

Our Ref:  
Your Ref:

10<sup>th</sup> September 2019

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Dear Adam

**Proposed Class A1 foodstore and associated development, Lidl, Kingsway, Gloucester**

I write, as requested, to provide supplementary advice on retail planning policy issues associated with a planning application for the above. This letter responds to a number of points raised in a letter dated 2<sup>nd</sup> September 2019 from MRPP on behalf of Tesco Stores Ltd which takes issue with part of the content of our advice to the City Council on this application and the content of the case officer's report to planning committee two weeks ago.

The MRPP letter raises points in relation to the sequential and impact policy tests and we deal with each in turn below.

*The sequential test*

The main complaint raised by MRPP is not in relation to AY's advice report but is instead directed towards the content of the committee report. It is suggested that advice provided by AY is *"not taken further in the Committee Report, raising the risk that permission may be granted where there is, potentially, a sequentially preferable site"*. The site being referred to here is two adjacent vacant units (formerly occupied by Next and Brantano) in Quedgeley district centre.

Three issues are raised by MRPP:

- That the Council must be satisfied that vacant floorspace in Quedgeley is unsuitable via unacceptable compromises to the format of the unit.
- The absence of advice from the applicant and/or County Council on the acceptability of the level of car parking in this part of the district centre.
- Finally, that the committee report fails to advise members of the planning committee *"on the materiality of the decision to be made by the planning committee on application 19/00537 (change of use of the 'Next unit to a gym)"*.

Paragraph 6.12 of the committee report clearly makes reference to the gym application in the district centre and the implications that the approval of that particular application will have<sup>1</sup>. It may be useful, however, for any committee update report to make it clear, for the avoidance of doubt, that approval of that application is likely to lead to a considerable amount of the vacant space to become unavailable for retail use and thus leaving only the Brantano unit which is clearly too small to accommodate the proposal<sup>2</sup>. In this scenario, which has been confirmed by the recent resolution to grant permission for the gym application, the Next/Brantano unit combination has now become unsuitable and unavailable.

Notwithstanding the above clear conclusion, in relation to the issue of parking, I will leave it to GCC officers to decide whether they need the input of the County Council, however MRPP are incorrect to suggest that the applicant has not provided any 'advice' to the City Council. The Retail Assessment submitted by the applicant does provide a lengthy section on this issue and whilst we have suggested that the input of the County may be useful, there is no reason why City Council officer cannot reach their own conclusions on this issue.

### Impact

MRPP make two points in relation to the advice provided by AY on the issue of retail impact. The first relates to errors in the amount of floorspace attributed to the Tesco and ALDI stores in Quedgeley district centre.

For the avoidance of doubt, MRPP have mis-understood our reference to the ALDI store. We have quoted the convenience goods sales area of that store and not the total sales area. As a consequence, we would agree with MRPP with the estimate of 950sq m for the total sales area of that store.

In relation to the Tesco Extra store, we accept that if there is a higher convenience goods sales area in that extended store it may lead to a higher benchmark turnover and that benchmark may be higher than the survey area derived turnover taken from the emerging JCS Retail Study. However, this should be subject to further assessment from the applicant and we recommend that further information is provided.

Based upon their own analysis, MRPP indicate that an impact of -19% on the convenience goods stores combined in the district centre will equate to a significant adverse impact in the content of a centre which MRPP consider to be vulnerable.

When reaching an overall conclusion on the scale of impact on a centre reliance should not be placed just on the scale of financial loss. Wider factors need to be considered including its health over time and the retail sectors and land uses which are important to its health. Our advice report acknowledges the loss of two comparison goods retailers in recent time and a drop in comparison goods turnover. We acknowledge that this will have affected the centre although there is a proposal to introduce an alternative use to fill one of the vacant units. In addition, the proposed foodstore will be focused upon food sales and therefore any issues affecting the comparison goods sector are separate from the trading effects of the proposed store. MRPP have also confirmed that the Tesco Extra store will not close as a consequence of the Kingsway proposal. Therefore, whilst there will no doubt be an adverse impact upon the centre there is no evidence to suggest that it is vulnerable overall and will experience any significant adverse effects. Indeed, the Tesco Extra store is a very popular store, selling a wide range of convenience and comparison goods, which the proposed Lidl store cannot. We therefore do not consider there is any evidence to suggest that the diversion from the Tesco will have any particular knock-on impacts on the centre as a whole.

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<sup>1</sup> We note that the gym change of use application has been placed earlier on the agenda which we consider is the best way to proceed as approval will have material implications for the suitability of the former Next unit in the district centre

<sup>2</sup> Ground floor area of 948sq m gross. There is the potential to construct a mezzanine floor in this unit but for reasons explained by DPP and accepted by AY is to not generally possible to viability trade from mezzanine floors for the size of the foodstore proposed in this application (particularly in relation to food sales).

MRPP also argue that the impact test does apply to this proposal and indicate that:

*"If a proposal is 'likely to have' significance adverse impacts, then it must be refused, irrespective of a particular threshold for assessment. In short, planning applications cannot hide behind this veil".*

However, the Planning Practice Guidance, updated earlier this year notes that

*"The impact test only applies to proposals exceeding 2,500 square metres gross of floorspace unless a different locally appropriate threshold is set by the local planning authority"*

There is no locally-set threshold in the development plan for Gloucester and therefore the PPG indicates that the impact test does not apply.

I trust that the contents of this letter provide you with the information you require. However, if you have any queries, or require additional advice, then please do not hesitate to contact me.

Yours sincerely



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**For and on behalf of**  
**GVA Grimley Limited t/a Avison Young**