

Outline Statement of Case on Behalf of STOP (Stop Tesco Owning Partick)

February 2008

1. Background information

1.1 Large format stores that are out of scale with their adjoining neighbourhood shopping centre do not enhance the quality of the environment. Neither do they enhance the vitality and viability of their retailing function or protect the amenity of their residents.

1.2 The local communities in Partick, Kelvingrove and Hillhead (represented by the respective Community Councils and local residents and STOP) have made representations to the City Plan 2 Team to object to the "continued Council support for supermarket at edge of centre location" in SC4, Schedule SC(ii) Part 1 Identified Development Opportunities (for Partick) - Page 74. Glasgow City Council's Statement of Case (Section 3.2) refers to relevant policies in the final draft City Plan 2 (CP2) that have been substantially revised.

1.3 Earlier planning consents have expired and there are no existing planning permissions for retail floor space on this site.

1.4 The relevant application numbers by the Appellant are shown below:

- Application number 05/03143: Tesco Store and student village on Beith Street (could not be considered by this Inquiry)
- Application number 06/01972: Engineering works to underfill the area below the Benalder Street Bridge
- Application number 07/01810/DC: Erection of retail development and associated access
- Applications 07/02100/DC: Tesco Store and student village on Beith Street

2. Design

2.1 While there may be sufficient expenditure on convenience and comparison goods to support a retail store in the Partick area, STOP has grave concerns about the scale of the proposals put forward by the Appellant relative to the neighbourhood centres at Byres Road and Dumbarton road.

2.2 Application number 06/01972 is not under consideration by the PLI but is relevant because it involves engineering works to underfill the area below the Benalder Street Bridge that may be essential to development taking place on the disputed site by Appellant or any other party.

2.2.1 This application proposes reducing the dimensions of the passage under the Bridge from tens of metres wide and several metres high to 3 metres wide by 3 metres high. This precludes the creation of an animated pedestrian corridor along the river connecting Partick with Glasgow Harbour as indicated in the City Plan (2003), the Glasgow Harbour Master Plan and the local development plans for Partick and Govan and the plans for both Partick and Byres Road Town Centres. Representations on issues of public safety here have already been made by STOP and members of the public.

2.3 With reference to application numbers 07/01810/DC and 07/02100/DC by the Appellant, the subject of this PLI, they fail in design terms. In design, and urban design terms, the success of any development involves more than simply tackling the constituent parts of a design process. While imagination and a comprehensive approach are generally required, the schemes contained in the two applications offer little more than an assembly of components rather than being locally distinctive.

2.4 The external spaces lack interest and are devoid of quality because of the extensive site coverage by buildings and car parking. A large and prime Brownfield urban site such the disputed one on Beith Street requires a redevelopment scheme of some distinction, quality and a suitable scale and both applications by the Appellant failed to deliver this outcome. In other words, the design in both is inappropriate, especially given the problems surrounding the quality and disposition of the public open spaces included in the schemes.

2.5 The design, particularly in application 07/02100/DC will give rise to a very cramped, oppressive and dark environment at the edges of the scheme because of the height and the massing of the buildings. The poor design and quality in this instance justify refusing planning permission. The elevations are lengthy and lacking in significant articulation. The building would stand out as a monolithic and incongruous intrusion and would be highly inappropriate to the quality of the area.

2.6 As indicated above, both applications' treatment of urban design standards is below acceptable standards in Glasgow. The Glasgow City Plan (Part 2, page 5, paragraph 1) indicates that the Council will seek to ensure that "development occurs in the right places and to high standards". Paragraph 2 on the same page indicates that Glasgow "aspires to apply high standards to all forms of development" and that schemes are expected to apply the urban design principles outlined in Policies DES 1, 2 and 3".

2.7 As a matter of policy, the Scottish Government's SPP8 on Retail and Town Centres states that designs which fail to integrate the development with its surroundings because of its scale, materials and appearance, and those which fail to create effective links with the surrounding urban fabric should be refused planning permission.

2.8 The mixed use proposal on offer, comprising a retail store and student accommodation, does not do the site justice. A wider variety of uses are essential at this key site that can better utilise the existing public transport services.

2.9 The proposals by the Appellant are contrary to City Plan Dev 4 Town Centres; the City Plan (Part 2, page 11) and City Plan 2 DEV4 (page 2). The proposals will not, as indicated above, improve the quality of the environment in town centres (Partick/Byres Road) and will do nothing to enhance the vitality and viability of their retailing function and protect the amenity of their residents.

2.10 In addition to the above, STOP is of the opinion that there are several policy objections against the two proposals some of which include:

- The proposals by the Appellant are contrary to City Plan Dev 11 Greenspace; the City Plan (Part 2, page 12); The Kelvin corridor is a designated greenspace and this scheme does nothing to enhance its amenity by virtue of limiting access to the river and building an intrusive building on its banks.
- The proposals by the Appellant are contrary to policy *ENV 12: Landscape Standards in New Development* in that they do not provide a good quality of boundary treatment and security on the banks of the Kelvin.
- The proposals by the Appellant are contrary to policy DES 7 Lighting; City Plan, Part 2 (page 206) states that "the lighting design should ensure that there is no light spillage or glare which would cause a hazard to road traffic or a nuisance to neighbours".

3. Retail Capacity

3.1 The likely impact of such a large food store on the smaller convenience stores in the neighbourhood centre at Byres Road and Dumbarton Road would be severe and damaging to the diversity on both roads. Alternative sites should have been sought by the Appellant.

3.2 For this, the comparison goods floor space should have been disaggregated. This is crucial given that the Retail Impact Assessment submitted with the proposal carries out a retail capacity analysis calculating the proposed store's impact concluding that there is an existing under capacity in both comparison and convenience retail.

3.3 Given existing consents and current provision in Partick and the adjacent neighbourhoods, there could be a surplus capacity over reliable expenditure in both food and non-food retailing within the applications' catchment area. This case is strengthened given the Retail Impact Assessment's assumptions that the population of the catchment area will fall in 2011.

3.4 For application 07/01810/DC, STOP is of the opinion that the Appellant had failed to consider the potential for disaggregating the store onto two smaller sites on Byres Road and Dumbarton Road.

3.5 Furthermore, this application by the Appellant for a 6,503 sqm retail development does not satisfy several criteria within the Glasgow and Clyde Valley Structure Plan, particularly the criteria of Strategic Policy 9A. The application should therefore be regarded as a significant departure from the development plan. There is no strategic requirement identified for additional convenience floorspace within the Tesco catchment area, and (most important of all) the Glasgow North West Convenience Catchment Area Summary at 2011 includes consent for a retail store at Castlebank Street with 6,000 sqm gross floorspace only; there is no strategic requirement for further floor space identified. Moreover, the need for the proposal for the additional floorspace does not seem to be demonstrated with regards to parts (i) or (ii) of Strategic Policy 10A of the Structure Plan.

3.6 Relevant to this capacity is an application in nearby Glasgow Harbour at the western side of the River Kelvin opposite the proposed new Transport Museum (mixed retail – mostly comparison goods).

4. Traffic

4.1 STOP objects on the grounds that the traffic, noise and air quality impacts of the development will be substantial and the mitigation suggested will not adequately address this increase in congestion and traffic levels.

4.2 STOP has serious concerns over the Transport Assessment being based on a final year of opening of 2008. Given the scale of the development and the fact that the Appellant may have to sign sectional agreements, apply for significant Traffic Road Orders that will be open to public scrutiny and may have to implement the Traffic Road Orders before construction can begin on the development, it is highly questionable whether a 2008 year of opening is realistic. Moreover, given sensitivity of junctions in the area to traffic growth, it is considered best practice for the assessment of the impact of the development to be made for a period of five years or more after a realistic year of completion. In terms of any likely opening date, it is also worth noting that, if given full planning consent, the applicant would have a number of years after this date to commence construction

4.3 The Appellant has considered that there will be negligible traffic generated by the student development as there is no dedicated parking provided. However, there appears to be no management system suggested to deter students from parking in the residential parking areas or in the store parking areas. It is considered that some traffic generation from the student development should be made on the basis that parking will in fact be available to them within or close to the site.

4.4 Further material considerations against both applications by the Appellant stem from local development plans, Key Planning Objectives for Partick/Govan and the Agenda for Change for Area 2 (Partick/Govan) in City Plan 1.

4.5 Large format retail stores by their nature generate excessive noise and heavy traffic, and their nature, scale and design harm local amenity. The Town Centres in Byres Road and Dumbarton Road would suffer dramatically in terms of increased pollution (from delivery vehicles), lower air quality, increased traffic and slower traffic flows.

4.6 Add to this of course the impact of construction traffic to the local highway network, which, given the scale of the proposals, will be very considerable indeed.

4.7 STOP disagrees with the main conclusions of the Transport Assessments accompanying the applications as these will put pedestrian safety at risk and increase traffic congestion. STOP would particularly highlight the following on page 7 of the Transport Assessment (dated November 2006 and date stamped at GCC 6 June 2007):

"The Development can be incorporated within the existing road network with an impact on the Byres Road corridor. Improvements to mitigate this impact have been examined and involve the introduction of pedestrian islands and signal staging alterations at the junction of Byres Road/University Avenue, addition of pedestrian islands at Church Street/Byres Road junction and additional signals and altered priorities at Partick Cross."

4.8 The proposal to remove the all green pedestrian stage at the University Avenue/Byres Road junction by the Appellant raises many safety issues. It is STOP's understanding that the removal of the all green stage will result in pedestrians having to cross in two stages to get from one side of the road to the other or up to four stages if they wish to cross diagonally. It is expected that such a proposal would include pedestrian refuges with guard railings to be installed. It is not clear if any feasibility study has been carried out as to whether refuges large enough to cater for the very high numbers of pedestrians at this point can be accommodated in what is already a slightly restricted width of carriageway.

4.9 The applications by the Appellant will divert many pedestrians from their desire lines and cause additional delay to pedestrians at the expense of reducing delay to motorists. Any additional delay or diversion to pedestrians may result in pedestrians failing to use the facilities and crossing in gaps in the traffic instead. This may have serious safety implications, which do not appear to have been considered in the Transport Assessment.

4.10 This junction is also used by a high volume of pedestrian school children and, as such, the removal of pedestrian phases requires assurance that it complies with "Safer Routes to Schools Guidance" and that appropriate facilities are provided for in the absence of the existing controlled crossing facility. While it is accepted that any Traffic Regulation Order for such junction alterations will be subject to due diligence and public scrutiny, if it is clear that such a TRO is likely to be unfeasible as we believe this TRO would be, any application based on the implementation of such a TRO should be rejected.

4.11 There remains many further issues relating to the technical decisions and engineering judgement involved in transport assessment that have been raised by STOP with Glasgow City Council and have yet remained unanswered.

5. Other relevant matters

5.1 Finally, this site used to be Partick Central Railway Station (the last remnant of which was unnecessarily demolished by the Appellant in January 2007 at a time when the local community had secured support from Historic Scotland for its listing in correspondence dated October 2006). As a matter of policy, this makes the scheme contrary to the Glasgow City Plan's policies on Former Railway Formations where there is a presumption in favour of their retention with the potential for transport use, including former track bed, embankments, retaining walls, tunnels and bridges.