4.1 – SE/13/00134/FUL Date expired 26 April 2013

PROPOSAL: Demolition of existing buildings and erection of food store, along with car parking, recycling centre, servicing arrangements, junction improvements, access and landscaping. Erection of petrol filling station.

LOCATION: Land At Station Road & Fircroft Way, Edenbridge, TN8 6HQ

WARD(S): Edenbridge North & East

ITEM FOR DECISION

This item is being called back to Development Control Committee as an update report following the Secretary of State not calling the application in, and the S106 Agreement not originally being completed within the timescale set by Committee. New information since the previous meeting is considered.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:-

1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) No development shall be carried out on the land until details and samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Council. The development shall be carried out using the approved materials.

To maintain the integrity and character of the building as supported by Policy EN1 of the Sevenoaks District Local Plan.

3) No development shall commence until details of all external lighting, including floodlighting (whether temporary or permanent in nature), have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and so maintained thereafter.

In the interests of the visual amenities of the area, and to minimise impact on bats in accordance with Policies EN1 and EN31 of the Sevenoaks Local Plan, SP11 of the Core Strategy and the NPPF.

4) Prior to its installation, full details of the type and position of proposed plant (including air conditioning, refrigeration, fume and extract and similar plant) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include product details and noise specifications where appropriate and scaled drawings to the show appearance and position of the plant on the site. The plant shall be installed only in accordance with the approved details and maintained thereafter. The maximum noise levels detailed in the acoustic specification shall not be exceeded for the duration

of the use.

In the interests of visual and residential amenity in accordance with Policy EN1 of the Sevenoaks Local Plan.

5) Once installation is complete and prior to the store becoming operational, a noise validation assessment of the plant and equipment shall be carried out. If sufficient attenuation of the noise has not been achieved in accordance with the noise specifications detailed in the acoustic report approved under condition 4, mitigation measures shall be submitted for approval. These measures shall be implemented and maintained thereafter.

In the interests of residential amenity in accordance with Policy EN1 of the Sevenoaks District Local Plan.

6) Within 6 months of the store becoming operational, the applicant shall carry out a further acoustic assessment of the store.. If observed noise levels are greater than 3 dB(A) above the predicted levels, then additional mitigation works to bring it below this level shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented within 3 months of their approval and retained thereafter.

In the interests of residential amenity in accordance with Policy EN1 of the Sevenoaks District Local Plan.

7) No groundworks, other than the demolition of the existing buildings, shall be commenced until:
a) a site investigation has been undertaken to determine the full nature and extent of any land contamination, and
b) the results of the investigation, together with an assessment by a competent person and details of a scheme to contain, treat or remove any contamination, as appropriate, has been submitted to and approved in writing by the Local Planning Authority. The assessment and scheme shall have regard to the need to ensure that contaminants do not escape from the site to cause air and water pollution or pollution of adjoining land. The scheme shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking of the development hereby permitted, including a requirement to notify the Local Planning Authority of the presence of any such previously unidentified contamination. Prior to the first use of the development hereby permitted:
c) the approved remediation scheme shall be fully implemented, and d) a certificate shall be provided to the Local Planning Authority by a responsible person stating that remediation has been completed and the site is suitable for the permitted use. Thereafter, no works shall take place within the site such as to prejudice the effective of the approved scheme of remediation.

In the interests of amenity and public safety in accordance with the NPPF.

8) The premises shall not be open to visiting members of the public outside the hours of 07:00 to 22:00 Monday to Saturday and 10:00 to 17:00 Sundays and Bank Holidays.

To safeguard the amenities of the occupiers of properties nearby to the site as supported by Policy EN1 of the Sevenoaks District Local Plan.

9) No more than 30% of the net sales floor area shall be used for display and sale of comparison goods.

To define the scope of this permission, to ensure adequate parking and to prevent an adverse impact upon Edenbridge Town Centre in accordance with policy LO6 of the Core Strategy, policy EN1 of the Sevenoaks District Local Plan and in accordance with guidance contained within the NPPF.

10) Irrespective of the provisions the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no improvement, enlargement or other alteration to the building and the site the subject of this application, including further horizontal subdivision to provide a mezzanine floor, shall be undertaken.

To define the scope of this permission, to ensure adequate parking and to prevent an adverse impact upon Edenbridge Town Centre in accordance with policy LO6 of the Core Strategy, policy EN1 of the Sevenoaks Local Plan and in accordance with guidance contained within the NPPF.

11) The retail unit shall be occupied as a single retail unit only and shall not be subdivided into separate units.

To define the scope of this permission, to ensure adequate parking and to prevent an adverse impact upon Edenbridge Town Centre in accordance with policy LO6 of the Core Strategy, policy EN1 of the Sevenoaks District Local Plan and in accordance with guidance contained within the NPPF.

12) No development shall be carried out on the land until full details of soft and hard landscaping works and boundary treatments have been submitted to and approved in writing by the Local Planning Authority. Those details shall include:- details of proposed hard surfaces, including details of the materials to be used on the finished parking, access and pathway surfaces.- height, material and finish of all boundary treatments.- planting plans (identifying existing planting, plants and trees to be retained and new planting). The proposed planting plans shall show native planting.-a schedule of new plants and trees (noting species, size of stock at time of planting and proposed number/densities) and-a programme of implementation. Soft and hard landscaping and boundary treatments shall be carried out before the first use of the unit hereby approved or otherwise in accordance with the agreed programme of implementation. Boundary treatments shall be maintained thereafter. If within a period of five years from the completion of the development, any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or diseased then they shall be replaced in the next planting season with others of similar size and species.

To safeguard the visual appearance of the area in accordance with policy EN1 of the Local Plan.

13) The development shall achieve BREEAM 'Very Good' standard including at least a 10% reduction in total carbon emissions through the on-site installation and implementation of decentralised, renewable or low-carbon energy sources. Evidence shall be provided to the Local Authority
i) Prior to the commencement of development, a design stage assessment to demonstrate how it is intended the development will achieve BREEAM Very Good standard (including a 10% reduction in total carbon emissions) or alternative as agreed

in writing by the Local Planning Authority and ii) Prior to the occupation of the development, that the development has achieved BREEAM Very Good' standard (including a 10% reduction in total carbon emissions) or alternative as agreed in writing by the Local Planning Authority

In the interests of sustainable development in accordance with SP2 the Core Strategy and the NPPF.

14) Notwithstanding the details submitted with the planning application, development shall not begin until a sustainable water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run off generated up to and including the 100yr critical storm will not exceed the run off from the undeveloped site following the corresponding rainfall event, and so not increase the risk of flooding both on, or off site. The submission shall address the following issues: An estimate of inflow entering the site from the railway culvert should be made, in order to assess the size of the proposed pipe needed to connect it to the surface water network on Fircroft Way. A detailed network analysis to confirm proposed discharge will be no greater than the existing rate and that a sufficient volume of storage will be provided. A 20% increased rainfall intensity should be used in the design to accommodate climate change. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

To prevent an increased risk of flooding both on and off site.

15) Prior to commencement of the use, details of bat and bird boxes located throughout the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to use of the store and approved thereafter.

In the interests of ecological protection in accordance with policy SP11 of the Core Strategy and the NPPF

16) Prior to the works commencing on site, details of provision for construction vehicle loading, unloading, parking and turning shall be submitted to and approved by the Local Planning Authority and thereafter shall be provided and retained throughout the construction of the development.

To ensure that construction vehicles can be parked, unloaded and manoeuvred off the highway, in the interests of highway safety.

17) Prior to the works commencing on site, details of parking for site personnel, operatives and visitors shall be submitted and approved by the Local Planning Authority and thereafter shall be provided and retained throughout the construction of the development.

To ensure provision of adequate off street parking for vehicles, in the interests of highway safety and to protect the amenity of local residents.

18) Adequate precautions shall be taken during the progress of the works to guard against the deposit of mud, stones and similar substances on the public highway in accordance with proposals to be submitted to and agreed in writing by the Local Planning Authority. Such proposals shall include washing facilities by which vehicles will have their wheels chassis and bodywork effectively cleaned and washed free of mud and similar

substances.

In the interests of highways safety and amenity.

19) No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing CHQ.11.9683-PL05B. The spaces approved shall be retained for parking in association with the development.

To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety in accordance with policy EN1 of the Sevenoaks District Local Plan.

20) No part of the development shall be occupied until secure cycle parking facilities for both staff and customers have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.

To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport in accordance with SP2 of the Core Strategy.

21) Prior to the commencement of the development, a scheme for the management of deliveries shall be submitted to and approved in writing by the Local Planning Authority. The recommendations of the approved scheme shall be fully carried out and put into place prior to the first use of the building and thereafter maintained in operation.

To ensure the impact of deliveries is minimised in accordance with policy EN1 of the Sevenoaks District Local Plan.

22) The development hereby permitted shall be carried out in accordance with the following approved plans: CHQ.11.9683-PL02, CHQ.11.9683-PL03, CHQ.11.9683-PL04, CHQ.11.9683-PL05B, CHQ.11.9683-PL06, CHQ.11.9683-PL07, CHQ.11.9683-PL08, 3150/20C, 3150/21, 925-01, 925-02, 925-04, 925-05.

For the avoidance of doubt and in the interests of proper planning.

23) Prior to commencement of the use, details of an electric vehicle charging point in the public car park shall be submitted to and approved by the Local Planning Authority. The electric vehicle charging point shall be installed prior to commence of the use, and maintained thereafter.

In the interests of sustainability.

In determining this application, the Local Planning Authority has had regard to the following Development Plan Policies:

Sevenoaks District Local Plan - Policies EN1, VP1, EP8 , EB1

Sevenoaks District Core Strategy 2011 - Policies LO1, LO6, SP1, SP2, SP8, SP9, SP11 NPPF

The following is a summary of the main reasons for the decision:

The scale, location and design of the development would respect the context of the site and enhance the visual amenities of the locality.

The traffic movements generated by the development can be accommodated without detriment to highway safety.

The development would not have a detrimental effect on residential amenity

The proposal would provide an adequate level of parking provision

Although there would be a loss of employment land ,there would be an increase in the number of jobs

There would be planning benefits to Edenbridge in the increased retail choice provided by the development.

Informatives

1) Underwater fuel storage should be undertaken in accordance with the Environment Agency's Ground Water Protection: Policy and Practice (GP3) and with the Association for Petroleum and Explosives Administration document: Guidance for Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations. The Environmental permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to ground or surface waters.

2) The applicant will be required to enter into a Section 278 agreement with the Highway Authority in order to undertake any works on the public highway.

3) Please be aware that this development is also the subject of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and

- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

1) Was provided with pre-application advice.

2) Was provided the opportunity to submit amendments which led to improvements to the acceptability of the proposal.

Update Report

1 Members will recall that Development Control committee resolved to grant permission for application SE/13/00134/FUL on 8th August 2013. A copy of the Officers report which was presented to the committee is attached as Appendix 1 (and the late observation report submitted as Appendix 2).

2 The committee resolution was:

'That, provided the application was not recovered by the Secretary of State, planning permission be GRANTED subject to the completion of an acceptable unilateral undertaking within three months of the meeting and as per conditions to be agreed in consultation with the local Members'

3 Because of the size of the proposed floorspace, the application was referred to the Department of Communities and Local Government (DCLG) to decide whether the Secretary of State wished to all it in.

4 The DCLG confirmed by letter dated 19th December 2013 that the Secretary of State did not wish to call in the application. Because the legal agreement attached to 13/00134/FUL has not been completed within the three month deadline resolved by committee, the application has been reverted back to committee in the form of this update report.

5 A signed legal agreement has now been received and therefore this report seeks confirmation from Members that they wish to update their previous resolution and grant permission for the development.

6 The conditions have been agreed with Local Members and they are set out above.

Other matters

7 Since this application was heard at committee on 8.8.13, the Co-op have announced that their site in Edenbridge town centre is to be sold to Waitrose and the retail operator on the site will therefore change.

8 The Council has sought advice from its retail advisor GVA on this matter to determine if this change in operator would have any impact on the retail assessment of the application. GVA have advised:

'The decision by Waitrose to take occupancy of the Co-Op is relevant only in so far as it may influence what may be judged a "significant adverse" impact for the purpose of the NPPF retail test. As you know, our previous concern was that the Co-Op could close as a result of the combined impact of the two stores and this would have a knock on effect on the town centre due to the loss of linked

trips. The fact that Waitrose has chosen to invest in the town centre, presumably in full knowledge of the Council's resolution to approve the Sainsbury's application and the outstanding Tesco application, provides some comfort that this important town centre store will not close. However, whilst Waitrose's commitment to investing in the town centre is important, given the finite availability of expenditure in the area, the store will still be vulnerable to trade diversion and should be afforded some protection.

Although quantitative need is not a retail test, there is only so much expenditure which can sustainably support additional foodstore provision in the area. We previously advised that the development of the two out of centre foodstores proposed would increase the overall impact on Edenbridge to beyond an acceptable level, and we consider that this conclusion remains unchanged.

The expected average turnover of the Waitrose store will be higher than the existing Co-Op and therefore 'absorb' more local expenditure. However, it is also likely that it will "claw back" existing Waitrose customers who visit stores elsewhere in the area (such as East Grinstead) which neither the proposed Sainsbury's nor Tesco could realistically achieve. We therefore consider that these combined effects will largely balance each other out and the conclusions of our previous advice with respect to cumulative impact will remain unchanged. We therefore do not consider that it is necessary to undertake a new Retail Impact Assessment.

We previously advised that the Sainsbury's proposal would result in a high level of impact on both existing stores in the town centre and a reduction in linked-trips, and concluded that the proposal was on the margins of acceptability. Following the announcement of Waitrose's commitment to the town centre, this will to some extent help offset the impact of the Sainsbury's on the town centre and alleviate some of the concerns previously identified in relation to the potential loss of linked trips. With regards to Tesco, we advised that the Tesco store, in isolation, would have less impact on Edenbridge town centre than the Sainsbury's, due to its smaller scale and turnover. This remains the case.'

9 This advice does not suggest that the change of occupier in the town centre amounts to a material change of circumstance that would justify Members making a different decision to that made in August.

<u>Further Consultation responses</u>

10 One additional letter of objection has been received which objects to the store on the basis that no further stores are needed in Edenbridge and that the proposal would result in traffic and pollution. These matters were addressed in the earlier report.

11 The Council has now also received a formal objection by Waitrose Ltd. The Councils retail advisor has been asked to further review the impact of the change in operator and this will be addressed later in the report. The Waitrose agent's objections are as follows:

The advice provided by GVA in response to the change in operator does not represent a proper assessment of the implications of the change in operator. It is based on flawed and unsubstantiated assumptions which, in their view cannot be relied upon to assess the implications properly.

Waitrose was not aware of the Council's resolution to approve the Sainsbury's application. At the time Waitrose agreed to buy the Co-op, they had expected the Sainsbury's application would be refused and that they were going to get a Tesco store of half the size.

A change in occupier is a material planning consideration, as assumptions about trade diversion are based on the market position of the retailer, as confirmed by the Practice Guidance at paragraph 7.28, which identifies the market sector/role "as a key factor" affecting the judgement of trade draw and diversion. We understand that GVA previously estimated that the Sainsbury's proposal would have an estimated impact of 26.5% on the town centre as a whole, with impact of up to 50% on the Co-op, as a result they advised that the Sainsbury's proposal was on "the margins of acceptability". It is essential in our view, that Members fully consider the implications of a Waitrose store opening, especially given the previous advice on impact by GVA

The impact of the Sainsbury's proposals were also subject to risks, including the greater than anticipated uptake of internet spending and/or slower than anticipated growth in expenditure, which could lead to greater impacts on the turnover of the town centre anchor stores. Also identified was the risk that the Co-op store was not overtrading to the extent forecast and if it was not, the extent which it could sustain a reduction in turnover.

The Council should consider fully the implications of the change in operator as required by the NPPF test; especially since this was such a finely balanced advice and instruct their consultants to undertake a new Retail Impact Assessment.

The assertions by GVA in their response (above) is not based any analysis of existing shopping patterns or assessment of market share compared with other operators in the catchment area. They believe that GVA has exaggerated the likely ability of the Edenbridge store to claw back trade from East Grinstead store and that it is unrealistic to assume that the new Edenbridge store will claw back trade from this zone, given the good road connections and attractiveness of the existing store.

The estimated impact of 50% on the Co-op store was previously only acceptable, on the basis that the Co-op was trading at some 52% above Company average. For Waitrose to sustain the same level of impact as the Co-op, it would also have to trade above Company average ie at £19.3m to be acceptable. However it is likely, given the difference in customer base between Waitrose and the Co-op that Sainsbury's would compete more directly for trade with Waitrose than the Co-op. As a result, the level of trade diversion could be greater than previously predicted.

It is not understood how there will be enough expenditure to support the change in operator and achieve the uplift the turnover required to support a new Waitrose store and a Sainsbury's store of the scale proposed.

What has been established is that the Sainsbury's proposal is currently "on the margins of acceptability". It is essential that the assumptions are fully tested via a new Retail Impact Assessment, to demonstrate how this uplift in turnover will be achieved as the store should be afforded protection as it is the anchor store in the town centre in line with both NPPF retail policies.

Waitrose have advised that they are looking forward to opening a store in Edenbridge and strengthening the town centre. However if Sainsbury's opens and their concerns about impact are realised, then they have stated that they may have to review any future decisions to invest in the store further and that this would be contrary to NPPF retail policy 27 which seeks to protect committed private investment to strengthen and support the vitality and viability of existing town centres.

The objection concludes that Sainsbury's is already at the limits of acceptability in impact terms and these can only be magnified by the change in operator, and any benefits accrued by Waitrose investing in Edenbridge would be lost.

As the advice contained in NPPF para 70 indicates, any decision should ensure that established shops, facilities and services are able to develop and modernise in a way which is sustainable and retained for the benefit of the community. It is essential that the change in operator should be tested, because if the impact is greater than previously identified, then there is a strong case for the Council to reconsider their decision.

Review of the Change in Operator

12 The Waitrose objection has been reported back to GVA for review and their response will be set out in the late observations report

Conclusion

13 This report considers the implications of new information regarding the change of occupier in the town centre. It does not suggest that the change justifies Members taking a different decision on this application to that made last August. It seeks confirmation from Members that they wish to update their previous resolution and grant permission for the development.

Background Papers

Site and Block plans

Contact Officer(s):

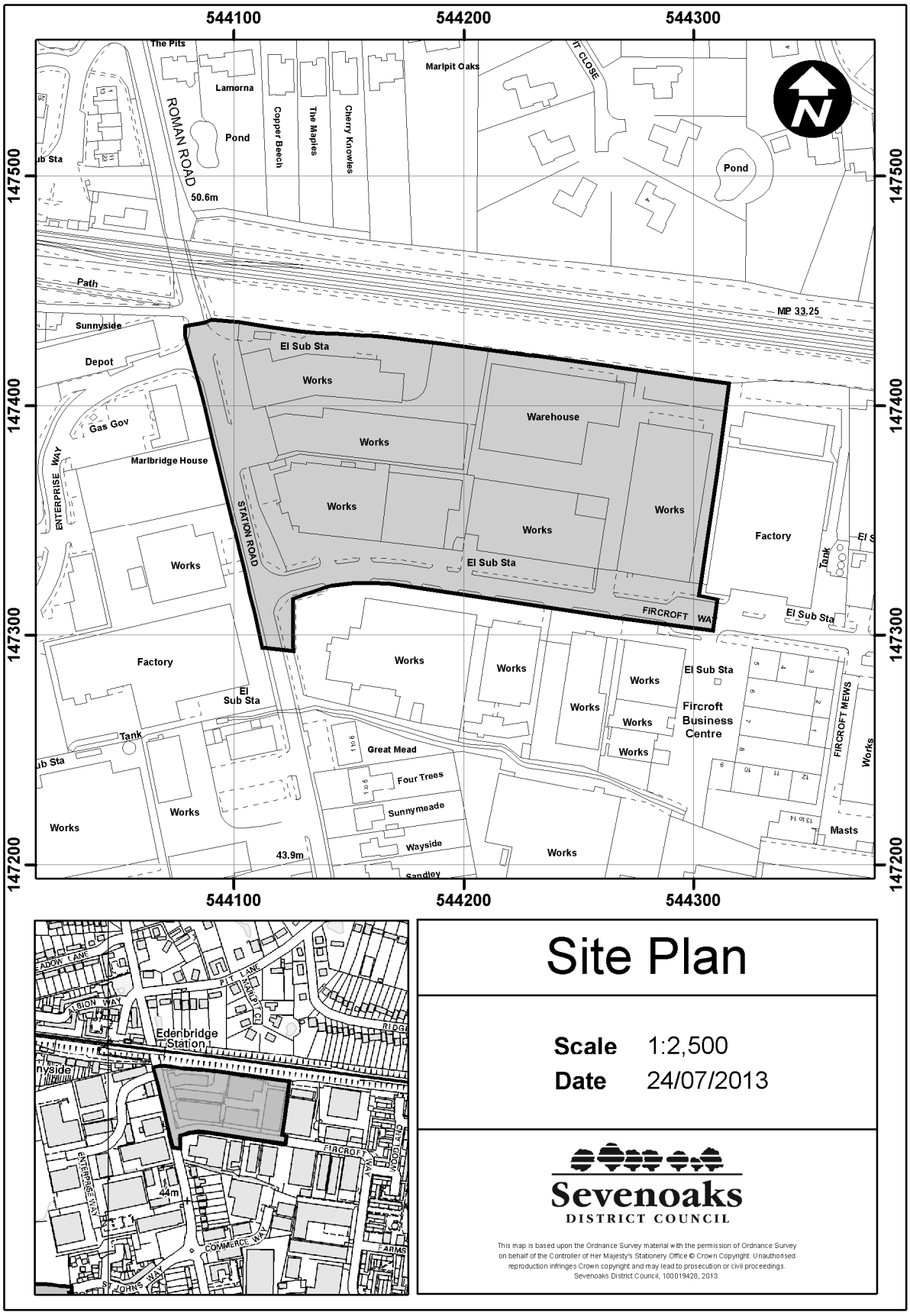
Richard Morris
Chief Planner

Link to application details:

http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MGTACABK8V000

Link to associated documents

http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MGTACABK8V000



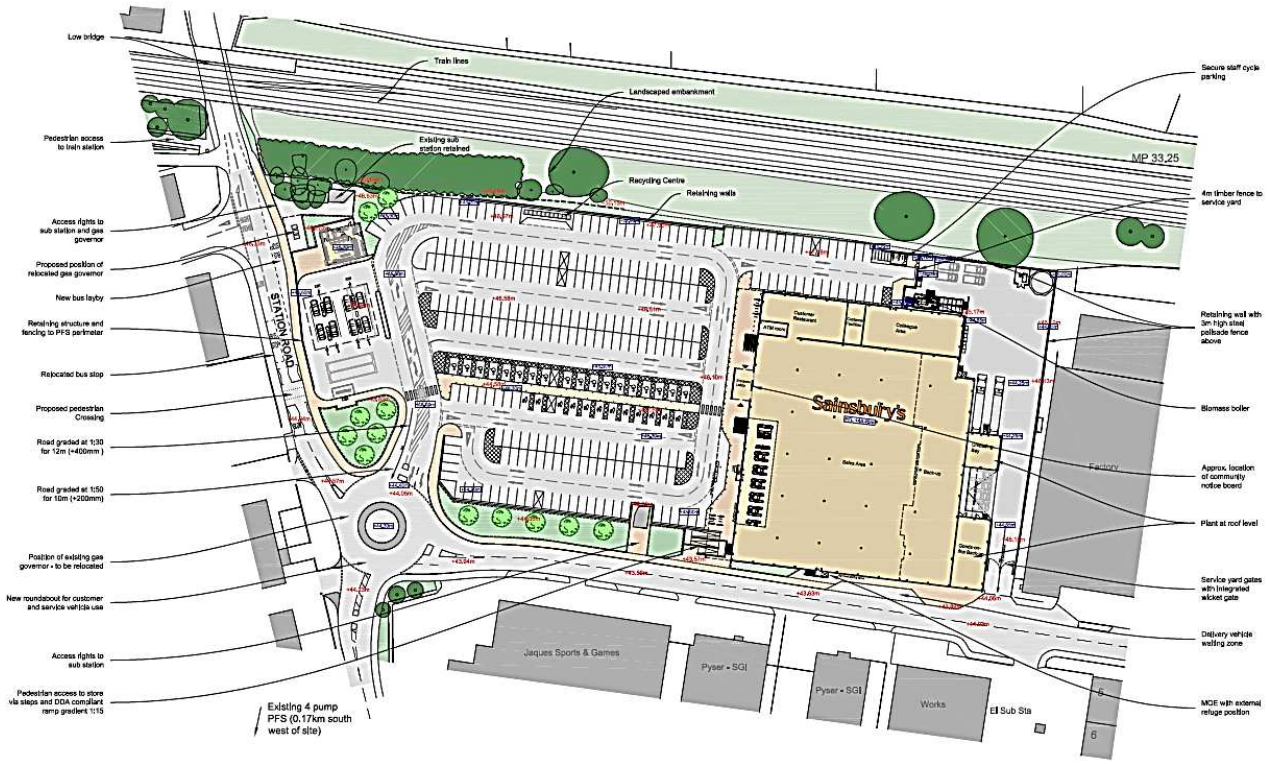
Site Plan

Scale 1:2,500

Date 24/07/2013

Sevenoaks
DISTRICT COUNCIL

Block Plan


Low bridge
Train lines
Landscaped embankment
Secure staff cycle parking
Pedestrian access to train station
Existing sub station retained
MP 33.25
Recycling Centre
Retaining walls
4m timber fence to service yard
Access rights to sub station and gas governor
Proposed position of relocated gas governor
New bus layby
STATION ROAD
Retaining structure and fencing to PFS perimeter
Retaining wall with 3m high steel palisade fence above
Relocated bus stop
Biomass boiler
Proposed pedestrian Crossing
Sainsbury's
Road graded at 1:30 for 12m (+400mm)
Factory
Approx. location of community notice board
Road graded at 1:50 for 10m (+200mm)
Plant at roof level
Position of existing gas governor - to be relocated
Service yard gates with integrated wicket gate
New roundabout for customer and service vehicle use
Jaques Sports & Games
Pyser - SGI
Pyser - SGI
Works
Delivery vehicle waiting zone
Access rights to sub station
El Sub Sta
Pedestrian access to store via steps and DDA comaliant ramp gradient 1:15
MOE with external refuge position
Existing 4 pump PFS (0.17km south west of site)

4.1 – SE/13/00134/FUL	Date expired 26 April 2013
PROPOSAL:	Demolition of existing buildings and erection of food store, along with car parking, recycling centre, servicing arrangements, junction improvements, access and landscaping. Erection of petrol filling station.
LOCATION:	Land At Station Road & Fircroft Way, Edenbridge, TN8 6HQ
WARD(S):	Edenbridge North & East

ITEM FOR DECISION

This application has been referred to Development Control Committee as an officer call in due to its significant and controversial nature.

RECOMMENDATION: That planning permission be REFUSED for the following reasons:-

The capacity for out of centre retail provision would be met through the planning permission granted at land north west of the junction with St Johns Way, Station Road under SE/13/00935/FUL. In the absence of capacity for any further out of town retail provision without detriment to the vitality and viability of the town centre, the proposal is considered to have a detrimental impact on Edenbridge town centre contrary to policies LO6 of the Core Strategy, EB1 of the Local Plan, and the NPPF

The proposal would result in the loss of an unacceptable level of employment land contrary to policies EP8 and EB1 of the Local Plan, SP8 and LO6 of the Core Strategy, and the National Planning Policy Framework.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,

(Item No 4.1) 1

- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

1) Was provided with pre-application advice.

2) The applicant was provided the opportunity to submit amendments to the scheme/address issues.

Contents

Description of Proposal

1 Demolition of existing buildings and erection of food store, along with car parking, recycling centre, servicing arrangements, junction improvements, access and landscaping. Erection of petrol filling station.

2 The application proposes a new retail foodstore within the built up area of Edenbridge, approximately 900 metres from the town centre. The store will provide 5,016 sq m Gross Internal Area (GIA), which will comprise a net sales area of 3,096 sq m. This is to be split between 70% for the sale of convenience goods (which are widely distributed and relatively inexpensive goods which are purchased frequently and with minimum of effort, such as most grocery items),

and 30% of the floorspace for the sale of comparison goods (which are more expensive items that are brought less frequently such as electrical goods and clothing).

3 The store is shown as positioned towards the rear of the site although the store frontage will face Station Road. The store entrance is proposed to be located centrally, facing the customer car park.

4 A new four arm access roundabout is proposed at the existing T-Junction at Station Road and Fircroft Way. Access to the car park and petrol filling station will be via a dedicated arm of the roundabout. The store will be served by 295 car parking spaces, including 18 disabled bays and 12 parent and child bays, 21 cycle parking spaces and 6 motorcycle bays will also be provided.

5 The store will be serviced via a self contained service yard at the rear of the store, accessed off Fircroft Way. The layout of the service yard will enable delivery vehicles to enter and exit in forward gear. This is expanded upon in the accompanying Transport Statement. The proposal also includes the provision of four terminals for the use of Goods Online (GOL) vehicles.

6 The proposal also includes the provision of a petrol filling station (PFS) and supporting kiosk. The PFS will include four petrol pumps and will front the development along Station Road.

Legal Agreement

7 A draft unilateral undertaking has been submitted with the application and is currently under negotiation. To date it makes a number of provisions, some of which are material to consideration of the planning application as they address planning concerns, and some which are 'extras' which will have no bearing on consideration of this planning application:

Material items:

- No part of the area within the Store to be used for the sale of comparison goods shall be used for the sale of prescription optical or pharmaceutical items, fridges, freezers, washing machines, dishwashers and ovens.
- No part of the Store shall be used for concession space such as dry cleaners, key cutting service, shoe repairs, photographic services, opticians or post office counter services.
- To procure for a period of 3 years from opening, a bus service operating on three days each week between the hours of 0930 and 1430 between the Store and Edenbridge town centre to operate free of charge for customers of the Store
- Prior to opening, to procure satisfactory completion of the Off-Site Highway Improvements

Extra items:

- Prior to Opening for Trade to submit a Training and Recruitment Plan to the Council for approval and thereafter to implement the terms of the approved Training and Recruitment Plan to the Council's reasonable satisfaction.

- To use reasonable endeavours during the construction phase of the Development to employ labour and subcontractors based within the Council's administrative area and to allow such companies to tender for the work if they so wish
- To use reasonable endeavours to ensure that recruitment for employment within the Store is targeted at those living within a 10 mile radius of the store and to give reasonable prior notice of vacancies to Edenbridge Town Council and Sevenoaks Edenbridge CXK Group and other appropriate bodies who are able to support such applicants
- Within 21 days from opening, an Information Display Area shall be provided within the foyer of the Store and thereafter maintained unless otherwise approved in writing with the Council.
- Within 21 days from opening, a Motorsport Heritage Wall shall be installed within the Store in a location to be approved by the Council and thereafter maintained unless otherwise approved in writing by the Council

Description of Site

8 The application site is located at the junction of Station Road and Fircroft Way. The 2.4 hectare site comprises a mix of land uses, which predominantly fall within business Use Classes. Retail use has been established on part of the site with the presence of the Bradford Electrical which fronts Station Road and consists of 567sqm.

9 There are six existing buildings on the site, which are of relatively poor architectural quality and contribute little to the local environment in terms of their appearance. Several of the premises are vacant. The buildings are surrounded by hard standing, and there is very little landscaping at present. The buildings consist of 23 units and are occupied as follows:

7 vacant units	- 4,284 sqm
3 B1 units	- 1.109 sqm
1 retail unit	- 567 sqm
3 vehicle repair units	- 2558 sqm
Remaining units are B8 and B2 uses	- 3.336 sqm

10 The site is allocated within the Sevenoaks Core Strategy under Policy SP8 'Economic Development and Land for Business'.

11 The site is bounded by Station Road to the West, Fircroft Way to the south, a railway line to the north and further "B" Class properties to the east. Edenbridge Railway Station lies opposite the site.

12 The predominant surrounding units are business uses. These include a mix of offices, trade counter units, warehouses and storage premises – all of which are around one to two storeys in height.

13 Beyond the railway line to the north, and the adjacent business premises to the east and south, lie residential properties. The Town Centre lies approximately 900 metres to the south of the site down Station Road.

Constraints

14 Flood zone 1 area

15 Designated employment land

Policies

Sevenoaks Core Strategy

16 Policies - LO1, LO6, SP1, SP2, SP8, SP9, SP11

Sevenoaks District Local Plan

17 Policies - EN1, VP1, EP8, EB1

Other

18 NPPF

Relevant Planning History

19 There are no planning applications of relevance to this application on the site.

Consultations

Edenbridge Town Council

20 Edenbridge Town Council has made the following comment:

'Members unanimously supported the proposal which confirms Edenbridge's role as a local service centre and meets the aspirations of the residents and business community. They believe it will prolong the life and benefit the High Street by retaining and attracting a higher number of shoppers in the local community.

Concerns were raised over transport and access issues which will need to be looked at in relation to the accumulative impact, including the proposed, but not yet implemented, changes for the Eden Centre and the through routes via Mont St Aignan Way. It was suggested that Highways should be consulted to assess the benefit of moving the Zebra Crossing further north up Four Elms Road towards the Railway Bridge. Local members wish to be consulted on these issues and the landscaping of the proposed roundabout.

Members wish to draw attention to items 2.3 in both the Transport Assessment and the Transport Plan which propose sending HGV's through the small village of Hartfield instead of using the A264 from Colestock Crossing.

It was also suggested that consideration should be given to limiting the time that car park users could stay to avoid spaces being occupied by commuters.'

Environment Agency

21 The Environment Agency has made the following comment:

'Further to receipt of drawings 498-200 P1 and 4998-201 P2 from Leigh Fotiadis, of Mayer Brown, we are pleased to offer the following comments.

Flood Risk

It is likely an acceptable surface water drainage strategy which restricts surface runoff from the development to no more than the existing rate can be implemented as part of the development. However further detailed information will be required in this respect which should be provided as part of a condition of planning.

We remain concerned with the proposed means of dealing with the runoff which discharges to the site from the railway culvert at the north-east corner of the site. DWG 4998-201 P2 suggests a 150mm diameter pipe will be installed to connect this outfall from the railway to the existing surface water drainage in Fircroft Way. This is unlikely to be large enough to accommodate peak flows, a situation which will be made worse by the proposal to add additional discharge to it. Nevertheless, we believe acceptable revisions can be made as part of a planning condition.

We are therefore pleased to remove our objection to the proposal subject to the following condition.

Condition 1:

Development shall not begin until a sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100yr critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event, and so not increase the risk of flooding both on- or off-site.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason 1: To prevent an increased risk of flooding both on and off-site.

For information, the following specific issues should also be addressed in order for the condition to be discharged:

- *An estimate of inflow entering the site from the railway culvert should be made, in order to assess the size of the proposed pipe needed to connect it to the surface water network on Fircroft Way;*
- *A detailed network analysis to confirm proposed discharge will be no greater than the existing rate and that a sufficient volume of storage will be provided;*
- *A 20% increased rainfall intensity should be used in the design to accommodate climate change.*

Groundwater Protection

Underground fuel storage should be undertaken in accordance with our Groundwater Protection: Policy and Practice (GP3). This is a report that highlights the importance of groundwater and encourages industry and other organisations to act responsibly and improve their practices. This can be found at: http://www.environment-agency.gov.uk/research/library/publications/40741.aspx, and with the

Association for Petroleum and Explosives Administration document: Guidance for Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations (Revised June 2011). The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to ground or surface waters.

Please ensure the infrastructure meets the industry best practice for petrol filling stations. There may be a requirement to carry out a site investigation at the site which focuses on the risk to human health.'

Kent Wildlife Trust

22 Kent Wildlife Trust has made the following comment:

'Thank you for the opportunity to comment on this application.

I have no objection, in principle, to the redevelopment proposals. However, I am concerned about the prospect of introducing significant and powerful illumination to a wide area of land close to a railway embankment.

The WYG study report makes the point clearly. "This (the vegetated railway corridor which runs outside but adjacent to the northern site boundary ... is a potential bat foraging and commuting route" (Executive Summary). On the basis of this conclusion the consultant recommends, amongst other matters, that light spillage onto this corridor should be avoided. I endorse this recommendation and urge the Council to require the submission, for approval/implementation, of lighting details for the car park and circulation areas of the site. The detailed proposals should demonstrate how this objective will be achieved.

On a second point, the development presents an excellent opportunity to use a 'green' or 'brown' roof bringing substantial biodiversity benefits to the heart of the town. Further details about green and brown roofs can be found at http://livingroofs.org/about-livingroofs.org-living-roofs/gro-background.html .

I urge the Council can secure both these measures by way of planning condition and/or planning agreement.'

Natural England

23 Natural England have offered the following comments:

'This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. It appears that Natural England has been consulted on this proposal to offer advice on the impact on a protected species...

...The protected species survey has identified that bats, a European protected species may be affected by this application...

*...Box (i) - Using Nature on the Map we determined that **No**, the application is not within/close to a SSSI or SAC notified for bats. This took us to Box (v).*

*Box (v) - We looked at the survey report and determined that **Yes**, it did highlight that there are suitable features for roosting within the application site (eg*

the UK guidance is adhered to in the lighting design (see end of this note for a summary of key requirements). This must be a condition of planning permission.

Enhancements

One of the principles of the National Planning Policy Framework is that "opportunities to incorporate biodiversity in and around developments should be encouraged".

The enhancements which have been detailed within the survey must be incorporated in to the site.

Kent Highway Services

26 Kent Highway Services has made the following comments:

On 22/2

27 *'Thank you for consulting with us about this application. I have the following initial comments:-*

1. All of the splitter islands on the approaches to the new roundabout need to have pedestrian provision - the latest drawings show provision only on the approach from Fircroft Way.

2. The forecasts of traffic generation and parking demand in the Transport Assessment appear to be too low. This is because the traffic forecasts are based on other stores which are not of similar size. The applicant has subsequently provided a supplementary "Sensitivity Assessment" which provides increased forecasts which it describes as a worst case. I would point out that still higher Saturday traffic forecasts can be made based on the most similar stores in the TRICS database (Weymouth, Welwyn and Ripon).

It is acknowledged that the road network is unlikely to reach capacity, however increasing the number of parking spaces to at least 300 and preferably 305 is strongly recommended. This could be achieved, for example, by using a more efficient arrangement of disabled parking spaces and trolley-parking. It should be noted that the supplementary "Sensitivity Assessment" appears to be incorrect in respect of predicted peak car park accumulation (Table 4.1). This estimates that the maximum accumulation of parking on a Saturday would leave just 29 spaces free (11 am-noon). However just 14 spaces are shown between 3pm and 4pm in the table on the penultimate page of the report. (And TRICS data for supermarkets at Weymouth, Welwyn and Ripon suggests there could be a deficit in parking provision on a Saturday afternoon.)

5. The access road to the store needs to have a footway on the east side, south of the crossing / covered footway marked on the application drawings.

Could you please ask the applicants if they would be willing to make the above improvements?'

On 13/3

28 *After extensive discussions with the applicants to address highway issues, I have the following comments:*

To facilitate access to the site the applicants are proposing (1) to rebuild the junction of Fircroft Way and Station Road to incorporate a roundabout and (2) provide a signalised pedestrian crossing over Station Road north of the roundabout.

I have requested several other highways improvements and the applicants have agreed to provide them. These include (1) widened footways on both sides of London Road, and (2) a layby for southbound buses.

There remains some uncertainty about the modelling of development traffic, as illustrated at the junction of Station Road and Four Elms Road. The applicants' modelling does not demonstrate the fairly substantial but transient queues at this junction that can be seen in the evening peak period. One problem is that the available modelling packages (in particular PICADY) do not seem to be suited to modelling very variable levels of traffic, whereas flows on Station Road are "platooned" by factors such as traffic signals and pedestrian crossings. The applicants' modelling does in fact imply that the proposed store will slightly reduce delays at the Station Road / Four Elms Road junction, and this has been explained by the store diverting vehicles away from the problematic right-turn from Station Road (south) to Four Elms Road.

I do not intend to raise any objections to this application, subject to a section 106 agreement for construction of off-site highway improvements to be built according to drawings to be submitted to and agreed in writing with Highway Authority. The off-site highway improvements are to include rebuilding the junction of Station Road and Fircroft Way to include a roundabout, a signalised pedestrian crossing across Station Road, widened footways on both sides of Station Road, a layby for southbound buses on Station Road and changes to the footway of Fircroft Way to create access to the proposed service yard.

I would also recommend a condition requiring the applicants to submit details of site access, parking and wheel washing during construction of the store.

Informative: the applicants will be required to enter into a Section 278 agreement with the Highway Authority in order to undertake any works on the public highway.'

On 22/7/13

29 *Parking:*

My response 22/2/13 stated: "increasing the number of parking spaces to at least 300 and preferably 305 is strongly recommended. This could be achieved, for example, by using a more efficient arrangement of disabled parking spaces

and trolley-parking". Sainsburys declined to make these changes, they don't think it will be necessary. I recommended this as a "contingency" in case of high demand, there is no proof it would be required. It is likely that that if customers experience difficulties at particular times of the day, some would be likely to change the times they shop.

Servicing: I am not aware of any likely problems.

Accesses: . I do not anticipate any significant problems with the accesses.. We have had quite extensive discussions about the main access, resulting in revised drawings showing improved visibility, improved pedestrian refuges and tracked-path drawings for lorries. You will note that my response dated 28th May requested a planning condition for the applicants to clarify details of the site accesses, this should ensure that these refinements are all on the finally approved drawings

Traffic Movements:

You will recall we had extensive dialogue with the applicants about traffic forecast and junction modelling, resulting in a Supplementary Transport Assessment and two supplementary Technical Notes on Highways. Roads in the immediate vicinity will undoubtedly be busier than at present, but the forecasts/ modelling do not show traffic levels high enough in the context of NPPF to justify any objection on highways grounds.

The proposed pedestrian crossing would be only 85 m from the railway bridge. The reason for Sainsburys to construct it is to help their customers cross the road from the bus stop to the store. It is not clear why there might be any net advantage in moving it north, assuming a suitable location could be found taking into account the road junction, driveways, bus stops and other constraints (e.g. visibility through the railway bridge).

It should be noted that the intended crossing would be signalised, it would not be a zebra. Due to visibility constraints (a bus stop on approach to a pedestrian crossing could create safety hazards) Sainsburys are prepared to create a layby for the bus stop on the southbound side of the road.

My understanding is that Sainsbury's delivery lorries would come from their Dartford depot on the M25, then via the A22 and B2028 (Lingfield). I am not aware of any proposal to route via Hartfield. If you have heard anything more about this please let me know; whose HGV's would they be?

Traffic congestion at the railway bridges

I would not expect any significant additional problems on Four Elms Rd; from this direction it would be a slightly shorter route to Sainsburys to drive via Swan Lane than via the Four Elms Rd railway bridge. People will probably use both routes.

Regarding the Station Road bridge at station, there would undoubtedly be more traffic using this bridge. However the only congestion would be when an HGV or other higher vehicle requires to use the centre of the road. This does not happen sufficiently frequently for it to become a significant problem; under normal circumstances it is not likely to be a "severe" issue in terms of assessments of highways impact under NPPF. '

Sevenoaks Parking Services

30 Sevenoaks Parking Services have made the following comment:

'The plans submitted raise a number of points of concern or for clarification.

Bus stops on Station Road

The plans comment that the existing bus stops are to be relocated. This is not a problem per-se, but the opportunity should be taken to make these in to bus stop clearways to maintain access for buses.

Pedestrian Crossing on Station Road

The proposed pedestrian crossing seems to have a very short (possibly sub-standard) controlled zone on the northern side (southbound approach) ' this should be appropriately extended.

Parking restrictions on Station Road

The redevelopment of the store and the proximity of the petrol station could lead to an increase in 'pop-in' parking on Station Road. This should be discouraged by introducing new double yellow lines on both sides.

Parking should also be prevented around the roundabout as turning movements and visibility could be affected and up to (and through) the railway bridge as large vehicle alignment could be compromised.

Parking issues in Fircroft Way

Parking in Fircroft Way has been an issue for some time, with staff at neighbouring commercial premises frequently parking on-street. This can cause a problem for large vehicles. As the new store will need to be serviced by large vehicles, access should be protected by the use of double yellow lines on both sides.

Waiting zone for delivery vehicles on Fircroft Way

If the proposed 'waiting zone' is to be exclusively for delivery vehicles as part of a home delivery service then it should not be on the public highway and should be contained within the bounds of the site. If the area is for public access then a limited waiting restriction could be introduced, but this would not be supported as the enforcement time overhead associated with limited waiting parking would restrict activities elsewhere.

If the area is intended as a queuing point for large vehicles delivering to the store, then this could be introduced as a parking place for certain classifications of commercial vehicles, but this area could not be solely for the use of Sainsbury vehicles. As the neighbouring properties are all commercial this may result in the area being used by delivery vehicles to other premises.'

SDC Policy Team

31 Sevenoaks District Council Policy Team has made the following comment:

'Thank you for the opportunity to comment on this application.

The key strategic planning policy issues are considered to be:

- *The retail impact on Edenbridge town centre; and*
- *The principle of retail development on an allocated employment site.*

Retail Policies

Core Strategy Policy LO6 states that in Edenbridge, 'the mix of retail and service uses that contribute to the vitality and viability of the town centre will be maintained'. This supports the key aim for the town, which includes retaining 'the role of Edenbridge as a rural service centre with a successful town centre and regenerated employment sites'. Para 4.4.9 states that Edenbridge town centre provides a range of local shopping serving the town and surrounding area...The Retail Study Update suggests there is only limited scope for increasing convenience shopping provision. The emphasis will be on maintaining a consolidated town centre and seeking opportunities for further improvement within the town centre area'.

In relation to Edenbridge Town Centre, this is consistent with the aims and policies of the Local Plan which expresses concern over the limited catchment of the town, competition from neighbouring centres and the vulnerability of the centre to the potential impact from out of centre retail uses, which should be resisted (Policy EB1 applies).

The Planning Policy team considers that Core Strategy Policy LO6 is consistent with the NPPF, in particular the need to 'recognise town centres as the heart of their communities and pursue policies to support their viability and vitality', as set out in para 23.

Retail development is defined as a 'main town centre use' in the NPPF and, as result, an application for retail development outside of a town centre must prove that a sequentially preferable suitable site is not available. The proposed development site is more than 300m from Edenbridge Town Centre and, therefore, must be considered an 'out of centre' site.

Applications for over 2,500 sq m must also be supported by an Impact Assessment to consider whether the development would have a significant adverse impact on:

- *Existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and*
- *Town Centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made (from NPPF para 26);*

Para 27 of the NPPF provides that an application should be refused where it fails to satisfy the sequential test or is likely to have a significant adverse impact on the town centre vitality and viability and trade in the town centre and wider area.

At 5,016 sq m gross floorspace (of which 3,198 sq m is retail floorspace/net), the proposed store is above the 2,500 sq m threshold for an Impact Assessment and one has been submitted with the application.

SDC has commissioned GVA to review the Retail Impact Assessments and Sequential Tests carried out by WYG for Sainsbury's (this application) and GL Hearn for Tesco (13/00935) and to also consider the cumulative impact of permitting the two stores.

GVA conclude that the development of two foodstores would have an unacceptable impact on Edenbridge town centre. Their conclusions on the two stores individually are therefore relevant to determining either application and a summary of both are set out below.

Sequential tests

In reviewing the two applicant's sequential tests, GVA note that the two sites are similar in terms of accessibility, with the Tesco store being marginally closer to the town centre (although still too far to facilitate linked trips) and the Sainsbury's store being closer to Edenbridge Station (although GVA question how many people travel by train for the purposes of food shopping). The Planning Policy team concur with the GVA conclusion that no sequentially preferable sites within or closer to the town centre exist in Edenbridge and do not consider that either store is preferable to the other in this respect.

Choice and range of goods

GVA indicate that the Sainsbury store will increase the choice and range of goods and increase local competition within the town and that this will be greater than the smaller Tesco store. This is an objective of the Local Plan and Core Strategy, but such improved choice is sought in the town centre.

Expenditure claw back

GVA state that the larger Sainsbury store will claw back more expenditure to the town than the Tesco store. However, whilst this is a secondary benefit in terms of reduced frequency and length of trips, this is not a stated planning objective for the town. Rather, the key aim is to protect the town centre and these proposals are not situated within the town centre nor do they have any stated direct benefits to it.

Retail Impact

Taking into account both the convenience and comparison goods turnover of the centre, and the anticipated trade draw of the proposed store (for both goods types), GVA estimate that the Sainsbury's store will lead to an overall impact of 26.5% on the town centre as a whole. In comparison, they estimate the diverted convenience and comparison expenditure of the Tesco store to equate to an overall impact of 11.7% on the town centre as a whole.

GVA consider that the Sainsbury's impact assessment over-estimates the amount of trade that will be drawn from surrounding areas and under-estimates the amount of trade that will be drawn from the Edenbridge area. As a result, they consider that the Sainsbury's assessment under-estimates the impact that the development would have on the Co-op and the Tesco Express, with WYG estimating these impacts at 35% and 25% respectively, whilst GVA estimate these impacts at 50% and 30% respectively. GVA highlight a recent appeal decision (in Basingstoke and Deane) where the Inspector concluded that a potential trade draw of 18.5% from the anchor Asda store would be regarded as

a 'significant' impact on the district centre as a whole, not because the Asda store would close but as a result of a "dramatic change in footfall in the centre" as a consequence of trade diversion to the proposed store, although they note that no two applications are the same.

The household survey carried out to support the Sainsbury's impact assessment indicates that the Co-op is performing well and trading well above (c.52%) the company average, whilst the Tesco Express is found to be trading broadly in line with the company average. GVA estimate that the effect of the Sainsbury's development would be to reduce the turnover of the Co-op store to 18% below the company average by 2018 and the Tesco Express store to c.25% below the company average. GVA consider that neither of these stores would close but note that there would be an inevitable reduction in linked trips to the town centre. Taking the impact of the convenience and comparison floorspace to be developed through the Sainsbury's store into account, the forecast overall adverse impact of the Sainsbury's proposal on the town centre turnover will be circa 26.5%.

GVA state that the Sainsbury's proposal is 'just within the margins of acceptability'. This is due, in part, to the fact that Edenbridge town centre is considered to perform a 'wider than convenience (shopping) function and contains a number of key service uses which would be expected to continue to draw trips in their own right'. This is despite the fact that food shopping was cited as the main reason for visiting Edenbridge town centre in the results of Sainsbury's household survey.

GVA also note that the conclusions in respect of the impact of the Sainsbury's proposal are subject to risks, including greater than anticipated uptake of internet spending and/or slower than anticipated growth in expenditure, which could lead to greater impacts on the turnover of the town centre anchor stores. Also identified as a risk is the extent to which the Co-op store is currently over-trading and, therefore, the extent to which it can sustain a reduction in turnover without closing as a result of the development of an out of town centre competitor. In the context of this risk, GVA note that whilst the Sainsbury's household survey suggests that the Co-op's turnover is circa £11.8m at 2013, Tesco estimate the turnover of the store to be £7.8m at 2013, broadly in line with the company average, on the basis of their household survey. GVA have not been able to come to a view as to which turnover figure is more accurate and suggest approaching the Co-op (who have been unwilling/unable to release the figures on the grounds of commercial confidentiality, though they have objected to both planning applications) or commissioning a new household survey (which the Planning Policy team consider may produce a different answer but with no guarantee that it is more accurate). GVA state that 'if the Tesco forecasts are taken to be more realistic, we would be more concerned about the levels of impact estimated by Sainsbury's'.

GVA suggest that the Tesco assessment has over-estimated the extent to which the proposed store's turnover will be derived from clawing back trade currently leaking to stores beyond Edenbridge (90%) and under-estimated the percentage of the store's turnover that would be derived from the Co-op (8%). This is on account of the fact that the scale and retail offer of the proposed Tesco store is likely to be comparable to the Co-op store rather than larger competing food stores in the local surrounding area. As a result, GVA consider that the Tesco's assessment under-estimates the impact that the development would have on the

Co-op, with GL Hearn (for Tesco) estimating the impact at 14% and GVA estimating the impact at 21%. Both of these figures are lower than the forecast impacts of the Sainsbury's store (35% from WYG and 50% from GVA), although GVA note that it is not possible to make direct comparisons between these figures as a result of the different approaches taken. Taking into account the small scale of comparison floorspace proposed at the Tesco store (130 sq m net), the impact of the store on the town centre as a whole is estimated by GVA to be approximately 11.7% (comparable with 26.5% for Sainsbury's).

In retail impact terms, GVA state that 'it is evident that by virtue of its lesser scale and turnover that the proposed Tesco will have less impact on Edenbridge town centre than the Sainsbury's', which is considered to be 'just within the margins of acceptability'.

Given that GVA recommend that the impact of the two stores together would be unacceptable but that either could be permitted, a decision between the two must be made.

In terms of retail impacts, in favour of the proposed Sainsbury's is that it will be expected to bring about a greater claw back of trade into Edenbridge and achieve a greater reduction in car-borne trips than the proposed Tesco, as a result of its greater scale and anticipated retail offer, including the greater comparison goods offer. However, GVA question the extent to which this should be a determining factor. The Planning Policy team concur with this point, given that this trade would not be drawn back into the town centre and the key policies in respect of retail planning in the Core Strategy and the NPPF are not related to clawing back trade into settlements but instead seek to support the vitality and viability of town centres.

The GVA assessment notes that whilst the impact of the Sainsbury's proposal would be just within the limits of acceptability, there are risks associated with this conclusion, in particular with potential adverse impacts on the town centre, which are considered to weigh against the Sainsbury's application. The Planning Policy Team consider the protection of the vitality and viability of Edenbridge Town Centre to be the primary planning objective and that of the two proposals the Sainsbury application represents the greater risk to the centre.

In favour of the proposed Tesco store is the fact that it would have a less significant adverse impact on the town centre. The assessment of the impact of the proposed Tesco store on the Co-op is not subject to the same degree of risk, given that it is based on a more modest, and more in line with company average, assumed turnover for the Co-op store. GVA anticipate that the proposed Tesco store would bring about a reduction in car-borne trips to stores in surrounding towns as a result of increased competition, which they expect to lead to greater competition on prices and wider choice and availability of products.

Given the above, the Planning Policy team recommend that only one store be permitted and that, as a result of its more modest impact on the town centre and lower risks, the Tesco store should be considered the more acceptable option in terms of retail impact and that if it is permitted then the Sainsbury's application should be refused.

Employment Land Policies

The proposed development site forms part of the Station Road employment land allocation in Edenbridge. It is subject to policy EP8 of the Sevenoaks Local Plan (2000) and policy SP8 of the Sevenoaks District Core Strategy. Policy EP8 states that Class B uses will be permitted on land allocated for employment use. Policy SP8 states that 'sites used for business purposes will be retained in business use unless it can be demonstrated that there is no reasonable prospect of their take up or continued use for business purposes during the Core Strategy period'. This approach is considered to be consistent with para 22 of the NPPF.

The Council's emerging Allocations and Development Management Plan proposes that the Station Road site continues to be allocated for business use. The site forms part of the employment land supply that the Employment Land Review (2007), and the updated Long Term Employment Space Projections (2011), recommend that the Council should retain to meet requirements of the local economy to 2026.

The applicant's Employment Land Report notes that the application site contains 11,853 sq m of floorspace, of which 4,284 sq m is currently vacant. It is agreed that not all of the floorspace on the site is in B class employment use but, as the applicant's Employment Land Report notes, the vast majority is in one form of B class use or another.

Whilst the applicant notes that a significant proportion of the site's floorspace is vacant, the Employment Land Report also notes that 29% of the sites' "existing tenants have been found alternative accommodation in Edenbridge". It is not clear to what extent the vacancy rate on the site is driven by this process to relocate tenants. The report does not refer to marketing efforts that have been made to find new tenants for the vacant buildings nor does it set out vacancy rates over recent years.

The applicant's Employment Land Report also notes that there is a significant oversupply of business floorspace in the region. In the context of the current economic climate, the Planning Policy team does not dispute this evidence. However, the Council's Core Strategy and Employment Land Review evidence base considers the forecast need and supply to 2026. The Long Term Employment Space Projections (2011) document sets out the following future requirements:

Use	Estimated 2026 (m2) Floorspace 2011	Future Floorspace Requirement		
		Low Scenario	Medium Scenario	High Scenario
Office	144,900	143,200	149,500	156,600
Warehouse	261,000	270,700	281,700	296,800
Factories	216,900	196,700	206,500	214,100
Total (gross)	622,700	610,700	637,700	667,500
Total (net)	622,700	-12,000	+15,000	+44,800

The applicant's summary of this evidence considers the 'warehouse' and 'factories' component in one category ('industrial') and suggests that the 'low scenario' identifies a reducing need for this floorspace. The use of the 'low scenario' is proposed on the basis of the continuing slow economic growth nationally. The Planning Policy team considers that, as the forecasts cover a sufficiently long period and were carried out in the context of the economic downturn, it is reasonable to use the 'medium scenario'. This identifies that retention of existing warehousing and office sites is required and that there is scope for growth in the period to 2026. It is noted that the low scenario also identifies a need to retain and develop new warehousing. The Planning Policy team does not consider that the evidence provided proves these projected requirements to be unreasonable.

It is noted that the applicant's Employment Land Report considers the buildings to be in an old and poor condition. Whilst it is agreed that parts of the Station Road Employment site probably would not justify the 'good quality' assessment that Employment Land Review concluded was the case for the whole site, this is not considered to be a reason for releasing the land for alternative development in itself. The applicant's Employment Land Report has briefly considered the opportunities for redevelopment of the site but concludes that it would not be viable as rents and values would be too low. This does not constitute an assessment of the long term opportunities for redevelopment which is the test required by Policy SP8. It is also noted that no information has been provided on any marketing that has taken place to try to find a developer.

The applicant's further information on employment land issues notes that approximately 132 FTE jobs will be created as a result of the development, compared to approximately 78 existing jobs on the site, 96 jobs that could be provided through upkeep and letting of the existing buildings and approximately 45 jobs (35 of which would be in B class uses) under a do nothing scenario where buildings were allowed to deteriorate further and would no longer be attractive to occupiers. The applicant's Employment Land Report notes that approximately 116 FTE jobs on the site could be provided through a redevelopment of the site for approximately 8100ml (Gross External Area) of B8 uses, on the basis of HCA/ Drivers Jonas Deloitte's Employment Densities Guide (2010), if a viable scheme were to come forward. A scheme that provided a mix of B class uses, as is currently found on site, would be expected to provide a higher number of jobs under the Employment Densities Guide. As a very rough calculation to illustrate this point, 8100ml of employment generating floorspace split between general B8 uses (2700ml of Gross External Area), general B2 uses (2700ml Gross Internal Area) and general office uses (2700ml Net Internal Area) would provide approximately 339 jobs.

The applicant has provided an indication of the current difficulties of letting buildings of deteriorating quality on this site in the current market and has considered the likely attractiveness and (briefly) the viability of redevelopment of the site. However, the Planning Policy team does not consider that the applicant has proven that there is no reasonable prospect of the site's take up or continued use for business purposes during the Core Strategy period and as such is not compliant with Policy SP8. In particular, the applicant's interpretation of the Council's Long Term Employment Space Projections is not accepted and long term opportunities for (and viability of) redevelopment are not considered to have been sufficiently considered, given the amount of Use Class B business land that the development would lead to the loss of.

Planning Policy Recommendations

In accordance with the Council's retail consultants, it is recommended that only one of the proposed foodstores in Edenbridge be permitted on the grounds that permitting both the Tesco and Sainsbury's stores would have an unacceptable impact on Edenbridge town centre. Whilst the Sainsbury store is likely to provide greater choice of goods and to claw back more expenditure to the town, the principle planning aim is to maintain the vitality and viability of the town centre and on balance the retail impact of the larger Sainsbury store presents greater risks to the town centre. In terms of retail impact, the Tesco proposal should be favoured over the Sainsbury's proposal due to the more modest impact on the town centre and lower risks associated with the impact assessment.

For reasons set out above, the Planning Policy team considers that the application does not comply with Policy SP8 of the Core Strategy or Policy EP8 of the Saved Local Plan, on the basis that it has not been proven that there is no reasonable prospect of the site's take up or continued use for business purposes during the Core Strategy period. It is accepted that the Sainsbury's proposal would provide an increase in the number of jobs (to 132 FTE jobs) currently on the site and that there are currently no proposals for redevelopment of the site that may increase the number of jobs in B class uses accommodated. However, the Tesco proposal will also provide an increase in the number of jobs (100 FTE jobs) within the Station Road employment site and would do so with the loss of less existing employment floorspace, with 11,853 sq m potentially lost as a result of the Sainsbury's proposal (the majority of which is in B class use) compared to 2160 sq m (plus 868 sq m of permitted floorspace) potentially lost as a result of the Tesco proposal. Given that the Council's retail consultants recommend that only one store should be permitted, the Planning Policy team considers that the employment land considerations also weigh in favour of the Tesco proposal.'

Sevenoaks Arboricultural Officer

32 Sevenoaks Arboricultural Officer has made the following comment:

'I have no issue with this proposal to demolish and replace with a new store and petrol station. There is currently very little on the site in the way of amenity vegetation and I see this proposal as an opportunity to improve by way of an agreed landscaping scheme. The proposed landscaping is very basic. I would look to see car park planting as well as a mix of evergreen and deciduous trees with an increase in the number of the current proposals. I will look forward to being consulted on the landscaping should this application be successful.'

Sevenoaks Council Environmental Health

33 Sevenoaks Council Environmental Health have made the following comment:

'Whilst the acoustic report for this application indicates no significant impact from the operations, would it be possible to require a further acoustic assessment of the store within 6 months of the store becoming operational, and if the observed noise levels are greater than 3 dB(A) above the predicted levels then additional mitigation works will be required and agreed by the District Council.

Specific details of fume and extract equipment will also be required, as it should be suitable and sufficient to prevent loss of amenity and a contaminated land

assessment will be required. The assessment will include both a Phase 1 (desk top) and Phase 2 (intrusive) investigation with remediation proposals to demonstrate the potential risks to those working on the construction of the site and future users of the facilities of the store. Any remediation will also require validation to demonstrate any works have been completed in an appropriate manner.'

Representations

34 513 notifications of support have been received. These raise the following points:

- The proposal would create 200 full and part time jobs in the town.
- The proposal would boost the local economy and encourage future investment
- The shop is within walking distance for the residents in the Marlpit Hill area
- The proposal will bring in trade from outside the area
- The proposal will improve and regenerate a less attractive part of town
- Reduced out of town journeys with result in reduced fuel costs and help the environment
- The proposal will result in a greater choice of shops for local residents
- The proposal will stop local people travelling outside of the area to shop
- The biomass boiler will generate large amounts of the stores energy
- The petrol station will provide more competitive choice

35 7 notifications of objection have been received. These raise the following points:

- A large superstore on the outskirts of the town would kill the high street.
- The store would result in the loss of linked trips to the town centre and have an adverse impact on its vitality and viability.
- Edenbridge is adequately provided for by the existing food outlets
- The proposal would result in the loss of an unacceptable level of employment land contrary to local plan policy.
- The use of the 'low growth scenario in the local plan is flawed as there is no evidence that there will be no growth before 2026.
- The sequential test has been incorrectly applied and not identified an extension to the coop, or the Leathermarket site as suitable alternatives.
- Some of the assumptions and figures used in the retail assessment are questionable. The proposal would have a detrimental impact on Mill Hill garage
- The existence of the Tesco application is material planning consideration. This application proposes a less harmful retail provision.
- The proposal would have a detrimental impact on the amenity of neighbouring occupiers. The recycling facilities are provided on the boundary with the railway line which is also the closest to any residential

dwelling. This noise would be audible to neighbours in addition to plant noise.

- Light spillage would cause harm to wildlife
- The landscaping is unacceptable
- The two railway bridges are unable to cope with further traffic volume.

Eden Valley Chamber of Commerce

36 The Eden Valley Chamber of Commerce have offered no comment directly on the planning application, but have released the following press release which has been provided as a comment:

'Eden Valley Chamber of Commerce vote overwhelmingly in favour of Sainsbury's proposal

Following lengthy discussions with representatives of both the Sainsbury's and Tesco's bids and following a vote among its members, the chamber has given its overwhelming support to the proposals put forward by the Sainsbury's team.

Peter Kingham, chairman of the chamber commented "we have looked carefully into the impact that these stores will have on Edenbridge generally and the businesses of the town in particular, we consider that the big store proposal of Sainsbury's will bring much greater benefit to Edenbridge. In particular it will draw shoppers into the town and give us the opportunity to get our message to a greater number of people, drawing them to the High St and the great retail variety offered by the town."

The chamber listed aspects of the bid such as a petrol station, the size of the store and the large clothing offer as major factors in their decision "we want Edenbridge to be a destination town and one that larger companies can invest in. The Tesco's bid doesn't achieve this at any level" said Mr Kingham. "We are particularly impressed by the willingness of the Sainsbury's team to work with the chamber as well as other existing organisations in the town".

Other comments from the vote reflect this opinion "Sainsbury are ethically accredited by the Ethical Company Organisation. As a Fairtrade Town Edenbridge has an obligation to pick the most ethically transparent company, concerns about traffic congestion and impact on local homeowners with the Tesco's site as well as the greater opportunities for employment from Sainsbury's, were also cited.

Of course, not all votes were in support of Sainsbury's but the majority, at least 80% were in favour, the rest of the vote being split almost equally between the Tesco bid or neither options. Mr Kingham commented further that "we hope that Sevenoaks District Council will give our comments their very serious consideration when deliberating both plans and I will be writing to SDC to give them our views together with full details of the vote and the comments of all members'

Head of Development Services Appraisal

Assessment

37 The main issues for consideration of this planning application are:

- The principle of development:
  - loss of employment land
  - impact on town centre
- The design of development
- Highway implications
- Amenity impact
- Flooding, sustainability and ecology
- Other material planning considerations

Loss of Employment Land

38 Policy LO6 of the Core Strategy details the Council's aspiration for development in Edenbridge. It states that existing suitable employment sites will be retained with the opportunity for regeneration and redevelopment to better meet the needs of business.

39 Policy SP8 of the Core Strategy relates to Economic Development and Land for Business. It states that the sustainable development of the District's economy will be supported by the retention, intensification and regeneration of existing business area primarily at Sevenoaks, Swanley and Edenbridge and Major Developed Sites in rural areas.

40 Policy SP8 states that *'sites used for business purposes will be retained in business use unless it can be demonstrated that there is no reasonable prospect of their take up or continued use for business purposes during the Core Strategy period. Redevelopment for mixed use of business sites may exceptionally be permitted where such development would facilitate the regeneration of the site to more effectively meet the needs of modern business, where the employment capacity of the site, represented by the commercial floorspace, is maintained and where a mixed use development would represent a sustainable approach consistent with the general distribution of development'.*

41 The Core Strategy states that the Council is preparing an Economic Development Action Plan and that one of its key themes is maintaining the supply of local employment land. The Core Strategy has a significant role to play in implementing the Action Plan in the provision it makes for development and states that there is a significant supply of employment land for business use and that the great majority is acceptably located (as identified in the Employment Land Review). The review identifies that there is a future additional land requirement which can be met through the intensification and use of vacant land. The emphasis of policy is therefore on retaining and making effective use of existing employment land.

42 Policy EP8 of the Local Plan identifies the main business areas and states that Class B uses will be permitted within these areas play in contributing towards the achievement of sustainable development is described in the NPPF as:

'an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure'

43 Paragraph 18 and 19 of the NPPF state

'18. The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.

19. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.'

Paragraph 22 of the NPPF states

'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.'

44 The proposed development site forms part of the Station Road employment land allocation in Edenbridge. It is subject to policy EP8 of the Sevenoaks Local Plan (2000) and policy SP8 of the Sevenoaks District Core Strategy. The approach in these policies is consistent with para 22 of the NPPF.

45 The Council's emerging Allocations and Development Management Plan proposes that the Station Road site continues to be allocated for business use. The site forms part of the employment land supply that the Employment Land Review (2007), and the updated Long Term Employment Space Projections (2011), recommend that the Council should retain to meet requirements of the local economy to 2026.

46 The local policies seek to protect such sites unless it can be demonstrated that there is no reasonable prospect of their take up or continued use for business purposes during the Core Strategy period. If this cannot be demonstrated, they exceptionally allow for the redevelopment for mixed use where such development would facilitate the regeneration of the site to more effectively meet the needs of modern business, provided that the employment capacity of the site, is maintained and where a mixed use development would represent a sustainable approach consistent with the general distribution of development.

47 The use of land for retail purposes is specifically different to a business use in planning policy terms and is therefore inappropriate on protected employment land.

48 The applicant's Employment Land Report notes that the application site contains 11,853 sqm of floorspace, of which 4,284 sq m is currently vacant. As such, the

large majority of the land is occupied, the vast majority of which is in one form of B class use or another.

49 The applicant's Employment Land Report notes that 29% of the sites' "existing tenants have been found alternative accommodation in Edenbridge". However it is not clear to what extent the vacancy rate on the site is driven by this process to relocate tenants. The report does not refer to marketing efforts that have been made to find new tenants for the vacant buildings nor does it set out vacancy rates over recent years. Despite requests, no evidence has been forthcoming to show that the vacancy rate on site is a result of natural loss rather than driven by ambitions for the site. As such, it clearly cannot be proven that the units are no longer needed for business use during the Core Strategy period.

50 The proposal does not provide a mixed use scheme which would effectively meet the needs of modern business, nor would it represent a sustainable approach consistent with the general distribution of development in the area.

51 The applicant's Employment Land Report notes that there is a significant oversupply of business floorspace in the region. However, the Council's Core Strategy and Employment Land Review evidence base considers the forecast need and supply to 2026. The Long Term Employment Space Projections (2011) document sets out future requirements as detailed in the policy representation in this report.

52 The applicant's summary of this evidence considers the 'warehouse' and 'factories' component in one category ('industrial') and suggests that the 'low scenario' identifies a reducing need for this floorspace. The use of the 'low scenario' is proposed on the basis of the continuing slow economic growth nationally. It is considered that, as the forecasts cover a sufficiently long period and were carried out in the context of the economic downturn, it is reasonable to use the 'medium scenario'. This identifies that retention of existing warehousing and office sites is required and that there is scope for growth in the period to 2026. It is noted that the low scenario also identifies a need to retain and develop new warehousing. It is not considered that the evidence provided proves these projected requirements to be unreasonable.

53 The applicant's Employment Land Report considers the buildings to be in an old and poor condition. Whilst parts of the Station Road Employment site would not justify the 'good quality' assessment that Employment Land Review concluded was the case for the whole site, this is not a reason for releasing the land for alternative development in itself. The applicant's Employment Land Report has briefly considered the opportunities for redevelopment of the site but concludes that it would not be viable as rents and values would be too low. This does not constitute an assessment of the long term opportunities for redevelopment which is the test required by Policy SP8 up to 2026. Further to this, no information has been provided to show that efforts have been made to actively market the site.

54 The applicant notes that approximately 132 FTE jobs will be created as a result of the development. This is compared to approximately 78 existing jobs on the site, 96 jobs that could be provided through upkeep and letting of the existing buildings and approximately 45 jobs) under a do nothing scenario where buildings were allowed to deteriorate further and would no longer be attractive to occupiers.

55 The applicant's Employment Land Report notes that approximately 116 FTE jobs on the site could be provided through a redevelopment of the site if a viable scheme were to come forward. The policy team have calculated that, based on the Employment Densities Guide guidance, redevelopment would actually provide approximately 339 jobs. As such the proposal would potentially result in a decrease in the number of jobs provided on site compared with its redevelopment for business use in line with policy.

56 The applicant has provided an indication of the current difficulties of letting buildings of deteriorating quality on this site in the current market and has considered the likely attractiveness and (briefly) the viability of redevelopment of the site. However, the applicant has not proven that there is no reasonable prospect of the site's take up or continued use for business purposes during the Core Strategy period and as such is not compliant with Policy SP8. In particular, the applicant's interpretation of the Council's Long Term Employment Space Projections is not accepted and long term opportunities for (and viability of) redevelopment are not considered to have been sufficiently considered, given the amount of Use Class B business land that the development would lead to the loss of.

57 Para 22 of the NPPF only requires the long term protection of sites allocated for employment use to be avoided where there is no reasonable prospect of a site being used for that purpose. In this instance, it is considered that the application does not comply with the NPPF, Policy SP8 of the Core Strategy or Policy EP8 of the Saved Local Plan, on the basis that it has not been proven that there is no reasonable prospect of the site's take up or continued use for business purposes during the Core Strategy period.

58 The Sainsbury's proposal would provide an increase in the number of jobs (to 132 FTE jobs) on the site compared to the current provision, It has not been demonstrated that the site could not be redeveloped to provide for in excess of this number of jobs. The proposal does not comply with the NPPF, or policies SP8 of the Core Strategy or EP8 of the Local Plan. The increase in FTE jobs that the proposal would deliver is considered to be material planning consideration which partially weighs against the policy objection. However in terms of the loss of employment land, in this instance, the scheme is not considered acceptable.

Impact on Town Centre

59 Policy LO6 details the Council's aspiration for development in Edenbridge. The mix of retail and service uses that contribute to the vitality and viability of the town centre will be maintained.

60 Policy EB1 of the Local Plan identifies the Edenbridge town centre, and states that proposals which will improve the range, quality and diversity of shops and services and provide for business, leisure and community needs will be permitted.

61 The emphasis on sustainable development in the NPPF, underpins the importance of protecting town centre uses and employment land. It states that local policies should

'recognise town centres as the heart of their communities and pursue policies to support their viability and vitality'

Retail development is defined as a 'main town centre use' in the NPPF and, as result, an application for retail development outside of a town centre must prove that a sequentially preferable suitable site is not available. The proposed development site is more than 300m from Edenbridge Town Centre and, therefore, must be considered an 'out of centre' site.

62 The NPPF states:

'Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.'

Applications for over 2,500 sq m must also be supported by an Impact Assessment to consider whether the development would have a significant adverse impact on:

- *Existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and*
- *Town Centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made (from NPPF para 26);*

Para 27 of the NPPF provides that an application should be refused where it fails to satisfy the sequential test or is likely to have a significant adverse impact on the town centre vitality and viability and trade in the town centre and wider area.

63 A retail impact assessment has been submitted with the application. This assesses the impact of the proposal on Edenbridge town centre. In addition, SDC has commissioned GVA to review the application submission and independently assess the impact of the proposal. GVA have produced a report which is appended to this assessment.

Sequential test

64 There are two sites which are of a sufficient size to realistically accommodate a large format foodstore with associated parking and servicing. These are the Co-op site, and land within the Local Plan Allocation EB3.

65 The Local Plan Allocation has been largely built out by residential development which limits the extent of the site which is available. The site is constrained in terms of its scale (0.3ha) and its proximity to neighbouring residential uses. There is also an issue in achieving a suitable access arrangement. This site is not suitable to accommodate a foodstore.

66 The layout of the existing store on the Co-op site provides only a limited opportunity to accommodate a second or extended store without a substantial degree of flexibility on the part of the applicant. It would also result in a loss of parking for the Co-op which is unlikely to be acceptable to the retailer. To accommodate a foodstore on this site would therefore necessitate the redevelop of the Co-op store. This would require support from the Co-op which is highly unlikely given the competitive nature of operators. The survey results indicate that

the existing store trades well which makes it unlikely that it will face closure in the near future therefore releasing the site for redevelopment. The site cannot therefore be considered as available.

67 In conclusion, no sequentially preferable sites within or closer to the town centre exist in Edenbridge. As such, the Sainsbury's proposal passes the test of sequentiality.

Choice and range of goods

68 The Sainsbury store will increase the choice and range of goods and increase local competition within the town. This is an objective of the Local Plan and Core Strategy, but such improved choice is sought in the town centre, not in an out of town centre location as is proposed in this application.

Expenditure claw back

69 The GVA report concludes that because of its scale and retail offer, the proposed Sainsbury's store will claw back some expenditure to the town and achieve a reduction in car-borne trips as a result. This is a benefit in terms of reduced frequency and length of trips, and is a benefit to the town, but it is not a benefit to the town centre, as the store is out of centre. Benefits in terms of claw back to the town need to be set against adverse impact on the town centre. Rather, the key aim is to protect the town centre. The key policies in respect of retail planning in the Core Strategy and the NPPF are not related to clawing back trade into settlements but instead seek to support the vitality and viability of town centres. The application proposals are not situated within the town centre nor do they have any stated direct benefits to it.

Retail Impact

70 Taking into account both the convenience and comparison goods turnover of the centre, and the anticipated trade draw of the proposed store (for both goods types), GVA estimate that the Sainsbury's store will lead to an overall impact of 26.5% on the town centre as a whole.

71 GVA consider that Sainsbury's over-estimates the amount of trade that will be drawn from surrounding areas and under-estimates the amount of trade that will be drawn from the Edenbridge area. As a result, they consider that the Sainsbury's assessment under-estimates the impact that the development would have on the Co-op and the Tesco Express, with the applicant estimating these impacts at 35% and 25% respectively, whilst GVA estimate these impacts at 50% and 30% respectively.

72 GVA consider that neither of these stores would close but note that there would be an inevitable reduction in linked trips to the town centre. It is forecast that the overall adverse impact of the Sainsbury's proposal on the town centre turnover will be circa 26.5%. The danger of this impact is that it would have a negative impact on the vitality and viability of the town centre, contrary to local and national policy.

73 The GVA report concludes that the Sainsbury's proposal is 'just within the margins of acceptability'. This is due, in part, to the fact that Edenbridge town centre is considered to perform a 'wider than convenience (shopping) function and

contains a number of key service uses which would be expected to continue to draw trips in their own right'.

74 The impact of the Sainsbury's proposal are subject to risks, including greater than anticipated uptake of internet spending and/or slower than anticipated growth in expenditure, which could lead to greater impacts on the turnover of the town centre anchor stores. Also identified as a risk is the extent to which the Co-op store is currently over-trading and, therefore, the extent to which it can sustain a reduction in turnover without closing as a result of the development of an out of town centre competitor.

75 Whilst the impact of the Sainsbury's proposal would be just within the limits of acceptability, there are risks associated with this conclusion. The practical risk of permitting the store is that it would take custom away from the town centre both directly and also through a reduction in linked trips to the smaller town centre premises though visits to the Coop store. This would mean that shops within the town centre would be unable to sustain their existence in Edenbridge and would potentially close. This would detrimentally impact the vitality and viability of the town centre contrary to policy LO6 of the Core Strategy, EB1 of the Local Plan, and the NPPF.

76 These are considered to weigh against the application as the protection of the vitality and viability of Edenbridge Town Centre is the primary planning objective.

77 However, as a stand alone application taken in isolation, the retail impact of the proposal as assessed independently, is considered to be at the margins of acceptability and therefore very much on balance in accordance with policy LO6 of the Core Strategy, EB1 of the Local Plan, and the NPPF.

The Design of Development

78 Policy SP1 of the Core Strategy states that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated. In areas where the local environment lacks positive features, new development should contribute to an improvement in the quality of the environment.

79 Policy EN1 of the Local Plan identifies a broad range of criteria to be applied in the consideration of planning application. Criteria 1 states that the form of the proposed development should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard. Criteria 2 states that the layout of the proposed development should respect the topography of the site, retain any important features including trees, hedgerows and shrubs.

80 The site in its current state is relatively run down and in need of regenerating and occupies a prominent location on the main route into Edenbridge town centre. The redevelopment of the site is an opportunity to improve the landscaping and pedestrian routes through the site thus improving the streetscape of this section of Station Road and Fircroft Way.

81 An analysis of the constraints and opportunities for development of the site in design terms has been undertaken. As a result, the store does complement the

form and massing of the existing buildings around the site. The store would be single storey with a main eaves level at the front of the store of 6.01m which rises to 7.2m at the ridge. It would feature glazing around the perimeter of the sales area to allow natural light to penetrate into the store. Parts of the front and south elevations would be finished with timber boarding, and a canopy runs across the front of the store at 5.7m in height.

82 The primary elevation faces west into the car park. It incorporates the store entrance and a significant amount of glazing. Where the shopfront ends, a ribbon of high level glazing continues across the front elevation and wraps around the side. Below the high level glazing, timber boarding is shown.

83 The timber boarding and high level glazing continues round to the Fircroft Way elevation. This side of the building is also treated with light grey cladding and masonry facing. The roof is a light grey single ply.

84 The petrol filling station has been designed with an acceptable degree of attention and articulation to the site with a barrel vault canopy. The kiosk is shown as a simple timber clad building. It would sit comfortably in the prominent position on London Road.

85 New landscaping is shown across the site to enhance its visual appearance, create a more pleasant streetscape and to provide softening to the perimeter boundaries.

86 The layout of the site has been designed to be inclusive to all those who are likely to access it.

87 The proposal has an overall gross external floor area of 5,016 sqm compared with the current floorspace of 11,853 sqm.

88 It is considered that the proposal is designed in a manner that would contribute to an improvement in the quality of the environment. In line with the Arboricultural officer comments, a condition can be imposed to seek additional landscaping, particularly within the car park to soften the impact of the scheme and the large expanse of parking at the font of the site.

89 Subject to conditions regarding landscaping and requiring samples of materials to be used in the external appearance of the building, the proposal accords with policy EN1 of the Local Plan and SP1 of the Core Strategy in terms of design.

Highway Implications

90 Policy SP2 of the Core Strategy states that the Council will support and promote measures to reduce reliance on travel by car. Specifically it will support improvements to enhance the safety and convenience of public and community transport, seek improved facilities for cyclists and pedestrians, and require the inclusion of Travel plans and other appropriate measure sin new developments that generate significant traffic volumes

91 Policy SP9 states that where new development creates a requirement for new or improved physical, social and green infrastructure beyond existing provision, developers will be expected to provide or contribute to the additional requirement.

92 Criteria 6 of policy EN1 of the Local Plan states that the proposed development must ensure satisfactory means of access for vehicles and pedestrians and provides parking facilities in accordance with the Council's approved standards. Criteria 10 states that the proposed development does not create unacceptable traffic conditions on the surrounding road network and is located to reduce where possible the need to travel.

93 Criteria 10 requires that the development does not create unacceptable traffic conditions on the surrounding road networks and is located to reduce where possible the need to travel.

94 Policy VP1 requires parking provision to be made in accordance with the KCC adopted vehicle parking standards.

95 Extensive discussions have taken place between the applicant and Kent Highways. As a result, the proposal includes the rebuilding of the junction of Fircroft Way and Station Road to incorporate a roundabout, the provision of a signalised pedestrian crossing over Station Road north of the roundabout, widened footways on both sides of London Road, a layby for southbound buses, and changes to the footway of Fircroft Way to create access to the proposed service yard.

96 Kent Highways have raised no objections to the application, subject to a section 106 agreement for the above detailed works. This is currently being finalised. Comments have been provided regarding parking, servicing, traffic movements or access points which confirm that the matters are considered to be acceptable as proposed.

97 It is recommend that a condition be imposed requiring the applicants to submit details of site access, parking and wheel washing during construction of the store.

98 Kent Highways have raised no objection to the level of parking, access arrangements or traffic movements.

99 The Town Council have raised a number of issues related to the highways implications of the scheme. It has been suggested that Highways should be consulted to assess the benefit of moving the Zebra Crossing further north up Four Elms Road towards the Railway Bridge, and attention was drawn to the proposal to send HGV's through the village of Hartfield instead of using the A264 from Colestock Crossing.

100 Consultation responses have also raised concern about the ability of the railway bridges to accommodate the increased traffic that would be result from the store.

101 In response to these concerns, Kent Highways have advised that the proposed pedestrian crossing would be only 85 m from the railway bridge. The reason for Sainsbury's to construct it is to help their customers cross the road from the bus stop to the store. It is not clear why there might be any net advantage in moving it north, assuming a suitable location could be found taking into account the road junction, driveways, bus stops and other constraints (e.g. visibility through the railway bridge).

102 The intended crossing would be signalised, it would not be a zebra. Due to visibility constraints (a bus stop on approach to a pedestrian crossing could create

safety hazards) Sainsbury's are prepared to create a layby for the bus stop on the southbound side of the road.

103 It was indicated that Sainsbury's delivery lorries would come from their Dartford depot on the M25, then via the A22 and B2028 (Lingfield) and Highways are not aware of any proposal to route via Hartfield.

104 Highways would not expect any significant additional problems on Four Elms Rd; from this direction it would be a slightly shorter route to Sainsburys to drive via Swan Lane than via the Four Elms Rd railway bridge. It is likely that people will use both routes.

105 There would be more traffic using the bridge. However the only congestion would be when an HGV or other higher vehicle requires to use the centre of the road. Highways consider that it does not happen sufficiently frequently for it to become a significant problem; under normal circumstances it is not likely to be a "severe" issue in terms of assessments of highways impact under NPPF.

106 It was also suggested that consideration should be given to limiting the time that car park users could stay to avoid spaces being occupied by commuters. Given the proximity of the site to Edenbridge Station, the control of parking spaces can be controlled through an appropriate condition requiring a parking control scheme to be submitted for approval prior to commencement of use of the store.

107 It is considered that the impact of the store, subject to the completion of a S106 agreement is acceptable and in accordance with policies EN1 and VP1 of the Local Plan.

Amenity impact

108 Criteria 3 of policy EN1 of the Local Plan states that the proposed development must not have an adverse impact on the privacy and amenities of a locality by reason of form, scale, height, outlook, noise or light intrusion or activity levels including vehicular or pedestrian movements. Criteria 4 states that the proposed development should not result in the loss of important buildings or related spaces.

109 The site is currently occupied by employment buildings which sit appropriately on protected employment land. As a comparison to the impact of the proposed use, the impact, including noise, air, visual and traffic nuisance, on local amenity of such buildings could be extensive.

110 The site is not directly adjoined by any residential land. Dwellings sit to the north, but the railway line separates them from the store. An area of residential land lies to the east but this is separated from the application site by more employment land and buildings.

111 The matter of traffic management has been addressed by Kent Highways and found to be acceptable subject to the provision of additional management resources as detailed above.

112 The visual impact of the proposal has also been assessed in this report and is also considered to be acceptable, particularly in the context of the surrounding area.

113 Sevenoaks Environmental Health have assessed the proposal in terms of noise and air nuisance and concluded that while the acoustic report submitted with the application indicates that there will be no significant impact from the operations of the store, a condition should be imposed to require a further acoustic assessment of the store within 6 months of the store becoming operational, and if the observed noise levels are greater than 3 dB(A) above the predicted levels then additional mitigation works will be required and agreed by the District Council.

114 Specific details of fume and extract equipment will also be required, as it should be suitable and sufficient to prevent loss of amenity. In addition, a contaminated land assessment will be required to demonstrate the potential risks to those working on the construction of the site and future users of the facilities of the store and how these will be mitigated against.

115 Subject to appropriate condition, the amenity impact of the store is considered to be acceptable and in accordance with policy EN1 of the local plan.

Flooding, sustainability and ecology

116 Paragraph 103 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- *'within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and*
- *development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems'*

117 Policy SP2 of the Core Strategy requires that all new commercial development is required to achieve BREAM 'very good' standards and must incorporate sustainable drainage systems where practical together with arrangements to secure their long term maintenance. Achievement of BREEAM standards must include at least a 10% reduction in the total carbon emissions through the on site installation and implementation of decentralised, renewable or low carbon energy sources.

118 Policy SP11 of the Core Strategy requires the biodiversity of the District to be conserved and opportunities for enhancement sought.

119 Following an objection from the Environment Agency on the basis of flood risk, amended plans to shown attenuation measures to the railway culvert have been submitted as part of the application. As a result of the amended plans, the Environment Agency have confirmed that they have no objection to the proposal subject to a condition requiring a sustainable surface water drainage scheme for the site be submitted to and approved in writing by the local planning authority.

120 Provided this condition is imposed, the proposal would be in accordance with the requirements of the NPPF in terms of flood risk.

121 A design and access statement and a renewable energy and efficiency assessment have been submitted with the application. These outline the means by which the proposal will achieve a CO2 reduction of 16.8% by implementing sustainable initiatives, compared with if these initiatives were not implemented. These include LED lighting, use of natural light, natural refrigeration, water saving devices, insulation, air tightness, the use of entrance lobbies and the use of on site renewable technologies. It is also committed that the store will be built to BREEAM standard 'Very Good'.

122 The use of renewable energy sources and achievement of BREEAM very good standard can be secured via condition.

123 As such, the proposal would accord with policy SP2 of the Core Strategy, and the NPPF in terms of sustainability.

124 Natural England, Kent Ecology and the Kent Wildlife Trust have made no objection to the application in terms of ecological impact. They have identified that enhancements which have been detailed in the submitted bat survey should be incorporated in to the site. This can be dealt with by condition.

125 Kent Wildlife Trust has also raised concerns about the impact of '*significant and powerful*' illumination from the proposal on the adjacent vegetated railway corridor. It has requested that the Council requires the submission of lighting details for the car park and circulation areas of the site. This can be dealt with by condition.

126 The proposal would accord with policy SP11 of the Core Strategy and the NPPF in terms of biodiversity protection and enhancement.

Other Material Planning Considerations

127 An application has been submitted for a retail store on a plot of land nearby to the application site. It is for a Tesco development at land north west of the junction with St Johns Way (ref 13/00935/FUL). This is being considered alongside this application, and an assessment of the planning merits of the scheme can be found in the Officers report.

128 The Applicant has submitted figures related to the cumulative impact of the Sainsbury and Tesco application. It finds that the cumulative impact on the Coop store would be 75% and on the Tesco store would be 57%.

129 The GVA report has considered the cumulative impact of permitting the Sainsburys and Tesco applications. It concludes **that the development of two foodstores would have an unacceptable impact on Edenbridge town centre**. The impact has been detailed as follows:

Cumulative Impact	Based on Tesco's evidence	Based on Sainsbury's evidence
The town centre as a whole	**43%**	**37%**
The Co-op	96%	64%
Tesco Express	45%	46%

130 The figures above show the impact on only the Co-op and impact on only the Tesco Express. While this may be an interesting exercise, it is not relevant to National or local planning retail impact policy which deals with impact on an entire designated town centre rather than individual stores. There is no local or national planning policy support for considering the impact of any proposal on a section of the town centre. Policy considerations relate to vitality and viability of town centres in their entirety.

Sequential tests

131 In reviewing the two applicant's sequential tests, GVA note that the two sites are similar in terms of accessibility, with the Tesco store being marginally closer to the town centre (although still too far to facilitate linked trips) and the Sainsbury's store being closer to Edenbridge Station (although GVA question how many people travel by train for the purposes of food shopping).

132 As discussed previously in this report, there are two sites which are of a sufficient size to realistically accommodate a large format foodstore with associated parking and servicing - the Co-op site, and site 6 allocated within the Local Plan Allocation EB3 (known as the Leathermarket site.

133 As previously concluded in this report, no sequentially preferable sites within or closer to the town centre exist in Edenbridge and therefore neither store is preferable to the other in this respect.

Expenditure claw back

134 GVA state that the larger Sainsbury store will claw back more expenditure to the town than the Tesco store. However, whilst this is a secondary benefit in terms of reduced frequency and length of trips, this is not a stated planning objective for the town. Rather, the key aim is to protect the town centre and these proposals are not situated within the town centre nor do they have any stated direct benefits to it.

135 Benefits in terms of claw back need to be set against impact on the town centre.

Retail Impact

136 Taking into account both the convenience and comparison goods turnover of the centre, and the anticipated trade draw of the proposed store (for both goods types), GVA estimate that the **Sainsbury's store will lead to an overall impact of 26.5% on the town centre as a whole**. In comparison, they estimate the diverted convenience and comparison expenditure of **the Tesco store to equate to an overall impact of 11.7% on the town centre as a whole.**

137 GVA suggest that the Tesco assessment has over-estimated the extent to which the proposed store's turnover will be derived from clawing back trade currently leaking to stores beyond Edenbridge (90%) and under-estimated the percentage of the store's turnover that would be derived from the Co-op (8%). This is on account of the fact that the scale and retail offer of the proposed Tesco store is likely to be comparable to the Co-op store rather than larger competing food stores in the local surrounding area. As a result, GVA consider that the Tesco's assessment under-estimates the impact that the development would have on the Co-op, with GL Hearn (for Tesco) estimating the impact at 14% and GVA estimating the impact at 21%. Both of these figures are lower than the forecast impacts of the Sainsbury's store (35% from WYG and 50% from GVA), although GVA note that it is not possible to make direct comparisons between these figures as a result of the different approaches taken. Taking into account the small scale of comparison floorspace proposed at the Tesco store (130 sq m net), the impact of the store on the town centre as a whole is estimated by GVA to be approximately 11.7% (comparable with 26.5% for Sainsbury's).

138 In retail impact terms, GVA state that 'it is evident that by virtue of its lesser scale and turnover that the proposed Tesco will have less impact on Edenbridge town centre than the Sainsbury's', which is considered to be 'just within the margins of acceptability'.

139 Given that the impact of the two stores together would be unacceptable but that either could be permitted, a decision between the two must be made.

140 In terms of retail impacts, in favour of the proposed Sainsbury's is that it will be expected to bring about a greater claw back of trade into Edenbridge and achieve a greater reduction in car-borne trips from Edenbridge residents who currently do their food shopping outside of the town than the proposed Tesco, as a result of its greater scale and anticipated retail offer, including the greater comparison goods offer. However this trade would not be drawn back into the town centre and the key policies in respect of retail planning in the Core Strategy and the NPPF are not related to clawing back trade into settlements but instead seek to support the vitality and viability of town centres.

141 Whilst the impact of the Sainsbury's proposal would be just within the limits of acceptability, there are risks associated with this conclusion, in particular with potential adverse impacts on the town centre, which are considered to weigh against the application. The protection of the vitality and viability of Edenbridge Town Centre is the primary planning objective and of the two proposals the Sainsbury application represents the greater risk to the centre.

142 As a result of its more modest impact on the town centre and lower risks, the Tesco store is considered the more acceptable option in terms of retail impact. Subject to it being granted approval, the Sainsbury's application should be refused.

Conclusion

143 The scheme results in an unacceptable loss of protected employment land contrary to policies LO6 and SP8 of the Core Strategy, EP8 of the Local Plan, and the NPPF.

144 In terms of design, highways impact, amenity impact, flooding sustainability and ecology, the proposal is considered to be acceptable subject to conditions. In terms of impact on the town centre, the scheme in isolation is considered to be just on the edge of acceptability. The submission of an application for a Tesco store is a material planning consideration that has to be taken into account and weighed against the other issues that have been assessed.

145 The cumulative impact of this and the Tesco application would be unacceptable in terms of impact on the town centre. As such, only one of the schemes can be permitted. The Tesco application is acceptable in terms of loss of employment land, design, highways impact, amenity impact, flooding sustainability and ecology subject to conditions. The Sainsburys application would have a greater harmful impact on the vitality and viability of the town centre and would result in the loss of protected employment land contrary to policies LO6 of the Core Strategy, EB1 of the Local Plan, and the NPPF. These objections are not considered to be outweighed by the greater claw back of trade than the Tesco scheme.

146 In planning policy terms, the Sainsburys application is a less preferable option. This consideration represents a material planning consideration which in combination with the loss of employment land weighs against this application.

147 This application would result in the loss of an unacceptable level of employment land and have a detrimental impact on the vitality and viability of the town centre contrary to policies EP8 and EB1 of the Local Plan and SP8 and LO6 of the Core Strategy, and the National Planning Policy Framework.

Background Papers

Site and Block plans

Contact Officer(s):	Joanna Russell Extension: 7367
Pav Ramewal **Chief Executive Designate**	

DEVELOPMENT CONTROL COMMITTEE

8 August 2013

LATE OBSERVATION SHEET

Item 4.1 SE/13/00134/FUL Land at Station Road & Fircroft Way, Edenbridge TN8 6HQ

Corrections

- Page 25 4th paragraph down - J signs should read £ symbol.
- The Edenbridge Town Council comments should read '...further North **up Station Road from** Four Elms Road...'

Added comments

- It should noted that the Coop has raised objection to the planning application. While the concerns raised have been considered in the main body of the report, they are highlighted here for ease of reference:

  The scheme is likely to result in a significant adverse impact on the town centre in terms of turnover, linked trips and overall vitality and viability

  The scheme would result in the loss of important B Class land recognised as such in the Councils Employment land review.

  Queries raised over the retail assessment figures that have been produced.

  Comments: The two reasons for objection to this scheme are the recommended reasons or refusal of the application.

  The Council commissioned an independent retail assessment of the scheme to check against the submitted retail figures. This found discrepancies as detailed in the GVA report.

  Page 14 para 9 – the applicant has advised that an additional unit on the land has become vacant. It is one of the B8/B2 uses and equates to 829 sqm.

- Para 64-67 – as outlined in the in the GVA report para 5.1-5.10, the assessment of sequentially has taken a flexible approach to issues such as format and scale. It has concluded that even taking a flexible approach, the scheme meets the test of sequentiality.
- The most recent draft 106 agreement is attached as Appendix 1.
- Sainsbury's gave clarified that in their figures, they have made no allowance for any positive impact of the foodstore proposals either in isolation or cumulatively. They also take the Tesco figures at face value which does not imply that they agree with the assessment.

Supplementary Information

Late Observations

- Councillor Scholey has advised that due to a prior booked holiday, he shall not be able to attend the DCC meeting on August 8th. He has requested that the attached statements be included in late observations. His comments are attached as Appendix 2.

- An addendum has been produced to GVA's critique of the Retail Impact Assessments carried out to support the Sainsbury's and Tesco planning applications. It is attached as an Appendix 3 for members' information. This report was primarily commissioned to assess the cumulative impact of the two stores. Para 20 of the report provides GVA's estimate of this and further detail is set out in tables 1-4 of the appendices.

  Impact on the town centre as a whole' means impact on retail trade in comparison and convenience goods in the town centre as a whole.

  The addendum also provides estimates of the impact on the town centre excluding the Co-op and Tesco Express. Para 18 and tables 5 and 6 of the appendices set out GVA's estimate that the impact of each store individually is approx. 6% and that the cumulative impact is approx. 12%. Whilst the Sainsbury's store would be larger, GVA believe that the impact on the town centre as a whole (see above) excluding the Co-op and Tesco Express would be the same for both stores individually because the comparison goods floorspace at the Sainsbury's store will compete more directly with other large supermarkets/superstores than comparison goods in the town centre. They believe the opposite will be true of the proposed Tesco. It follows that the greater impact in the town centre forecast as a result of the Sainsbury's store is due to its more substantial forecast impact on the Co-op and Tesco Express (which make up the vast majority of existing convenience goods trade).

  The original GVA report was not sufficiently clear about how the impact on the town centre as a whole (again, see above) of the Sainsbury's (26.5%) and Tesco (11.7%) proposals individually was calculated, which led to a number of the questions. A breakdown of this has now been incorporated into the addendum (tables A-F of the appendices).

- The Eden Valley Chamber of Commerce have sent in a letter to advise that following debate and presentation sabot ach proposal, they held a vote among members in which over 50% voted. The vote was 88% in favour of the Sainsbury's proposal and the remainder of the votes were split between Tesco and neither store.

  They consider that Sainsbury's would bring positive benefits to Edenbridge helping to make it a destination town and increasing investment opportunities. The size and location is seen as a positive as it would retain shoppers in town. The fuels station will have a positive effect on all residents and bring down the local price of petrol. The store will bring 200 jobs to Edenbridge and offer other opportunities to local businesses during the building and completion phase. The proposal takes account of the wishes of local residents as well as local businesses. It doesn't affect any residents of the town. His type of investment sends out a strong message to other potential inward investors. Sainsbury's will settle into and support the whole community and invest in the chambers efforts to promote Edenbridge.

- Bradford Electrical, the current retail unit on site has contacted the Council to confirm that they have acquired a property in Edenbridge High Street that they can relocate to.

- The landowner of the site has sent in a letter to the Council to state that he considers permission should be granted for the Sainsbury's scheme because of its size – it would attract shoppers to stay in Edenbridge which would benefit the High Street. The store will offer an online home delivery service, includes provision of a petrol filling station, is bounded on one side by a railway line and is not close to any residential properties unlike Tesco.

  The landowner has aimed to assist companies on site to relocate within Edenbridge. Two have already moved and a third is negotiating. His own company will move and a further company has moved to within 100m of the site.

  The existing properties are at or very close to the end of their economic life. If permission is refused he would, in all possibility be forced to demolish the properties and the site would remain a hoarded space.

  Employment numbers since he has been there have never been close to the level offered by Sainsbury's and have fallen off in recent years

- 175 additional notifications of support for Sainsbury's have been received. The additional comments raised are that:

  the Sainsbury's scheme is preferable to the Tesco proposal
  Sainsbury's have involved the community at all stages of the process

- 1 additional notification of objection for Sainsbury's has been received. The points raised have already been covered in para 35 of the report.