granted shall be carried out strictly in accordance with the details and plans hereby approved and shall not be varied other than by prior agreement in writing by the Local Planning Authority.
3. a) A detailed scheme for securing the site and individual units outside of opening hours shall be submitted to and approved in writing by the Local Planning Authority prior to their implementation.
b) The development shall proceed in accordance with the above details.
4. Units shall be laid out as required from the north-eastern end of the site fronting Liverpool Road and subsequently each further one in a south-westerly direction towards Islington.
5. All units shall be of single storey build maintaining a retail frontage to Church Road/Liverpool Road or Islington and shall comprise a shop window display.
6. In the event of A3/A4/A5 occupation within the terms of the Town and Country Planning (Use Classes) (Amendment) Order 2006, the following hours restrictions shall apply:

A3 use: 0700-2330
A4/A5 use: 0900-2330.
7. a) In the event of A3 or A5 occupation within the terms of the Town and Country Planning (Use Classes) (Amendment) Order 2006, a scheme of noise control for any plant and equipment to be installed on site shall be submitted to and approved in writing by the Local Planning Authority prior to use.
b) The approved scheme shall be implemented before the plant and machinery is brought into operation and the approved noise protection measures shall thereafter be retained.
8. a) In the event of A3 or A5 occupation within the terms of the Town and Country Planning (Use Classes) (Amendment) Order 2006, a scheme of odour control for any proposed kitchen extraction equipment shall be submitted to and approved in writing by the Local Planning Authority prior to use.
b) The approved odour control scheme shall be implemented on site prior to the extraction system being brought into use and shall thereafter be retained.

9. No live music, amplified music or live entertainment shall take place within any temporary unit occupied for the purposes of A3 or A4 as set out within the Town and Country Planning (Use Classes) (Amendment) Order 2006.

SEFTON COUNCIL
20 APR 2010
REGENERATION BSU

Mrs Brownrigg
Flat 18, Sandalwood
83 Coronation Road
Crosby L23 5UJ

Planning & Economic Regeneration Dept
Magdalen House
30 Trinity Road
Merseyside L20 3NJ.

09/4/10

With reference to S/2010/0350.

Dear Mr Steve Faulkner,

We object to the building of a multi-storey car park in Islington, over the site of the existing council car park on the following grounds.

- A) Sandalwood is a Leasehold estate of 54 Retirement Apartments for those aged 60 and over. We do not welcome overlooking a multi-storey car park and the noise and disruption involved. Have you thought about the environmental impact on residents?
- B) We are concerned about the increase in traffic along Islington and Coronation Roads. The increased traffic will make it even more difficult to safely cross the road to Crosby village and Sainsbury's for elderly vulnerable people.

R. Hayward Flat 02.	D. Martin 43.
G. Leeg FLAT 41.	Olivia McKewitt FLAT 12.
M. Broadway FLAT 14.	J. Bamber Flat 24
S. Rice FLAT 20	N. A. Darcy Flat 19
Pam Fiddler-Moore Flat 35	J. Lovelady Flat 2.
Joan Wright FLAT 3	J. Rylyy FLAT 5.
E. Davies " 51	
D. A'Hara Flat 33.	
P. B. Galloway Flat 27	H. from Tom FLAT 43

PTO.

SEFTON COUNCIL

20 APR 2010

REGENERATION BSU

Flat/Address	Name
29 Sandalwood	S. M. Madelocks
FLAT 1	D. J. Smith
FLAT 1	M. Smith
FLAT 25	B. F. BARNETT
FLAT 27	K. Webb
FLAT 10	P. M. CORNER
Flat 6 Sandalwood	J. M. Taylor
Flat 19	D. Hinkley
47 St Lukes	C. Jones
FLAT 31	W. BARR
FLAT 21 in field of Alex Rd Gosby	E. Jones
12. 21. 22. 23. 24. 25. 26. Sandalwood	P. R. Pittall
26. 26 Sandalwood	J. P. Pittall
22 SANDALWOOD	S. J. Pittall
42 SANDALWOOD	L. E. Pittall
32 Asea Park	C. J. Pittall (A. L. J. J. J.)
FLAT 24	J. Pittall
3 Brownmore Street	J. Pittall
7 Sandalwood	E. J. Pittall
FLAT 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	Mrs V. A. Searby
FLAT 19 Sandalwood	Rob Parry
FLAT 56 SANDALWOOD	K. Sweeney
FLAT 11 SANDALWOOD	V. M. Pitts
23 Green Rd EHS 944	V. Pitts
FLAT 36	V. Pitts
22 BURNHAM L16525	M. J. J. J.
3 Chellondale L23 408	D. J. J. J.
E. Hulpen	Flat 15 Sandalwood
40 Roseme L23000	P. J. J. J.
FLAT 27 SANDALWOOD	A. J. J. J.

PLANNING COMMITTEE : 18 AUGUST 2010

Late Representations/Information

Part 1

APPENDIX 4

Item 4A

S/2010/0350 : Sainsburys, 1-3 Liverpool Road, Crosby,

Petitions and objections

A total of 6 petitions are attached seeking to directly address Committee, and other supporting information associated are attached in date order of original receipt.

1. Petition of 46 signatures sponsored by Councillor Peter Papworth on behalf of residents at 'Sandalwood', Coronation Road objecting to the application. (Councillor Papworth has indicated he will speak on behalf of these residents).
2. Petition of 36 signatures sponsored by Councillor Paula Parry on behalf of Catherine Caddick, 13 Liverpool Road, in support of the application.
3. Petition of 7,512 signatures sponsored by Councillor Peter Papworth on behalf of 'ABetterCrosby' objecting to the application (only 26 signatures and attachments enclosed; hard copy available for members at Planning Committee).
4. Petition of 26 signatures sponsored by Councillor Peter Papworth from Jacqueline Auton of 'Café Barista', Moor Lane, objecting to the application.
5. Petition of 26 signatures sponsored by Councillor Steve McGinnity from Janet Smith of 44 De Villiers Avenue, objecting to the application. This followed at 58 signature petition from residents of De Villiers Avenue which was not sponsored. Her objection letter is attached.
6. Petition of 26 signatures sponsored by Councillor Peter Papworth from Steve Pritchard of Pritchards Bookshop, Liverpool Road, objecting to the application. His objection letter is attached.

Petitions 5 and 6 arrived following the cut off time of 1000 on August 13 and as such, it is at the members discretion as to whether or not they will allow the petitioners to address Planning Committee directly.

The applicant has also submitted supporting information for display at the committee meeting, copies of which are attached in addition to their confirmation of wishing to address Planning Committee in response to the above.

Further individual representations have been received from the following addresses on or after the 26 July 2010:

Belvidere Park, 1; Blundell Road, Hightown, 34; Brooke Road West, 58; Boundary Drive, 4; Chestnut Avenue, 6; Coronation Drive, 4, 25; Coronation Road (83 Sandalwood), 51; De Villiers Avenue, 17, 44; Durban Avenue, 1, 2, 3, 4, 6, 7, 8, 10; Eshe Road North, 62; Hillcrest Road, 13; Ilford Avenue, 21; Little Crosby Road, 32, 'Brookside Cottage', Liverpool Road, 13 (Crosby Traders Association); Marine Terrace, 2; Moor Drive, 'Joybarick', 14, 49; Moor Lane, 13, 49; Moorland Avenue 54; Richmond Road (Avon Richmond Flats Ltd); Rimrose Valley Road, 107; Rossett Road, 18; Rothesay Drive, 20; Scape Lane, 3, 8; Second Avenue, 9; Sunnyside Road, 42; The By-Pass, 3; Vermont Avenue, 27; Victoria Road, 33.

Of these 42 addresses (some having written more than once) all bar one object to the application.

Crosby Traders Association have also forwarded three letters from other traders opposed to the application in addition to their a letter of support for the proposals.

In addition, a letter of objection is attached to the representations from the occupier of 3 The By-Pass, Crosby.

The issues raised throughout these submissions have been subject to significant discussion in the Planning Committee report and members are duly advised of the basis on which those addressing the Committee will seek to present their case.

Item 4B

S/2010/0801 : 61-63 Albert Road, Southport

1. Additional comments received from 6 Fleetwood Road
 - Street scene illustration with the amended scheme relates to the wrong application
 - PPS5 requires new development to making positive contributions to the character and local distinctiveness of the historic environment. Given the site is opposite Hesketh Park this is critical.
 - The dormers and terraces on front elevation are out of character
 - Number of storeys should be limited to four as with adjacent developments
 - Another style further disrupts the rhythm of the street scene, should be designed similar to Regency Court
 - Would expect a minimum separation distance of 3 metres to the boundary given height, and the projection beyond rear wall of Regency Court is excessive
 - Two front entrances would benefit the scheme (in and out) as this would ease manoeuvrability for larger vehicles entering and leaving the site
 - The revised plan shows many trees to be planted maybe some should be planted on the area edged blue

The design, access arrangements and tree planting issues cannot be assessed at this stage given that the application is in outline only. The plans have been checked and the correct street scene elevation is provided on the website for this application.

2. Additional comments from 22 Regency Court :
 - Opposes encroachment beyond current building line to the rear, resulting in loss of outlook and amenity to Regency Court.
 - Previous Planning Inspector made reference to outlook from residents lounge at Regency Court and main issue t appeal was impact on neighbours
 - Concern about terraces on upper floor being open and overlooking
 - There is no planting to screen the view of the proposal
 - Proposals not sustainable as family housing
 - Care was taken to ensure Regency Court did not overlook application site.
3. The applicant has confirmed in writing that he is willing to enter into a S106 Agreement for the provision of trees and Greenspace in order to comply with policies DQ3 and DQ4.
4. Speaking at committee form from petitioner attached.

9 Change condition 15 to read

'The detailed plans submitted for condition 2 shall take full account of the impact on the amenity of occupiers of Regency Court in respect of overlooking

from balconies and overbearing impact. In this respect the plans submitted with the present application shall be considered indicative only and the approval hereby granted does not imply approval of the footprint or detail of the submitted plans.'

Reason

'In the interests of the amenities of adjoining occupiers and to comply with UDP Policies CS3, H10 and DQ1'

Speaking at Planning Committee

You have confirmed that you wish to address the Planning Committee. In order to make as much information as possible available to the Committee members before the meeting, would you please complete this form and return it to the Planning Department at the address below.

Site Address: 61-63 Aiberi Road, Southport

Application Number: S/2010/0801

Your Name: Mrs Anne Green

Summary of Main Issues of Case

Please outline the main points you wish to draw to the attention of the Committee:

The proposed duplexes extend 7 metres beyond the rear elevation of Regency Court. The rear projection of this building would be overbearing, and impair the outlook of many Regency Court residents. We would like an assurance that efforts will be made at the Detailed Planning stage to reduce the overall depth of this building. This would not only reduce the impact of the building on its neighbours, but would also increase the amount of open space available to its future occupiers.

Additional Supporting Information

Please attach any supporting information eg photographs. This will be circulated to members of the Planning Committee prior to the meeting. Please note that this will be reproduced in an A4 black and white format.

New information should not be circulated on the night as there will not have been sufficient time for Councillors to consider it.

Please return this form by 10am the Monday (Tuesday if the Monday happens to be a Bank Holiday) prior to the Committee meeting to:

Sue Tyldesley
Planning Department
Magdalene House
30 Trinity Road
Bootle
L20 3NJ
Fax: 0151 934 3587
E-mail: planning.dcsouth@planning.sefton.gov.uk

If you have any queries regarding this form or the Committee procedures contact the Committee Clerk, Ruth Appleby, on 0151 934 2181.

Received by Sefton Council Planning & Economic Regeneration Department - Bootle Office
Date Scanned by 16 AUG 2010

Item 4C

S/2010/0907 : Plot 3, Land to rear of Oak Hey, Lambshear Lane, Lydiate

Amended Drawing

An amended drawing was received that sought to address the issues raised concerning the two-storey projecting element to the left hand side of the proposed dwelling. This amendment is not considered to be acceptable and discussions towards an appropriate solution are ongoing. In the event that an acceptable amended plan is not available to be presented to Committee it is respectfully requested that the decision be deferred for the next Committee cycle.

APPENDIX 5

Item 5A

S/2010/0707 : 72 Sonning Avenue, Litherland

Correct ordnance survey plan attached.



Sefton Council Planning & Economic Regeneration Department Andy Wallis - Director <small>Planning & Economic Regeneration is part of the Regeneration & Environmental Services Directorate</small>		S/2010/0707 72 Sonning Avenue Litherland L21 9JZ OSGR: 333649, 398302		Sheets: 1090	Area: 73 sqm	Standard Site Plan Scale: 1:2250 Date: 9/1/2010 Drawn By: BBERTON	
<small>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction in any form may lead to prosecution or civil proceedings. Created by Sefton Council Planning & Economic Regeneration Department using MapInfo (Sefton Council Licence No. 100018192)</small>						Ward(s): Ford Postcode Sector(s): L21 9 Polling District(s): F2 Parish(es): None Found	

APPENDIX 5

Item 5B

S/2010/0862 : Bartlett House, Parkhaven Trust, Liverpool Road South, Maghull

Amended drawing received in respect of trees and landscaping.

Add Drawing numbers 1172 01, 02, 03B; 3912 SK60, SK61, SK62, SK63, SK64, SK65, SK66, SK67

Additional information received from the applicant as follows :-

A revised landscaping plan which allows retention of more trees has been submitted. A total of 9 trees are shown for removal on drawing 1172-02. A total of 18 new trees are shown on the landscape plan 1172-03B.

The Trust undertakes to plant a further 16 trees planted within the Parkhaven Trust grounds on Liverpool Road South. These are in addition to other new trees as part of another planning approval.

On the basis of this there is no longer a requirement for a commuted sum for trees.

Replace Condition 9

9 'Before the development is commenced, a detailed scheme including the location, species and size for the planting of 16 additional trees within the grounds of Parkhaven Trust shall be submitted to and approved in writing by the Local Planning Authority. These trees shall be planted in the first planting season following commencement of the development. Any trees that within a period of 5 years after planting are removed, die or become seriously damaged or diseased shall be replaced by others of a species size and number as originally approved.'

Reason - RL-4

The portico is to be retained and incorporated in the garden area

In response to a request for a commuted sum towards the pedestrian crossing the Trust comments as follows :-

The Parkhaven Trust is a charity that invests income and donations into the provision of the facilities it offers. The Trust is not a commercial developer and has no other financial resources with which to make donations elsewhere. The Trust is always keen to work with the council and to provide facilities which are of benefit to the wider community. Current new proposals include new allotments and the formation of a mile walk through the parkland. However on this occasion the Trust is unable to offer a contribution to the Sefton Lane crossing.

The Highways Development Control Manager reports that the money for this crossing has now been found by revising the scheme of highways improvement to be paid for by Arena Housing in respect of their development within Parkhaven Trust grounds to include the crossing in lieu of additional improvements at the site junction.

LATE REPRESENTATION

APPENDIX 4

Item 4A

S/2010/0350 : Sainsbury's, 1-3 Liverpool Road, Crosby

Report

Members are advised that the application site lies within the three wards of Manor, Victoria and Blundellsands.

The Regional Spatial Strategy is no longer formally in place. As such, the regional policies referred to in the report are not relevant.

Further Representations received

A significant number of further representations have been received; these are referred to within Late Representations 1 and generally comment on the Planning Committee report.

The letter sent from ABetterCrosby dated 17 August 2010 is attached in full.

18 Rossett Road and 'Brookside Cottage', Little Crosby Road have written objecting further, Flat 35 of Sandalwood, 83 Coronation Road, has also objected further to the multi-storey car park at Islington, and the 28 Endsleigh Road writes in support of the proposal.

Director's observations on further representations

As mentioned in the main report, a total of 698 properties were notified of the proposals. Site notices and press notices were placed and the Council's notification process has far exceeded that required for the development in the interests of ensuring that all parties have an opportunity to express their views.

There have been further representations which relate to concern over the advice of PlacesMatter!, the lack of consideration given to the views of local traders, queries over traffic provision, the competition of the increased foodstore against other retailers in the village, design and the loss of historic buildings, and the use of the community building.

Consultation has taken place with local ward members, North West Regional Development Agency, Liverpool Chamber of Commerce and Industry, Merseyside Civic Society, Liverpool Vision, The Mersey Partnership, Existing tenants on Moor Lane, and Residents and businesses on Richmond Road, Moor Lane, De Villiers Avenue, Vale Road, Vermont Avenue, Kings Road, Alexandra Road, Alexandra Court and Coronation Road.

The proposals are largely to the edge of the developed historic core of Crosby Village

and the report acknowledges the loss of locally distinctive buildings, most notably the Glenn Buildings.

The proposals will bring significant employment benefits both in respect of the applicant's proposal and the refresh of the existing retail offer.

The current foodstore overtrades and this view is based on expert retail appraisal and for reasons set out below under "Retail Issues" it is not possible to expect the applicant to reprovide a foodstore of the same size and scale. The same assessment comments specifically on the requirement to assess retail need.

The planning recommendation is based around the approved policy framework, but the operational and commercial concerns of an applicant must all the same have to be regarded as material planning considerations. Both the report and many of those with objection clearly recognise the need for investment.

The multi-storey is necessary to serve the parking requirements of the scheme proposed and its design has been enhanced with the use of coloured panels.

The restriction on hours is a recognition of an otherwise unrestricted opening giving rise to amenity issues for adjoining residents. Service deliveries are not considered to cause issues for nearby residents due to the acoustic walling and the ungated access avoiding vehicles waiting or having to undertake reversing on or around the highway. The applicant has agreed to the prohibition of the following activities between 2200 and 0700:

- use of vehicle mounted refrigeration units within the service yard/on the access ramp,
- stock or waste movement in the service yard using metal roll pallet trucks,
- waste collections, and
- use of the compactor.

There will be no direct harm to outlook or loss of light for residential properties albeit the views will be different. There will be landscaping around the edge of the car park to ensure visual amenity.

There are provisions to be agreed via Section 106 Agreement to ensure a full review of a Residents Privileged Parking scheme (RPP) to cater for the before and after parking around the centre and inform on measures considered necessary to prevent parking on surrounding residential streets by town centre users and there would also be a need for this to be subject to further specific consultation.

Concerns have been raised regarding the range of goods on offer in Sainsbury's but this is protected by condition as far as may be considered reasonable given the site's town centre location. Competition is not an issue though the proposals make provision for existing traders being relocated as far as is possible.

VIEWS OF PLACEMATTER! ON THE APPLICATION

PlacesMatter! have made significant valuable contributions to the design process. They have indicated in their (attached) letter of January 26 2010 that the applicant has done "a good deal of work exploring different store configurations". They also indicate that "in terms of scale – height and massing – the proposed scale of new buildings seems generally acceptable for this town centre location".

It acknowledges that many of the issues relating to urban edge and retention of existing fabric could only be achieved through the construction of a “smaller store”, which is identified as being unsuitable for the future of Crosby in separate advice from the Council’s retail consultants, White Young Green.

The provision of a store on the Islington site is discussed but has been discounted for reasons explained in the original Planning Committee report. Overall PlacesMatter! comment that “the planned investment in Crosby must be embraced and welcomed”, and that the alternative is “a failing centre with more people using the out of town alternatives in an increasingly unsustainable way”.

Though discussing the alternative option in their submission, and making observations on a number of difficulties associated with town centre redevelopment, they do not specifically object to the positioning of the store as proposed.

It is considered that this range of comments is sufficient to justify the comment contained in the original report stating that the panel offer “broad support” to the proposals. The report also makes specific reference at 8.14-8.20 that they have expressed reservations over the proposals.

It is considered that as far as is possible to do within the consideration of this planning application that the views of PlacesMatter! have been considered fully and reported fairly and accurately, to correctly reflect their acknowledgement of the issues connected to regeneration as a whole as well as the specifics of individual design.

RETAIL ISSUES

Following a series of concerns raised by objectors relating to size and amount of retail proposed, further discussion has been undertaken with the Council’s retained retail consultants, White Young Green, who respond as follows:

“Does The Development Have to Assess ‘Need’?”

In dealing with the need point first, reference has been made to our Retail Strategy Report re need for foodstore provision in the south of the Borough. As you will appreciate, the study seeks to assess the future need for retail development within Sefton and whether or not there is a need to identify sites beyond established centres to meet that need.

In terms of South Sefton, the study clearly concludes that there is no need for further foodstore development outside of established centres following the completion of the edge of centre Asda at Bootle and the out of centre Tesco at Litherland.

Whilst the conclusions are unequivocal, it does not mean that there should be no more investment in established centres in the south of the Borough. Furthermore, the study also confirms that the Sainsbury’s store in Crosby is significantly overtrading and is under significant pressure for expansion.

As you are aware, the key objective of national policy is to secure investment within established centres so they can prosper. As a result development 'within' established centres has never had to demonstrate that there is a need for that development in the first instance, unlike edge of centre or out of centre schemes under the previous PPS6. PPS4 has now removed the need test for developments completely on the basis that it was restricting competition and choice. Therefore, the conclusions of the RSR are effectively irrelevant when considering the Sainsbury's proposals. The only bearing that the conclusions will have is when judgements are formed about the impact of the development once it is completed.

Therefore, any reference to the findings of the RSR in relation to 'need' (or the lack of) and how this should influence the scale of the development proposed is misleading and does not reflect the approach advocated by government guidance.

Why Will Not A Smaller Store Work?

Sainsbury's already operate a small and compromised supermarket within Crosby which as a result, significantly constrains the range of goods that can be sold and the overall quality of the shopping environment. The store is also too small to serve the needs of the local community and as a result is extremely busy at peak times. Therefore, Sainsbury's have an opportunity to resolve these problems by providing a modern store that will not only enable them to stock a wider range of products but will given them the space to create a much more pleasant environment for the customer including wider aisles, less congestion, specialist food counters, and more natural light.

The approach by many operators is to create as much space as possible to enhance the internal quality of the environment – therefore, in an ideal world Sainsbury's would probably prefer a bigger store than can be achieved in Crosby.

The quality of the shopping experience is exactly what the customer expects from a modern foodstore and therefore, if the store is to compete effectively within other stores elsewhere in Sefton it must be able to offer a similar choice and experience. All of our previous survey research has demonstrated that the Asda store at Aintree has dominated shopping patterns in the South of the Borough because of its size, range of goods and its location.

The same applies to the Tesco in Southport [in north Sefton](#) which again dominates shopping patterns because of its size, range of goods and location. Therefore, size is a critical factor in ensuring that a foodstore can be competitive when trying to capture market share and meet the needs of its customers. As a result, if the size of the store was to be reduced, then so would the range of goods, the quality of the shopping experience and the ability of the store to compete with others.

Furthermore, the foodstore will act as the anchor to draw people into the centre. Therefore, the stronger the anchor the stronger the future vitality of the centre. Good examples of this include the Asda redevelopment at Huyton where a compromised Asda store (which was overtrading) was redeveloped to provide a bigger Asda store to meet the needs of the community and act as the key anchor for Huyton.

Once developed, the Asda (which is much bigger at 14,795 sqm) brought about significant improvements in the rest of Huyton Town Centre and the old store was redeveloped to deliver a scheme known as Cavendish Walk. This attracted key operators such as Wilkinsons, New Look, Select, Claires, Costa Coffee, Carphone Warehouse. etc. All of these operators would not have come without the

redevelopment of Asda and the fact that the new store acts as a key anchor and attractor.

Another major factor to consider is the significant costs involved in developing town centre sites including land assembly, demolition, highways improvements, etc. In order to support these significant costs, there has to be a significant improvement in the quality of the store for the operator.

Therefore, if the store is significantly reduced in size (say by a third) then the operator would have to assess whether it was worth the significant investment for such a small gain and the fact that they will end up with what they consider to be a compromised store. In this case I think there would be little benefit in Sainsbury's improving the size of their store slightly given the significant investment required to deliver the scheme. Any simple 'cost/benefit analysis' would lead Sainsbury's to conclude that the significant investment was not worth the return.

Comprehensive redevelopment within centres (such as Crosby) only tends to come along once in a generation. Therefore, the store that Sainsbury's are seeking to achieve is not just to serve the needs of the community today but to ensure that it is viable and attractive for the next 20 to 30 years.

If a store is built that is too small to meet those needs then further development will need to take place to resolve this in the future either through an extension or reconfiguration of the store. Such an ad hoc approach would not benefit the future vitality and viability of the town centre as a whole and would not deliver a comprehensive solution for the redevelopment of Crosby."

The Planning and Economic Development Director would fully endorse this assessment and it is considered that the approach to providing a foodstore is entirely appropriate and compliant with the key policies of the Sefton UDP and advice contained in PPS4.

The original comments of the retail consultants are also attached.

HIGHWAYS MATTERS

Highways Development Control comment further as follows:

Following a series of meetings and discussions between Savell, Bird & Axon and Sefton Council, a number of issues were highlighted with regards to the previously submitted comments from the Assistant Director of Transportation and Development and amendments have now been suggested as follows.

Richmond Road Access

A further extensive analysis of the proposed vehicular access on Richmond Road has been undertaken, following the suggestion within the original comments for this junction to be signal controlled. The analysis clearly highlights that the introduction of a signal controlled junction on Richmond Road would result in queue lengths encroaching onto the roundabout junction. As it has been previously demonstrated that the introduction of an uncontrolled vehicular access on Richmond Road allows the highway network

to operate within its capacity, it has been agreed that the proposed vehicular access on Richmond Road is to remain as a priority junction in accordance with the submitted drawings. The left turn egress onto the by-pass is also to remain as shown upon the original drawings.

Islington/Coronation Road/Church Road Junction

It is agreed that there will be a controlled pedestrian crossing in this location.

Further modelling work by the applicant's advisors of this part of the network has indicated that retention of the roundabouts with partial signalisation on the Islington approach, including the incorporation of facilities for pedestrians and cyclists, may result in a more efficient overall operation on this part of the network than a scheme of full signal control. An appropriate amendment to the schedule of highway improvements is therefore required which also provides flexibility for the Highway Authority to optimise these improvements as part of the detailed design process.

Residents Only Parking Scheme

It has been agreed with the applicants and their transport advisors that the S.106 Agreement will need to deal with the introduction of a residents only parking scheme. The study will extend over a large residential area around the village. The proposed streets are listed under the heading 'Section 106 Requirements'.

Such a scheme should only be implemented where it can be fully justified that the proposed development has become a direct catalyst for the material increase in the level of on street car parking within the surrounding streets and therefore, a pre and post development study of on-street parking will be undertaken in the surrounding area. Sefton Council has identified and agreed the extent of the study area. The study would be funded by the S.106 Agreement. The S.106 Agreement would also make provision for the funding of a residents only parking scheme if as a result of the study material, increases in on-street parking arising from the redevelopment.

Cycling

Following a further review of the conditions relating to cycling, it has been agreed to remove the proposal to allow cycling within the pedestrian area and the contra flow cycle facility along Alexandra Road on the grounds of highway safety.

However, a number of other suggested measures are to be implemented to improve cycle access to and from the site as follows:

- * A cycle parking strategy such that cycle parking is available at all off the entrance points to the town pedestrianised area, including the pedestrian entrance on Richmond Road;
- * Undercover cycle parking is already indicated on HCD's layout these being located beneath the store building;
- * Improved crossing facilities and links between Cooks Road and Alexandra Road and the pedestrianised Liverpool Road (dropped crossings);
- * Provision of access from the Liverpool Road/The Bypass junction to the pedestrian section of Liverpool Road (dropped crossing);
- * Toucan crossing facilities at Islington as indicated in SBA dwg no. N81418/SK19A linking to a contra flow cycle facility along Church Road linking to the town centre pedestrianised area;
- * Provision of a shared use cycle route along the development side of The Bypass between the Moor Lane roundabout and the proposed new signal controlled crossing - this is currently being looked at in liaison with the landscape consultants;
- * Secure staff cycle parking adjacent to Unit 7 of the proposed development.

Taxi Provision

With regards to the provision of taxis to the development, Sainsbury's have now submitted revised drawings (plans P60 Rev N Ground Floor and P61 Rev H First Floor) showing the provision of both hackney and private hire provision, which is acceptable. These plans include : -

- * A hackney carriage taxi rank for 4 cabs within the First Floor car park area close to the store customer entrance to directly serve the store;
- * A hackney carriage taxi rank for 4 cabs (as extended) on Richmond Road to serve the store and rest of the town centre during the daytime;
- * A hackney carriage evening taxi rank on the proposed service access road for 4 cabs, which will also assist night time surveillance and therefore security;
- * A drop off/pick up area for mini-cabs adjacent to the main customer entrance at the bottom of the travelators (the plan indicates that a car can reverse out of the affected disabled bays without affecting the bay).
- * Retention of the existing 2 cab taxi rank on The Green.

A565 Route Management Strategy

The total cost of implementing the proposed recommendations within the A565 Route Management study corridor amount to £1.2M (estimated) plus 10% fees, totalling £1.32M. Generally, all of the proposed improvements are within a 2-3 mile radius of the proposed Sainsbury's development.

The effect of the additional traffic upon the highway network associated with the proposed Sainsbury's development, whilst minimal but nonetheless utilising the existing capacity in broad terms is in the region of 6 percent and

as such, a s106 contribution of £79,200 should be sought from the developer to contribute towards the works.

For clarity, Schedule 1 which relates to condition 13 for the off-site highway improvements is amended and condition 14 is altered as per the heading "Amendments to Planning Conditions".

Section 106 Requirements

A565 Corridor Improvement Strategy - a £79,200 contribution towards the implementation highway works identified within the strategy.

Residents Privileged Parking Scheme - subject to the results of pre and post development surveys (to be undertaken in accordance with an agreed methodology), the applicant will be required to fund the implementation of a Residents Privileged Parking Scheme (including legal procedures, advertising, traffic signs and carriageway markings and enforcement for at least 10 years. The area provisionally identified includes the following roads:-

Albert Grove, Alexandra Road, Cambridge Avenue, Carlton Terrace, Century Road, Church Road, Claremont Terrace, Cooks Road, Coronation Road (part), De Villiers Avenue (part), Durban Avenue, Enfield Avenue, First Avenue, Harrington Road, Hornby Street, Islington, Kilnyard Road, Kings Road, Little Crosby Road (part), Liverpool Road (part), Liverpool Road (part) Lune Street, Manor Road (part), Mayfair Avenue, Miller Avenue, Moor Drive, Moor Lane (part), Moorland Avenue, Princes Avenue, Queens Road, Richmond Road, Scape Lane, Second Avenue, Shaftesbury Road, St. Luke's Road, The Bypass, The Byway, The Northern Road (part), Third Avenue Vale Road, Vermont Avenue, Vermont Road, Victoria Road, Willow Way, Windsor Road, York Avenue, York Road.

18 Rossett Road has written commenting further on the Transport Assessment and technical note, but the comments raised relating to a perceived inadequacy in the level of survey work are not considered to give rise to further requirements in respect of detailed assessment and the Highways Development Control team confirm that the submitted assessments are acceptable and have further been subject to independent appraisal on behalf of the Council's own transport consultants.

DESIGNING OUT CRIME

The Council's Community Safety team have commented on CCTV provisions.

The Council made existing CCTV investment in the year 2000. The system comprises of six pan tilt & zoom colour cameras with an original operational requirement primarily to deter car crime from the three Council owned car parks, and incidence of disorder in the pedestrianised area.

The capital cost of the scheme was in the region of £150,000 which included a certain amount of infrastructure in the provision of a private fibre circuit

connecting the cameras to a hub collector by the George P/H and thereon by BT fibre to Sefton Security Hq's and the Police Control Room at Marsh Lane, Bootle. As you must appreciate a considerable amount of revenue has also been expended since the system became live in May 2000 in terms of maintenance, BT line rental and not least monitoring.

It is agreed that this investment is worthy of continuing within the scope of the new development and for it to be complementary to any security requirements/systems Sainsbury's specify.

However it is unfortunate that this scheme is due to go ahead when budgetary constraints and funding within the Local Authority is under such intense pressure that any match or support funding to contribute to any proposed works would be extremely difficult to find or justify. Clearly, within the plans, certain car parking provision is being relocated which will require the repositioning of at least two cameras.

I would consider that to replicate the Crosby CCTV system at today's costs would be in the region of £200,000. My opinion would be that a sum of £50,000 would not be unrealistic in order to facilitate the relocation, repositioning or remounting of existing identified cameras together with any remedial work required to ducting, fibre provision, power supplies and other contingencies to meet a 2010/11 operational requirement."

In the light of the above, it is considered that whilst this issue has arisen late in the day, the Draft Heads of Terms should be amended to require that the applicant provides a separate commuted sum payment of £50,000 to be offset towards the meeting of immediate operational requirements as set out above.

HEADS OF TERMS

The recommendation to approve is subject to the completion of a Section 106 Agreement to secure the following:

- Tree contribution of £196,019,
- Public greenspace contribution of £143,450,
- A mosaic to the south elevation of retail unit 6 (overall value £30,000), to be subject of organised design competition,
- Contribution of £50,000 towards relocation, repositioning and remounting of existing cameras as a result of the proposed development,
- Contribution towards A565 Corridor Improvement Strategy - a £79,200 contribution towards the implementation of highway works,
- Scheme to secure Residents Privilege Parking (RPP) as necessary following pre-development and post-development surveys, and
- Agreement that the applicant to manage community building for minimum 5 year period and that the Council will assume no liability following that period.

A separate Section 278 Agreement will also be required for other off site highway works.

AMENDMENTS TO PLANNING CONDITIONS

Conditions 9, 10 and 11

Delete from the first sentence of each condition "In the event that contaminated land is identified".

Condition 13

Schedule 1 to which the condition relates is amended as follows:

- a. Closing off the redundant vehicular accesses on Richmond Road and reconstruction of the footway/verge;
- b. Alteration of the existing vehicular access on Little Crosby Road and reconstruction the footway/verge as necessary;
- c. Construction of new vehicular accesses on Richmond Road and a scheme of works to alter, realign and widen Richmond Road, to allow the introduction of a designated right turn lane into the proposed main vehicular access;
- d. Construction of uncontrolled pedestrian crossing facilities and the improvement of the pedestrian refuge at the junction of Richmond Road and Little Crosby Road;
- e. Reconstruction of the footway on the south side of Little Crosby Road between the vehicular service entrance and the roundabout junction with Islington and Cooks Road;
- f. Alteration and improvement of the existing bus facilities on Islington to accommodate provision for bus layover and new bus stop facilities including new bus shelters, access kerbs, footway improvements with uncontrolled pedestrian crossing facilities, and enhanced 'bus stop' carriageway markings;
- g. Introduction of improvements to the junction of Islington/Coronation Road/Church Road, including the provision of traffic signals designed to enhance facilities for pedestrians and cyclists;
- h. Introduction of traffic signal controlled pedestrian and cyclist facilities north of the existing vehicular service access on The By-Pass;
- i. Introduction of a vehicular access on The By-Pass designed to allow vehicles leaving the site to turn left only and the introduction of pedestrian facilities in the form of flush kerbs and tactile paving;
- j. Construction of a new vehicular access on The By-Pass designated for service vehicles only, with pedestrian facilities either side of the access in the

form of flush kerbs and tactile paving and a designated pedestrian route across the vehicular access;

k. Introduction of uncontrolled pedestrian facilities in the form of flush kerbs and tactile paving at all the arms of the roundabout junction of The By-Pass/Richmond Road/Moorland Avenue/The Northern Road/Moor Lane;

l. Introduction of two bus stops, one on each side of The By-Pass adjacent to the site, including 'half laybys', access kerbs, new footway areas, enhanced 'bus stop' carriageway markings and bus shelters;

m. Introduction of a bus stop on the south side of Richmond Road adjacent to the site, including access kerbs, new footway area, enhanced 'bus stop' carriageway markings and bus shelter;

n. Introduction of uncontrolled pedestrian facilities in the form of flush kerbs and tactile paving across Cooks Road and Alexandra Road;

o. Introduction of a shared use pedestrian/cycle route along the north side of The Bypass between the new traffic signal controlled pedestrian and cyclist facilities and the roundabout at The By-Pass/Richmond Road/Moorland Avenue/The Northern Road/Moor Lane;

p. Introduction of a lay-by for use by 'hackney carriage vehicles' on the south side of Richmond Road adjacent to the site including associated traffic signs and carriageway markings;

q. Introduction of traffic signal controlled pedestrian facilities across Richmond Road in the vicinity of Avon Court;

Condition 14 is amended as follows:

Unless otherwise agreed in writing, the development shall not be brought into use until the following Traffic Regulation Orders (TRO's) :-

- to prohibit 'right turns' out onto the Bypass at the exit from the car park
- to prohibit U-turns on the Bypass;
- to introduce waiting/loading restrictions on all roads in the immediate vicinity of the development site;
- to introduce taxi ranks within the development site and the immediate vicinity;
- to introduce controls on all off-street car parking areas within of the development site; and,
- to introduce bus stop/lay-over facilities on roads in the immediate vicinity of the development site;

have been implemented in full.”

Condition 20: The plan number is P66H.

Condition 32: The plan number is P77A.

Condition 41: The FRA reference is Risk Assessment Release 4.0 received by the Council on 2 August 2010.

Condition 43: The plan number is P60N.

Condition 44: The plan number is P77A.

Add conditions as follows:

- a) Prior to the commencement of development, full details of the proposed measures to ensure that all mud and other loose materials are not carried on the wheel and chassis of any vehicles leaving the site and measures to minimise dust nuisance shall be submitted to an agreed in writing with the Local Planning Authority.
- b) The approved details shall be implemented throughout the period of construction unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and to accord with policies CS3 and AD2 in the Sefton Unitary Development Plan.

- a) Prior to the commencement of development a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority.
- b) The provisions of the Construction Traffic Management Plan shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and to accord with policies CS3 and AD2 in the Sefton Unitary Development Plan.

- a) Development shall not begin until a surface water drainage scheme for the site including details of how the scheme shall be maintained and managed after completion, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency.
- b) The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system pursuant to EP7 - Flood Risk of the Sefton UDP.

APPROVED PLAN NUMBERS, ACCOMPANYING DOCUMENTS

ARCH/2008-023 P51C, P52B, P53*, P54*, P60N, P61H, P62A, P63E, P64B, P65*, P66H, P67C, P68A, P69B, P70F, P71B, P72, P73B, P74*, P75*, P76*, P77A, P78A, P80E, Multi Storey Car Park elevation received 17 June 2010.

Tree Survey and landscaping plans 735-01 (2 parts), 02E, 03*, 04B, 05*, 06*.

Air Quality Assessment received 12 March 2010 and addendum report
Design Appraisal received 12 March 2010
Development Framework received 12 March 2010
Drainage Strategy Statement received 12 March 2010
Ecological Assessment received 22 March 2010 and update received 17 June 2010
Environmental Noise Impact Assessment received 17 June 2010
External Lighting Assessment received 12 March 2010
Flood Risk Assessment (Risk Assessment Release 4.0) received 2 August 2010
(electronic copy)
Keeping Crosby Trading report received 12 March 2010
Planning and Retail Statement received 12 March 2010
Renewable Energy and Energy Efficiency Statement received 12 March 2010
Transport Assessment and appendices received 12 March 2010, supplementary
technical appraisal June 2010.
Utilities Statement received 12 March 2010.

Received by Sefton Council Planning & Economic
Regeneration Department - Bootle Office
Date
Scanned by: 17 AUG 2010

2 Marine Terrace,
Waterloo,
Liverpool,
L22 5PR

16th August 2010

Mr. Andy Wallis,
Planning and Economic Regeneration,
Magdalen House,
30 Trinity House,
Bootle,
L20 3NJ

Dear Mr Wallis,

Sainsbury's Planning Application S/2010/0350 and Scale and Design Quality

On behalf of the 'ABetterCrosby' group, we write to notify you of our disagreement with your department's Recommendation to Approve application S/2010/0350.

The Justification states **'The proposals are fully compliant with the development plan and with national planning policy...'**

As described in my letter of 14th April, we do not accept the proposal is in accordance with certain Unitary Development Plan policies.

UDP policy R6, http://www.sefton.gov.uk/pdf/PERD_UDP%20-%20Chapter7.pdf states that;

'Development will be permitted provided that (c) the proposal is appropriate to the scale, role and function of the Centre'.

Additionally Policy R1 states;

'All retail development....should provide ...(b) a choice of convenience shopping in District and Local Centres appropriate in scale and kind to the role and function of each'.

Policy DQ1 http://www.sefton.gov.uk/pdf/PERD_UDP%20-%20Chapter16.pdf states that;

'Development will not be permitted unless: In relation to site context:

- (a) the proposal responds positively to the character and form of its surroundings**
- (b) in areas of lesser quality the development enhances the character of the area rather than preserves or reproduces the negative aspects of the existing environment. In relation to site design, layout and access:**
- (c) the arrangement of buildings, structures and spaces within the site relates positively to the character and form of the surroundings, achieves a high quality of design and meets all of the following criteria:**
 - (i) ensures safe and easy movement into, out of and within the site for everyone, including those with limited mobility;**
 - (ii) protects the amenity of those within and adjacent to the site;**
 - (iii) promotes the safety and security of those within the site whilst the safety and security of those outside it should be promoted through natural surveillance;**

**(iv) creates attractive outdoor areas which fulfil their purpose well;
(v) follows sustainable development principles in design and construction
wherever practicable.'**

This policy is further reinforced by **SPG 'Design'**, which explains the importance of good design, and in paragraph 7d) notes that you may refer significant applications to the Commission of Architecture and the Built Environment (CABE).

Within the Report to Committee for the current application paragraph 6.29 'Design Concerns' makes little meaningful contribution to the matters of policy.

Paragraph 8.14 notes that the scheme has been put to the North West Design Review Panel 'Places Matter', a regional organisation affiliated with CABE. In this case we understand a 'Design Review' formal report was produced. In the interests of accountability and transparency we would request any such 'Design Review Report' be published and made available at Planning Committee on 18th August, as we would expect it to directly address the policy issues identified, with expert independent opinion.

Paragraph 8.14 states

'The scheme has also been put to 'Places Matter', who following consideration of a series of options, have offered broad support to the scheme on the basis of their understanding that the scheme has a range of wider objectives that go beyond the sheer scale of the proposals in their own right.'

We dispute this statement.

Case officer Steve Faulkner provided myself with a copy of the Places Matter Report 'Sainsbury's, Crosby Enabling Report' dated 26th January 2010, and reading it, we do not believe it 'offers broad support to the scheme'.

Rather, as an 'Enabling Report' it attempts to suggest positive ways forward with what is a very difficult application. Rightly the report supports the principle of investment by Sainsbury's in a major new supermarket, as ABetterCrosby also does, but it clearly identifies areas of difficulty with planning policy. Rather than rely on the interpretation of the Planning Department, we would request the Enabling Report, along with any Design Review Reports are copied to Planning Committee members for their own appraisal.

Referring to the previous Design Review the Enabling Report states –

'Fundamental concerns were raised through the design review process regarding the size of the store. If addressed, these concerns would result in amendments to the proposal which would not be operationally or therefore commercially acceptable to Sainsbury's'

We would note that neither operational nor commercial matters are material considerations for planning, and whilst overall economic benefit is an issue a slightly smaller new store would still provide the economic benefit, without the negative impacts which conflict with UDP policy. It is only Sainsbury's very firm approach which is forcing the issue to the unfortunate position we are now all in. We remain of the view that policy takes priority over Sainsbury's statement of operational/ commercial acceptability, which looking at the range of Sainsbury's current developments across the UK can be strongly disputed.

We highlight other relevant paragraphs of the Places Matter Enabling Report –

Whilst the proposal is generally in the spirit of this policy and will play a crucial role in improving the viability of the centre, a view will need to be taken on whether the scale of the proposal is appropriate for the centre. This is one of the key tests under Policy R6.

The principal design policy against which the proposal will be assessed is Policy DQ1. Emphasis is placed here on the need to respond positively to local context in terms of character and form. Emphasis is also placed, in areas of lesser quality, on the need to improve the quality of the local environment. Whilst there are more detailed criteria under this policy, it is the scale and form of the proposed development when viewed against the existing structure of the centre and the arrangement of streets and routes that seems to be the principal issue.

The proposed store will sit over the long established alignment of Moor Lane..... This change to the urban morphology of Crosby would be a very significant development in its evolution and one that cannot be said to represent an improvement in terms of its urban form. The negative impact this proposal will have on the form of the centre will therefore need to be balanced against the wider benefits the new store will bring to Crosby centre.

Richmond Road remains an environment dominated by vehicular access and parking. The bulk of the store will be positioned over ground floor parking which is unlikely to create a pleasant pedestrian environment along Richmond Road although proposed landscaping measures may help a little.

With the townscape analysis identifying such large areas of poor quality environment, it is unfortunate that the proposal involves the loss of some of Crosby's best townscape assets through demolition and yet does not address some of the key weaknesses of the centre identified in the supporting analysis.

However, given the constraints of the centre, it seems these issues can only be addressed through a smaller store.

If the investment was not secured, the centre's future would be bleak. With the planned investment, the sustainability of the centre's future is far more secure. The economic benefits of the proposed investment cannot be underestimated. It is here that the relative importance of relevant shopping and design policy clash – a view must be taken on their relative and respective importance.

In reviewing the proposals, one must assess whether there are other solutions to the need to accommodate a much larger store in the centre.

We understand that the proposal made by Places Matter is considered unacceptable to Sainsbury's, and we can understand why. However the proposal we have put forward, and discussed with you at some length when we met last week, is a robust and viable option, and one that, considering the vast array of very negative impacts of the current proposals, we believe should be considered before determining the current application.

Key among the negative impacts of the current proposal is the removal of at least 16 active businesses from Moor Lane, including many independent local businesses, with the loss of about 100 existing jobs, plus 20 volunteering positions. As many of the affected businesses are local and include managers and directors jobs, the economic

Page 4 of 4

benefit of these businesses is notable as they keep money in the local economy. This loss of employment is not addressed in your report, and negates your justification statement –**'It will provide a much needed .. boost to the local employment sector.'**

Returning to our suggested alternate proposals, we understand they are not a directly relevant consideration to the current application. However they provide important context as we believe the current application is not UDP policy compliant and any approval of it could be subject to Judicial Review, primarily, but not only, against policies R6 and DQ1. We are seeking legal advice on these matters.

On this basis, and with reference to our previous letter regarding Core Strategy / Emerging Policy, we continue to seek the deferment of the current proposals to seek a solution that will still greatly benefit Sainsbury's, but also independent local traders and the wider community of Crosby for many years to come.

I look forward to your reply.

Yours sincerely

Jamie Scott
ABetterCrosby

Cc
Mr Jim Alford, Planning
Mr Steve Faulkner, Planning
Cllr Papworth – S & O (Regeneration) Committee
Cllr Maher – Regeneration
Cllr Robertson – Leader
Ms Margaret Carney – SMBC Chief Executive
Mr Bill Esterson, MP

Sue Tyldesley
Planning & Economic Regeneration Department
Magdalen House
30 Trinity Road
Bootle
L20 3NJ

26th January 2010

Dear Sue

RE: Sainsbury's, Crosby Enabling Report

Purpose of these comments and the wider context

Sainsbury's redevelopment proposals for Crosby Centre have been prepared in partnership with Sefton Council. There have been two stages of formal design review with Places Matter! – initially at a pre-application stage and more recently associated with a more advanced design scheme. In addition, from the information provided it is clear that there has also been some public consultation. Fundamental concerns were raised through the design review process regarding the size of the store. If addressed, these concerns would result in amendments to the proposal which would not be operationally or therefore commercially acceptable to Sainsbury's. This third stage input from Places Matter! seeks to embrace the planned investment in Crosby that a new Sainsbury's store would deliver and looks at the issues associated with accommodating a store of this size in a centre the size of Crosby.

Crosby residents have a wide choice of supermarkets within a 15 minute drive of their centre. Tesco have traded from a large store on the outskirts of Formby (approx 6 miles to the north) for a number of years following a move out of Formby Village centre itself. Their former town centre store is now occupied by Waitrose. Tesco have also recently opened a very large 24 hour out of centre store on a former industrial site in Litherland (approx 4 miles south-east). ASDA have a large format out of centre store in Aintree (approx 5 miles east) and have also recently opened a large new 24hr store on a site adjacent to Bootle town centre. Tesco have recently reformatted their town centre store within the Bootle New Strand shopping centre (both approx 4 miles south). Sainsbury's also have a long established store in the heart of Southport town centre.

In this context, every effort should be made to support Sainsbury's desire to invest in Crosby town centre and retain their position as the anchor food retailer serving the local communities of Crosby, Great Crosby, Blundellsands, Waterloo and Thornton.

PlacesMatter!

Design Review

Should Sainsbury's not be able to expand within the town centre, there is a danger that the investment Sainsbury's are planning to make will be directed elsewhere. Such an outcome would undoubtedly harm the vitality and viability of Crosby centre.

The policy position

The viability of the commercial centre of Crosby is crucial to the sustainability of the wider village and neighbourhood as a whole. Crosby is identified as a District Centre in the Sefton UDP – and therefore at the same level in the retail hierarchy as Formby, Waterloo and Maghull. Southport and Bootle are designated as larger Town Centres. The proposal will be considered against retail Policy R6. Whilst the proposal is generally in the spirit of this policy and will play a crucial role in improving the viability of the centre, a view will need to be taken on whether the scale of the proposal is appropriate for the centre. This is one of the key tests under Policy R6.

The principal design policy against which the proposal will be assessed is Policy DQ1. Emphasis is placed here on the need to respond positively to local context in terms of character and form. Emphasis is also placed, in areas of lesser quality, on the need to improve the quality of the local environment. Whilst there are more detailed criteria under this policy, it is the scale and form of the proposed development when viewed against the existing structure of the centre and the arrangement of streets and routes that seems to be the principal issue.

It is clear that the key tests under both Policy R6 and Policy DQ1 (ie, that the scale of the proposal is appropriate for the centre and that the scale and form of the proposal relates positively to the character and form of the existing environment respectively) are linked. One relates principally to the quantum of retail floorspace proposed and the other to the physical form this volume will take.

The Council is preparing their LDF Core Strategy and the initial consultation papers associated with this indicated that the future of the Sainsbury's store within the centre is the single biggest issue facing Crosby centre. Some work has been done to assess the need and capacity for new retail development across the Borough which will inform the LDF. It is also relevant that the Council are in the process of commissioning a detailed retail study as part of the evidence base work associated with the preparation of the Core Strategy. White Green Young Planning have recently undertaken a series of studies seeking to assess the relative health of the Borough's commercial centres. Key messages that emerge from this work include the fact that Crosby centre has suffered significant loss of trade since the opening of two large out of centre stores (Asda in Aintree and Tesco in Formby). Notwithstanding this, the store remains popular locally and is still overtrading at a very considerable level.

The size of the retail store

The Development Framework document prepared by Turley Associates in support of the development proposals states that the core requirement is for a new store of a minimum size of 50,000sqft. This is likely to result in a store of approximately 75,000sqft gross. It is understood that the current store has an approximate net sales area of 17,000sqft and an approximate gross floor area of 36,000sqft. The new store therefore represents a radical uplift in the total sales area of the store and is likely to represent a relatively large store for Sainsbury's in terms of their typical store formats.

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The analysis

The analysis accompanying the proposals looks generally well considered and demonstrates a good understanding of the main issues facing the centre generally and the proposal specifically. The weak edges and poor environmental qualities along Richmond Road, The By-pass and Islington are identified.

The centre does have some qualities which are directly relevant to the proposal. The substantial Victorian villas and associated mature trees at the eastern end of Moor Lane have historic townscape value which, notwithstanding their current poor state of repair, contribute positively to the character of the area. In addition, the townscape quality created by the streets and buildings in the heart of the centre and most particularly at the Liverpool Road approach is also an asset.

In controlling the quality of major redevelopment proposals, it seems reasonable to seek to ensure that change on the scale proposed should address these characteristics of the centre – both positive and negative.

Informed by a review of the analysis supporting the proposal and a site visit, a number of issues emerge which should be addressed by any major redevelopment:

The Edges

Richmond Road – this is a very poor urban environment with no activity or address along its length. The street is over-scaled with very wide carriageways, no grass verges and no enclosure or built edges. There are significant opportunities to narrow the width of the road either visually or physically. This could be done in a number of ways – through the creation of built and active frontage, through the actual narrowing of carriageways and other landscaping improvement such as tree planting and improved crossing facilities.

Islington – whilst hosting a number of key community uses, Islington is an environment dominated by and designed specifically for the cars and buses. It is a hostile and unwelcoming place for pedestrians. There is an awkward double roundabout at the southern end and an over-sized roundabout at the northern end.

The By-pass – this is part of the main route between Liverpool and Southport and is a busy road. Travelling north on Liverpool Road is perhaps the key approach to the centre leading to a signal controlled junction. The By-pass itself has no crossing facilities along its length between the lights and the Moor Lane roundabout. The Crosby centre side of the road presents an unattractive backland scene of parking and service yards. However, the environment is softened by grass verges along the roads length and views across the neighbouring cemetery.

The Centre

The pedestrianised core of the centre is pleasant although the public realm is generally in need of investment and upgrading. The buildings are not special in themselves but they create and define a pleasing townscape. The busiest part of the centre is near the entrance to Sainsbury's although the townscape quality and form of the store itself is very poor. The current store terminates Liverpool Road across the

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historic alignment of the link with Manor Road to the north. However, the store contributes no ground floor street activity other than the footfall it generates.

Moor Lane is host to a variety of small independent and national stores in low key commercial terraces of variable character and quality. Victorian terraces give way to later lower terraces with some pleasing art-deco qualities. Further east, more modern retail and office accommodation prevail with very little townscape quality other than the active street frontage that they respect. The large Victorian Villas sit adjacent to but separate from the main centre. Whilst in a poor state of repair, these properties do have considerable townscape qualities. A similar villa on the opposite site of Moor Lane is in good condition and in use as a vets'.

Townscape assessment of development proposals

It is clear that a good deal of work has been done exploring different store configurations. This analysis has led to the conclusion that the proposed store location is the only one that results in a viable store size and layout. Urban form and context are the key design issues to be addressed under adopted development plan policy.

Urban form and structure

The proposed store will sit over the long established alignment of Moor Lane. This results in the eastern side of the centre being amalgamated to form one much larger development parcel. This change to the urban morphology of Crosby would be a very significant development in its evolution and one that cannot be said to represent an improvement in terms of its urban form. The negative impact this proposal will have on the form of the centre will therefore need to be balanced against the wider benefits the new store will bring to Crosby centre. An ungraded route across the centre between The By-pass to Richmond Road is created. However, this route is principally a function of the size of the store rather than a response to the opportunity to make a useful and beneficial connection. In terms of scale – height and massing – the proposed scale of new buildings seems generally acceptable for this town centre location.

The new store would require considerable demolition within the centre. Whilst the modern buildings at the eastern end of Moor Lane have the least townscape merit of any in the centre, the Victorian villas do positively contribute to the character of the area, as do the art-deco commercial buildings. It is also notable that the existing store will be required during construction to ensure continuity of trade. The store will then be converted to other commercial uses.

Urban edges

In terms of the impact of the new development on the key edges to the centre, The By-pass will be marginally improved through the creation of some enclosure and at the eastern end and the potential for a new pedestrian crossing. The informal areas of car parking and service yards will be replaced by the side elevation of the store, an improved service area and the creation of an upgraded pedestrian route to Moor Lane.

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Richmond Road remains an environment dominated by vehicular access and parking. The bulk of the store will be positioned over ground floor parking which is unlikely to create a pleasant pedestrian environment along Richmond Road although proposed landscaping measures may help a little. A new route lined with small retail units will improve the accessibility to the centre from this side of Crosby although the alignment of this new route is a function of the shape of the store rather than any desire line. Islington remains a location for buses and cars with improvements in bus stop facilities and a multi-storey car park on the site of the surface car park.

With the townscape analysis identifying such large areas of poor quality environment, it is unfortunate that the proposal involves the loss of some of Crosby's best townscape assets through demolition and yet does not address some of the key weaknesses of the centre identified in the supporting analysis. Richmond Road and Islington will remain car dominated environments lacking in any sort of activity at ground floor level.

However, given the constraints of the centre, it seems these issues can only be addressed through a smaller store. Keeping Moor Lane open has been explored in the evolution of the proposal and does not result in a workable store format. Providing activities to Richmond Road would also compromise the size of the store and reduce the space given over to parking. The Richmond Road frontage is north facing and not suited to single aspect residential accommodation. The most suitable uses for this frontage would be small scale offices or community uses, with the latter perhaps being most suitable in the context of this proposal. The retention of the Victorian Villas would also impact directly on the size of the store and the car parking provided although many of the options considered looked at other replacement uses in this location so their retention may be possible. In the right hands, these buildings would appear to have more life in them and would be suitable for conversion into a variety of uses. However, an independent assessment has been made of the contribution they make to the town centre which has concluded that they have an awkward relationship with the commercial centre. If the store is to be developed in the proposed location and the alignment of Moor Lane shifted as proposed it could be argued that this land will only become more marginal. This parcel of land is effectively being used to screen the service yard. This approach has some merit, but great care will need to be taken in ensuring the quality of the replacement buildings proposed are appropriately high. Richmond Road should benefit from some frontage from the redevelopment of this site and important trees should be retained where possible.

Policy priorities

These important townscape issues must be assessed against the shopping policy objectives of needing to improve the vitality and viability of the centre through investment and improvement in the quality of the shopping offer. If the investment was not secured, the centre's future would be bleak. With the planned investment, the sustainability of the centre's future is far more secure. The economic benefits of the proposed investment cannot be underestimated. It is here that the relative importance of relevant shopping and design policy clash – a view must be taken on their relative and respective importance. Given the fundamental viability issues at stake, it seems that the need to secure investment must prevail, and then that all is done to ensure that new development is of the highest quality possible in its context.

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Alternative approaches

In reviewing the proposals, one must assess whether there are other solutions to the need to accommodate a much larger store in the centre. The wider area around Islington might have presented a location worthy of consideration for the new store although such an approach would require considerable highways work and potentially the use of adjacent land parcels. However, the existing surface car park, very wide carriageway and over-sized roundabout together with the adjacent land parcels look capable of accommodating a store of comparable size to that proposed. If the loss of the roundabout would have caused problems to bus routing, the reopening of Liverpool Road within the centre to one-way bus operation could be considered. This would improve service penetration into the centre, although there would naturally be drawbacks for the pedestrian environment. The advantages of a new store in this location would have been that the structure and form of the centre would have remained in place and the car dominated environment of Islington would have been addressed and improved.

The benefits of a development brief

The application site is clearly a key strategic site for Crosby and the Council. Whilst there has been some quite detailed masterplanning done on the site initiated by the previous owners, ideally the Council themselves would have a more refined policy and development position on the future of the site. This could be achieved through the preparation of a development brief for the site, particularly given the significant land ownership interest the Council holds in Crosby centre.

A development brief for this key site would have helped in fully engaging all the relevant and key stakeholders. It could have been prepared in partnership with Sainsbury's and the local community. It could have been adopted by the Council and supplemented the relevant planning policies. It would have helped ensure that the approach and options development were driven by the assets and opportunities presented by the site and the appetite to invest in the centre. It would also help with the application of the sequential test in terms of retail planning and make it more difficult for retailers to justify the need to go off centre. In doing so, it would help in the preparation of the Core Strategy and wider LDF.

It may however not be considered appropriate at this point in time to resolve to prepare a brief for the site. Indeed many of the key steps that would have taken place in the preparation of such a brief have been progressed as part of the preparation of the planning application. However, this approach is not led by the public sector and, however robust, will always therefore be open to criticism that it is designed to deliver a pre-determined outcome.

Conclusions

Generally, the planned investment in Crosby must be embraced and welcomed – and that must be the overriding response to these proposals. The alternative is a failing centre with more people using the out of town alternatives in an increasingly unsustainable way.

However, there are a number of concerns regarding the approach taken which should be considered and, ideally, addressed. These are outlined below:

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- **Islington area** - before detailed comments are given on the proposal as submitted, there may be some merit in exploring the opportunity to locate the new store on the land between Islington and Liverpool Road. Such an approach would require reconfiguration of the highways and additional land currently used by the church, but too much land here is given over to highways, including the over-sized roundabout. A prominent Liverpool Road frontage for a new store could be secured if movement and bus service issues were addressed. There may also be some merit in considering opening Liverpool Road up to one-way bus services.
- **Richmond Road** - in terms of the proposal itself, the Richmond Road edge is not being improved. Whilst there will be some enclosure from the built edge of the store, all that will be visible will be a parking area beneath the store. Given the fundamental changes to the urban structure being proposed and the depth of the new block being created, there is scope to introduce new non-residential uses (community) to provide ground floor activity. The newly introduced non-food retail units along the proposed New Moor Lane shows the minimal impact new frontage to public routes can have. In addition, the junction between Richmond Road and Little Crosby Road results in left over land that will be of limited townscape value. The retention of the existing store may be an important issue here, but this amenity land would be better provided elsewhere in the centre where it could be a far more valued resource.
- **The existing store** - the retention and conversion of the existing store should be reviewed. Whilst the job this building will do in terms of securing continuity of trade is an important component of the proposals, beyond that the building has an awkward relationship with its hinterland. The link between Liverpool Road and Manor Road to the north could be greatly improved if this site were to be redeveloped. The very poor Little Crosby Road frontage could also be improved in any redevelopment proposal.
- **The Victorian Villas** – in view of the townscape qualities these buildings have, their demolition is unfortunate, especially when other buildings which detract from the character of the centre (such as the existing store) are being retained. However, if the location of the store is to remain then great emphasis must be placed on the quality of their replacement and the important job they do on the main approach to the centre from the east.
- **Islington** - there is no attempt to improve the car and bus dominated environment that has evolved along Islington. There is an opportunity to tighten the road network up on this location but a multi-storey car park in this location will undermine any such opportunity.

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This work was undertaken by Anthony Benson of Urban Practitioners (Places Matter! panel member) on behalf of Places Matter!

Yours sincerely



Charlotte Myhrum
Design Review Manager

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Ref: A064407

Date: 17th May 2010

Alan Young
 Sefton MBC
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Dear Alan

PROPOSED SAINSBURY'S SUPERMARKET, CROSBY

Further to your request to provide an appraisal of the suitability and acceptability of the proposed Sainsbury's foodstore at Crosby, our advice in relation to the development is set out below.

Introduction

Sainsbury's Supermarkets Limited have applied for full planning permission on land at Crosby District Centre for a new foodstore with associated car parking, a new multi-storey car park, public transport interchange, new retail units, conversion of the existing Sainsbury's store into new retail units, and the erection of a building for community uses. The scheme is identified as a major regeneration project which would transform the eastern gateway to Crosby District Centre, making use of an under-utilised brownfield site which would allow for the development and integration of a new Sainsbury's foodstore.

The proposed development can be summarised below:

	Existing Commercial Floorspace (GIA)	Commercial Floorspace Lost (GIA)	New Commercial Floorspace to be Developed (GIA)	Net Increase in Floorspace (GIA)
Existing Sainsbury's	3,576 sqm	3,576 sqm	0 sqm	-3,576 sqm
New Sainsbury's	0 sqm	0 sqm	8,802 sqm	+8,802 sqm
Small Retail Units	4,189 sqm	4,189 sqm	4,320 sqm	+131 sqm
Office Space	1,204 sqm	1,204 sqm	0 sqm	-1,204 sqm
Community Use	552 sqm	552 sqm	636 sqm	+84 sqm
Total	8,969 sqm	8,969 sqm	13,122 sqm	4,237 sqm

In seeking to justify the proposed redevelopment, Turley Associates (TA) have prepared a planning and retail statement in support of the application which sets out the key arguments as to why planning permission for the development should be granted. WYG have reviewed this document and have used this as the basis against which the acceptability of the proposal in retail planning terms has been tested.

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In dealing with the proposed development, WYG have also reflected upon the key findings of previous retail research undertaken on behalf of the Council, most recently set out in the 2009 version of the retail strategy review. This document is also referred to at length by TA within their planning and retail statement.

Although a key starting point in the determination of any planning application should be the Development Plan, it is important to note that new guidance has been recently issued by Central Government in the form of PPS4. Whilst the Development Plan including the adopted Regional Spatial Strategy and the adopted UDP will guide the overall suitability of the proposed scheme, it is important to note that neither of these Development Plan documents have benefited from the most recent guidance set out in PPS4. Therefore, in preparing this advice, significant weight has been given to PPS4 in this appraisal process.

The most significant change set out in PPS4 in relation to retail development is the removal of the needs test. However, it is evident that the proposed development falls within the defined boundary of Crosby District Centre and therefore, any assessment of need under previous PPS6 guidance would also not have been necessary. More importantly, PPS4 confirms that if a development is located within an established centre, then it is not necessary for the applicant to satisfy the sequential approach.

However, as set out in paragraph EC14.6, PPS4 makes it quite clear that an impact assessment is required for planning applications in an existing centre which are not in accordance with a Development Plan and which would substantially increase the attraction of the centre to an extent that the development could have an impact on other centres. Given that the proposed Sainsbury's store represents a significant increase in the overall net sales area compared to the existing store, WYG believe that it is important to test the impact of the development. Therefore, we believe that it is necessary to satisfy the impact tests as set out in Policy EC16. In addition, it is evident that all planning applications for economic development should also satisfy the impact considerations set out in Policy EC10.2.

The Principle of Retail Use

As highlighted above, the proposed development involves the re-use of an existing brownfield site within the defined boundary of Crosby District Centre. Given that both the Development Plan and PPS4 seek to enhance the vitality and viability of established centres, the principle of the type of development proposed is clearly acknowledged.

In understanding the background to this planning application, it is important to note that research undertaken by Sefton Council since 1997 has identified that the existing Sainsbury's foodstore within Crosby has been significantly overtrading as it is not large enough to satisfy the needs of its local catchment. The overtrading of the store has led to in-store congestion at peak times and in some cases will force other people to travel further distances to access foodstores elsewhere. Therefore, the need for a new and enlarged Sainsbury's foodstore within Crosby is well established and would help address significant qualitative deficiencies with the current store. The new store will not only provide a more attractive environment for shoppers but it will also enable the full range of convenience goods to be stocked which will again benefit consumer choice.

Furthermore, it is evident that the proposed development will deliver more than just a new foodstore at the heart of Crosby District Centre. The development will allow the re-use of the existing Sainsbury's store for approximately five retail units which would form part of the primary shopping area. In addition, a new multi-storey car park will also be provided serving both the foodstore and the District Centre as a whole. Clearly, there are strong arguments in favour of the comprehensive development proposed, particularly in terms of reinforcing the vitality and viability of the primary shopping area and securing a new anchor

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WYG Planning & Design

part of the WYG group



foodstore which would underpin the future attractiveness of the centre and secure significant footfall for other facilities.

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Assessment of Potential Impact

As outlined previously, PPS4 states that all applications for economic development (including retail) must be assessed against the requirements of both Policy EC10.2 and Policy EC16.1. Policy EC10.2 effectively deals with the key sustainability issues such as accessibility and carbon emissions, as well as the overall quality of design and the impact on local employment. As WYG have been asked to assess the retail implications only, we have not commented on the quality of design or the opportunity to limit carbon emissions. However, it is evident that in terms of accessibility, given the sites in-centre location, the site is clearly accessible by all forms of transport and will also benefit from a local walk-in catchment. This in turn will have positive impacts on carbon emissions whereby the need to travel by private motor vehicle will be reduced.

It is also important to note when assessing the development against Policy EC10.2, the new enlarged foodstore will create significantly more employment than the constrained store at present. In fact, TA assumes that an additional 150 jobs will be created by the new development which, although it is unclear how many of these will be full-time equivalents, appears to be a reasonable assessment. Therefore, in assessing the proposed development against Policy EC10.2, it is evident that the scheme would have significant positive impacts in terms of providing resilience to climate change, being accessible by a choice of means of public transport, securing economic and physical regeneration within the established centre, and providing local employment. Whilst we have not commented on the quality of the design, we believe that the proposed development more than satisfies the requirements set out in Policy EC10.2.

Policy EC16

As highlighted previously, it could be argued that as the development is located within an established centre, it should not be necessary to assess the impact of the scheme on the vitality and viability of that centre. However, given that the proposed development is of a significant scale that will substantially increase the attractiveness of the centre; we believe it is necessary to test the development against Policy EC16 as set out in paragraph EC14.6 of PPS4. Whilst this impact test is not focussed on Crosby District Centre, it must consider the implications for other centres within the local hierarchy that may be adversely affected by the development.

In dealing with the six criteria set out under paragraph EC16.1, our conclusions on each matter are as follows.

The Impact of the Proposal on Existing, Committed and Planned Public and Private Investment in a Centre or Centres in the Catchment Area of the Proposal

It is evident that the scheme proposed for Crosby represents a significant private sector investment within the primary shopping area which will transform the overall attractiveness of Crosby as a main food shopping destination as well as meeting the needs of the local community.

With regard to other centres in the catchment area, it is evident that the provision of a new enlarged foodstore within Crosby would not have an adverse impact on investment in other centres throughout the Sefton area. As highlighted previously, the existing foodstore within Crosby has been compromised for a significant period of time and, as a result, has been trading well above its company benchmark average. Therefore, the primary role of the new enlarged foodstore will be to alleviate this over trading and the symptoms (including in-store congestion) which are associated with that. Clearly, we would anticipate that people currently not shopping within Crosby may be attracted to the new development who may shop at other foodstores elsewhere. However, given that the majority of the competing provision surrounding Crosby is located on out-of-centre sites, any impact on these stores, including the existing Tesco at Formby and the new Tesco store at Lanstar, are not afforded any policy protection. In addition, given the overall

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shortfall of convenience provision in the South of the Borough in the past, there is a need for further investment within Crosby to relieve over-trading and help meet the day-to-day needs of the local community.

Although new investment has been secured recently within Bootle including the provision of a new Asda foodstore, this foodstore will be competing directly with the new Tesco at Hawthorne Road and would not be drawing from the same primary catchment from which the proposed Sainsbury's at Crosby will draw the majority of its trade. Therefore, whilst there may be some concerns about the potential impact on Bootle created by the new development in Crosby, WYG do not believe that this will be an issue at all, given that the Sainsbury's in Crosby has historically been over-trading and therefore any additional trade drawn to the store will not be significant enough to create any adverse impact.

Impact of the Proposal on Town Centre Vitality and Viability, Including Consumer Choice

As highlighted previously, the proposed development will have a positive impact on the future vitality and viability of Crosby District Centre. In addition, the development will also provide a modern, high quality Sainsbury's foodstore which will add to the choice of new foodstore provision within the South of the Borough which is currently dominated by Tesco (with stores at Formby, Litherland and Bootle) and Asda (with stores at Aintree and Bootle). Therefore, there will be significant positive impacts on enhancing the choice and range of convenience goods within this part of the Borough.

The Impact of the Proposal on Allocated Sites Outside Town Centres Being Developed in Accordance with the Development Plan

As there are no sites within Sefton that have been allocated in out-of-centre locations, this test does not apply.

The Impact of the Proposal on In-Centre Trade/Turnover

As highlighted previously, we anticipate that a significant proportion of the stores turnover will be transferred from the existing store in Crosby which has been over-trading since the mid-90's when retail surveys were conducted by the Council. Since then, this position has not changed and therefore, it is unlikely that the proposed development would draw significant trade from other established centres elsewhere within the catchment, particularly given that the two major foodstore in close proximity to Crosby are large out-of-centre Tesco stores which are afforded no protection under retail planning policy.

If Located In or On the Edge of a Town Centre. Whether the Proposal Is of an Appropriate Scale in Relation to the Size of the Centre and its Role in the Hierarchy of Centres

In assessing the appropriateness of scale of the development, it is evident that whilst the development will represent a significant increase in the size of the Sainsbury's store, the store itself would not be uncommon in District Centres elsewhere throughout the North West. Clearly, the size of the Sainsbury's store is influenced by a number of factors including the need to better provide for the demands of the local community as well as providing an offer and range of products that is competitive when compared to other large foodstores elsewhere in South Sefton. Constraining the size of the Sainsbury's foodstore would do little to address the qualitative deficiencies of the existing store and would not enable Sainsbury's to compete effectively with other modern provision elsewhere. This in turn would not bring about the positive impacts for Crosby District Centre as a whole.

Therefore, whilst the proposed development represents a significant proportion of the established centre of Crosby, the scale in our view is not inappropriate for the role and function of the centre and will enable

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Crosby to compete effectively as a convenience goods destination in the future, which can only bring about wider positive benefits.

Any Locally Important Impacts

Although there are no obvious locally important impacts in relation to the retail development, it is evident that there are a number of other positive benefits which will need to be weighed in the balance when determining the planning application. These are set out in chapter 11 of IA's planning and retail statement and include the:

- regeneration and investment of Crosby;
- linked trips to support other shops and services in the centre;
- improvements to the quality of the townscape;
- improvements to town centre parking;
- job creation;
- improvements to public realm and accessibility;
- improvements to the quality of shopping provision from the new units;
- improvements in the retail offer created by the large foodstore;
- customer comfort;
- helping meet the needs of the local community; and
- community building provision.

Summary and Conclusions

Based on our knowledge of the past performance of Crosby District Centre and the Sainsbury's foodstore, the need for new investment and a new foodstore within the centre is well established. The development now promoted by Sainsbury's would appear to not only provide the necessary anchor foodstore required to secure the future vitality and viability of the centre, but will also provide additional retail and community units, as well as enhance parking which will benefit the centre as a whole. Although we believe that post-development the centre of Crosby will be more attractive as a retail destination, we do not anticipate that this will in any way adversely affect the role and function of other established centres within the catchment and South Sefton. The over-trading at the existing Sainsbury's store is significant and will ensure that the new enlarged store will not have to rely on drawing trade from a significant distance just to support the scale proposed.

Given that we do not anticipate there to be any significant adverse impacts created by the future trading pattern of the proposed development, it is evident when this conclusion is combined with the significant positive impacts that will be delivered for the centre as a whole, the only conclusion that can be reached in relation to this development from a retail planning point of view is that it is wholly compliant with both the Development Plan and the most recent national guidance. PPS4 makes it quite clear that town centre investment is the absolute priority in maintaining vitality and viability. The development before the Council represents a prime example of in-centre comprehensive redevelopment which will transform the fortunes of Crosby District Centre and secure its future vitality and viability in both the medium and long-term.

However, in ensuring that the wider benefits of the scheme are delivered, it will be fundamental that appropriate phasing conditions or legal agreements are put in place to ensure that all the components of the development are delivered as part of the scheme. Although the Applicant has provided suggested conditions as to how the development could be phased, it will be important for the Council to ensure that the development is delivered in the comprehensive manner as proposed and that all of the phases will be implemented in the short-term. In addition, in order to control the scale and turnover of the foodstore (ensuring that it is appropriate); we would suggest that conditions are put in place to control the net sales

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area as proposed. Although imposing conditions on the split of convenience and comparison goods may be viewed by some to be less appropriate in this circumstance given its town centre location, we believe that there is a need to control the scale of the foodstore element so as to satisfy the test set out at paragraph 14.6 of PPS4. Therefore, it would be beneficial to devise a condition which restricts the net sales area to that proposed and then agree a sensible convenience and comparison goods split within the foodstore with the applicant.

In terms of the other retail units that are created by the proposed development (including the former Sainsbury's store that will be subdivided) we believe that as these stores will operate from a town centre location they should be given the maximum flexibility to attract as diverse a range of tenants/retail operators as possible. Therefore, any condition should just seek to limit the gross area of these stores and no restrictions should be placed on the range of goods that they sell or the net sales area.

Subject to these conditions, WYG can see no reason why the proposed development should not be fully supported by the Council with regard to retail planning matters.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Keith Nutter'.

Keith Nutter
Director
WYG PLANNING & DESIGN