

4.2- SE/13/00935/FUL Date expired 26 June 2013

PROPOSAL: Demolition of existing buildings and redevelopment of the site as a foodstore with vehicular access improvement, widening of public footway, extension of public cycleway, servicing, car parking areas and landscaping.

LOCATION: Land North West Of Junction With St Johns Way, Station Road, Edenbridge TN8 6EB

WARD(S): Edenbridge North & East

ITEM FOR DECISION

The application is being reported back to Development Control Committee following its deferral from 8th August 2013 meeting.

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 resolved to be granted at land at Station Road and Fircroft Way under SE/13/00134/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.

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.

Background

- 1 Members will recall that this application was deferred from the 8th August committee for the following reason:

'That consideration of the application be deferred for a further report from Officers following the decision of the Secretary of State for Communities and Local Government on application SE/13/00134/FUL.'

Description of Proposal

- 2 Permission is sought for the demolition of the existing buildings and redevelopment of the site to provide a Tesco food store with the main vehicular access for customers on St Johns Way. The access was originally shown from Station Road but has been altered following a Highways objection.
- 3 The development comprises a building with a gross external floor area of 2,170 sqm (2,010 sqm at ground floor and 160 sqm at first floor), 122 car parking spaces, spaces for motorbikes and 10 dedicated cycle parking racks.
- 4 90% of the sales area would be for convenience goods with the remaining 10% for comparison goods.
- 5 The store would be located in the north west corner of the site and have a footprint of 56mx31m. The two storey element is a small part of the building and is sited at the eastern end of the building with a maximum height of 6.6m to the ridge and 6.4m to the eaves level. The main one storey section of the building would have a shallow pitched roof with a ridge level of 7.15m and eaves height of 5m.
- 6 The maximum height of the building is comparable with the two storey element of the existing building fronting Station Road.
- 7 The building is shown to be constructed of larch cladding, non specified panelling and curtain walling and composite panel on the elevations and metal profiled cladding on the roof. Larch clad walls and solid gates would screen the service yard.
- 8 The service yard is shown to the east and north of the building and screened by landscaped walling and gates and will be accessed of Station Road. Vehicle parking is provided to the east, south and west of the building.

Legal Agreement

- 9 A unilateral undertaking has been made which makes a number of provisions which are material to consideration of the planning application as they directly relate to the impact of the development proposal. These are as follows:

- 10 Exclusion of the use of the New Store (or part of it) as a pharmacy, post office, bank, opticians, dry cleaners, hair or beauty salon or coffee shop.
- 11 To continue to operate the existing Tesco Express store at 39-41 High Street Edenbridge TN8 5AD for at least three years.
- 12 A contribution of £10,000 towards the County Council's costs for the provision of double yellow line waiting restrictions, the creation of a new bus stop and other highway works
- 13 A contribution of £40,000 towards the costs of the Council in promoting initiatives to preserve and enhance existing commercial activity in the retail areas of Edenbridge and its environs so as to ameliorate the impact of the Development.
- 14 In addition, the legal agreement includes the following non materials developer contributions:
- 15 To submit for the Council's approval details of a bespoke employment partnership between the Tenant, the Council, Edenbridge Town Council and Job Centre Plus for the recruitment of staff at the New Store. The objective of the partnership is to secure local employment and that a proportion of jobs are for the long term unemployed.
- 16 The Owner and the Developer covenant with the Council to procure that its appointed building contractors take reasonable steps to engage workers and sub-contractors from job centres and companies located within the administrative district of Sevenoaks when reasonably possible and practicable.

Description of Site

- 17 The application site consists of 0.78 ha of land located 650m north of the town centre. It is located to the north west of the mini roundabout junction of station road with St Johns Way and Commerce Way.
- 18 It is part of an area of protected employment land that continues north towards the railway line. There is a petrol filling station and a car showroom to the north of the site and an industrial complex to the west of the northern part of the site. The remainder of the west boundary and part of the south boundary adjoin residential development in St Johns Way and Paddock Close.
- 19 There is a vacant parcel of land on the opposite side of the road that benefits from planning permission for development with a pair of semi detached dwellings.
- 20 On the east side of station road, opposite the site, there is an industrial unit at the junction with Commercial Way, and four residential dwellings to the north of this. Further north there are another four residential buildings and then an industrial and warehousing area that continues to the railway line.
- 21 The site is fairly level. There are no topographical features of note. The buildings are of light industrial appearance. A small element of the building close to station road is two storeys in height and the remainder of the building is one storey. The open yard area is used for open storage of products and materials, vehicle parking and manoeuvring.

- 22 The site is in two parts. The first part is a vacant site approximately 0.22 ha bordered by hoardings along the boundaries with Station Road and St Johns Way. That benefits from planning permission for Class B1 (c) light industrial, Class B2 general industrial and Class B8 storage or distribution. This permission provides for vehicular access from St Johns Way. The planning permission has been implemented and the dropped kerb and pavement crossover for the access has been constructed. However the site has since remained vacant.
- 23 The other part of the site is occupied for buildings and a yard used by Fi-Glass Limited for the manufacture and moulding of fibre of glass reinforced products which are painted on site. This is a Class B2 general industrial use. This part of the site is served by two vehicular accesses off Station Road.
- 24 The existing site benefits from a Class B2 use throughout. There are no planning conditions controlling use, noise or emissions on any part of the site.

Constraints

- 25 Designated employment land

Policies

Sevenoaks District Local Plan

- 25 Policies - EN1, VP1, EP8, EB1

Sevenoaks Core Strategy

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

Other

- 27 NPPF

Relevant Planning History

- 28 04/01365/FUL - Erection of building for B1 (c) /B2/B8 uses. Granted
- 09/02003/LDCPR - Confirmation that planning permission granted under reference SE/04/01365/FUL has commenced and can be completed in the future without the need for any further consent. Granted

Consultations

Edenbridge Town Council

- 29 Edenbridge Town Council made the following comment on 24/4/13:

'support:

Members unanimously supported, with reservations, the application. Members had no objections on planning grounds and accepted the need for a food store and that there was nowhere in the town centre for the proposal. Members believe that the flood and surface water issues had been adequately catered for, and that the design had sufficient parking. However, members had reservations

as to whether the aims of the 2006 Edenbridge Health check, to attract people into Edenbridge, would be met with a store of this size, as it would not be possible to provide a full range of price levels, (value through to finest), in the space which could fail to meet the aspirations of the 50% of customers who currently shop outside the town or those it is hoped to attract in from outside.

Members welcomed the verbal assurance given tonight that children's clothing would be included, but the need for adult clothing and shoes appeared to have been missed.

Currently Edenbridge has a good range of small mostly independent specialist shops in the High Street, providing jewellery, homewear, antiques, etc, but to further develop its status as a Rural Service Centre, as defined in the adopted Local Development Core Strategy 2011, the town needs to draw shoppers from a wide area and to do this it requires larger retail suppliers to provide the additional attraction to pull people in.

Members welcomed the fact that the wishes of the St John's Road residents had been heard and that the proposed entrance was on Station Road and that improvements to the St Johns Road/Station Road roundabout were to be included. "

- 30 Following the revision of access arrangements, The Town Council submitted revised comments on 10/7/13 as follows:

"Members object to this proposed amendment to the access arrangement on the loss of amenity, by design, to the residents of the Beeches Estate. The proposal does not contain a central reservation for cars turning into Tesco's car park which will lead to traffic backing up to and beyond the roundabout. Also there is no mention of the promised visual improvements to the roundabout."

Environment Agency

- 31 The Environment Agency has made the following comment:

"We have no objection to the principle of the proposed development and should you be minded to grant planning permission, we request that the following condition be included for the following reasons.

Condition: Development shall not begin until a sustainable surface water drainage scheme for the site, which includes details on future maintenance, 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: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

The following comments are based on Flood Risk Assessment (FRA) ref 4631/2.3F dated March 2013 prepared by GTA Civils Ltd.

Our only concern regarding the proposal is with respect to the proposed means of surface water disposal. Paragraph 2.1 of the FRA suggests the current site area is 0.784 hectares (ha) of which only 0.2055ha is roof area. The drainage strategy in Appendix F of the FRA provides estimates of runoff from the current site to be 6.8, 15.6 and 19.3litres per second, for the 1yr, 30yr and 100yr storms respectively. This assumes the entire site is positively drained. However, the strategy states all runoff will be restricted to 19ls/ and while this is acceptable for the critical 100yr rainfall event, it could represent an increased rate of discharge for less severe, albeit significant rainfall events.

A significant area of the southern part of the site consists of permeable material which is not connected to the drainage system. The proposed development will result in most of this area becoming impermeable and positively drained, thereby representing an increased impermeable area and therefore, an increased rate of discharge. There is also a small increase in the proposed roof area. Although not stated, this will result in increased runoff to the watercourse north of the site following rainfall events of moderate return period.

This watercourse does present a risk of flooding to the Firfield Estate, which is also at risk from surface water flooding. This estate was flooded by surface water in July 2012 following a rainfall event of less than 20yr return period. The drainage infrastructure should therefore ensure proposed discharge to the watercourse is no greater for lesser events as well as the critical 100yr return period event.

This could be achieved by a number of ways using sustainable drainage techniques and by increasing the size of the rainwater harvesting tank.

Informative:

The watercourse to the north of the site is "main river". Under the terms of the Water Resources Act 1991, any works, in, on, under or over main river or within eight metres from the top of bank or edge of culvert, will require our prior written consent. This is termed Flood Defence Consent. Therefore, any proposal to connect the proposed 300mm storm drain under Station Road will require flood defence consent from us"

Natural England

32 Natural England has offered the following comments:

The ecological survey submitted with this application has not identified that there will be any significant impacts on statutorily protected sites, species or on priority Biodiversity Action Plan (BAP) habitats as a result of this proposal. However when considering this application the council should encourage opportunities to incorporate biodiversity in and around the development (Paragraph 118 of the NPPF).

The Town and Country Planning Association's publication "Biodiversity By Design" provides further information on this issue and the publication can be downloaded from <http://www.tcpa.org.uk/pages/biodiversity-by-design.html>

Examples of biodiversity enhancements that can be widely incorporated into development proposals include:

Green/brown roofs

The use of alternative roofing (turf, aggregate, brown and green roofs) can make a significant contribution to biodiversity, attenuation of rainfall, and energy efficiency as they can provide a high degree of insulation.

Landscaping

Native species of plant should be used in landscaping proposals associated with development, unless there are over-riding reasons why particular non-native species need to be used. The nature conservation value of trees, shrubs and other plants includes their intrinsic place in the ecosystem: their direct role as food or shelter for species: and in the case of trees and shrubs, their influence through the creation of woodland conditions that are required by other species, e.g. the ground flora.

Nesting and roosting sites

Modern buildings tend to reduce the amount of potential nesting and roosting sites. Artificial sites may therefore need to be provided for bats and birds. There is a range of ways in which these can be incorporated into buildings, or built in courtyard habitats. Their location should provide protection from the elements, preferably facing an easterly direction, out of the direct heat of the sun and prevailing wind and rain.

Sustainable urban drainage systems

Many existing urban drainage systems are damaging the environment and are not, therefore, sustainable in the long term. Techniques to reduce these effects have been developed and are collectively referred to as Sustainable Urban Drainage Systems (SUDS). SUDS are physical structures built to receive surface water runoff. They typically include ponds, wetland, swales and porous surfaces. They should be located as close as possible to where the rainwater falls, providing attenuation for the runoff. They may also provide treatment for water prior to discharge, using the natural processes of sedimentation, filtration, adsorption and biological degradation.

Local wildlife sites

If the proposal site is on or adjacent to a local wildlife site, e.g. Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local wildlife site before it determines the application

Kent County Council Ecology

33 Kent County Council Ecology Service has made the following comments:

Under the Natural Environment and Rural Communities Act (2006), "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity". In order to comply with this "Biodiversity Duty", planning decisions must ensure that they adequately consider the potential ecological impacts of a proposed development.

The National Planning Policy Framework states that "the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and delivering net gains in biodiversity where possible."

Paragraph 99 of Government Circular (ODPM 06/2005) Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System states that "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision."

Natural England has published Standing Advice on protected species and Ancient Woodland. When determining an application for development that is covered by the Standing Advice, Local Planning Authorities must take into account the Standing Advice. The Standing Advice is a material consideration in the determination of applications in the same way as a letter received from Natural England following consultation.

We have reviewed the ecological information which has been submitted with this planning application in conjunction with the desk top information we have available to us (including aerial photos and biological records).

The ecological survey has assessed the site to have limited suitability to contain protected/notable species. We are satisfied with this assessment and we require no additional information to be provided prior to determination of the planning application.

Lighting

The survey highlighted that there is some potential for the site to be used by foraging or commuting bats. Lighting can be detrimental foraging and commuting bats, we advise that the Bat Conservation Trust's Bats and Lighting in the UK guidance is adhered to in the lighting design (see end of this note for a summary of key requirements).

Breeding Birds

The site contains buildings and vegetation which could be used by nesting birds. All breeding birds are legally protected under the Wildlife and Countryside Act 1981 (as amended) We recommend that if planning permission is granted all buildings and vegetation is removed outside of the breeding bird season.

If that is not possible an experienced ecologist must examine the site prior to works starting and if any breeding birds are identified all work must cease until all young have fledged.

Enhancements

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

It is welcomed that native species have been incorporated in to the proposed landscaping plan.

However consideration should also be given to including bat and bird boxes on to the building or boundary to enhance roosting/nesting opportunities within the site

34 Kent Highway Services has made the following comments:

On 6/4/13

Thank you for allowing additional time in which to discuss this application with the applicants.

The application is for a food store of gross external area 2170 square metres with 120 parking spaces inclusive of 7 places for drivers with disability. Access would be from the B2026 Station Road.

The proposals raise a number of highways issues as set out below. Some of these have already outlined by other consultees.

a) Traffic generation. The applicants have estimated the traffic generation of the store using traffic surveys from comparable stores in the TRICS database. Estimates for the evening peak hour are 174 arrivals and 178 departures. This is approximately twice the level of traffic visiting the adjacent petrol station (based on a survey on 15th April 2013).

b) The applicants are proposing a single access onto Station Road. This would be approximately four times busier than either of the two petrol station accesses. (In other words the Tesco access would be used by roughly twice as much overall traffic concentrated into one access rather than two.)

c) The busy Tesco access on London Road raises concerns about safety and amenity for pedestrians using the western footway of London Road. This has intermittent levels of pedestrian flows, and sees highest use when people are walking to and from the railway station. For example, video provided by the applicant shows 17 pedestrians using the footway in the five minutes 16:36 - 16:41 on a weekday afternoon and of these more than half are children returning home from school. Additional pedestrian flows would be expected to the Tesco store.

d) The applicants are proposing that pedestrians should cross their access at a location set back from Station Road, however it is likely that most pedestrians will tend to ignore this and try to cross the mouth of the access as this would be the most direct route.

e) Access to public transport is not good. The nearest bus stops would be 240 metres / 280 metres from the store entrance door, and this would deter many customers from travelling by bus, particularly as they would have to carry heavy shopping bags.

f) Access to the store by bicycle would be mainly along the road network as the limited cycle path provision in the town is not yet sufficiently joined-up to provide an off-road route to the store. Considering the accessibility on foot, by cycle and by bus, the proposed store does not appear to be particularly accessible by sustainable modes of transport.

g) The proposals are likely to increase delays to southbound traffic on Station Road when vehicles wait to turn right into the store and while being held up by northbound traffic. Transient queues of this type are already seen from time to

time at the entrance to the petrol station. The applicants predict their customer traffic will be approximately twice the number of vehicles currently accessing the petrol station, and consequently the potential for holdups will be more than doubled. (The probability of hold ups occurring is dependent not only on the number of vehicles trying to enter the store car park but also dependent on the increased traffic on Station Road.) Congestion of this type is difficult to quantify, in particular because the traffic on London Road is not uniform but affected by pedestrian crossings and road junctions to the north and south of the site, which result in the traffic being platooned into groups of vehicles. The applicants have done some modelling of the store access onto Station Road, however the results are debatable because of the variable nature of the traffic.

h) The proposals may result in transient queues out onto Station Road when customers experience difficulty finding parking spaces. This could create short-term delays to both northbound and southbound traffic on Station Road. The problem is already seen from time to time at the entrance to the petrol station.

i) The proposals have the potential to create conflicting interactions between the Tesco access and traffic to / from the petrol station and car sales business, as the accesses would be only about 20 metres apart. It is likely that the busy Tesco access will add to the difficulties experienced on the occasions when car transporters arrive to deliver vehicles to the Vauxhall dealers.

j) Parking provision. The number of parking spaces per square metre of shop would be very similar to that proposed by the Sainsbury application. It is not clear if this will always be sufficient, however there is no sound basis for insisting that more parking places should be provided.

k) Looking at the potential impact on the junction of Station Road and Four Elms Road, the results of traffic modelling are inconclusive. This is because the very variable traffic levels arriving at the junction are difficult for the PICADY software to process. It is likely however that the intermittent queues that are experienced here at peak periods will tend to increase in frequency and length.

l) The application site is only about 900 metres north of the Tescos in Edenbridge High Street, i.e. approximately ten minutes walk, and this prompts the question whether the smaller store might be considered unviable in the long term? Most of these issues could be addressed by taking all vehicular access and egress (including deliveries) off St John's Way. The main advantages would be:

No conflicting vehicle/pedestrian interactions at the busy access on Station Road

No risk of conflicting interactions with accesses to neighbouring businesses

Less delay from conflicting traffic movements on B2026 Station Road

Less potential for queues out of the site onto B2026 Station Road

Access would be onto a street with considerably less traffic and pedestrians

It should be possible to allow bus stops on London Road outside the store, subject to agreement with the bus operators.

I have sought the St Johns Way access / egress from the applicant's consultants but they are unwilling to change the plans. Without this improvement the

proposed design is inadequate in respect of pedestrian safety and accessibility for pedestrians and public-transport users. It is therefore inadequate in terms of sustainability.

It is worth mentioning also that the Travel Plan is short on commitments for practical measures to increase sustainable travel. For example, it mentions that cycling could be encouraged if changing facilities were provided, but there is apparently no commitment to provide any.

Similarly the plan proposes to Encourage employers to set up and promote a guaranteed lift home, funding for car sharers, but it stops short of committing the applicants to this scheme. We would welcome any plans for improving accessibility for customers without cars or bicycles who do not live within easy walking distance. On the other hand, the applicant's commitment to widen the footway outside the store is welcome.

Recommendations

In view of the risk of vehicle / pedestrian collisions at the entrance to the site, and in view of the fact that a significantly safer design is achievable, I recommend that the application is refused planning permission on the grounds of highway safety. The proposals would give rise to undue interference with the safety and convenience of pedestrians using the western side of Station Road. Moreover, the plans are inadequate in relation to pedestrian and public transport accessibility, and there is likelihood of intermittent additional congestion on Station Road, along with the potential for additional vehicular conflicts due to the close proximity of vehicular accesses to the petrol station, the car showroom and car workshop business.

However, if the Planning Authority decides to approve the application I would recommend the following planning conditions:

Section 106 Agreement

The developer shall be required to provide a Section 106 contribution of £10,000 for the provision of double yellow line waiting restrictions and other highway works approved by the applicant and that are adjacent the store. Reason: Highway safety, to ensure effective car parking management and control and improved amenity.

Section 278 Agreement

The developer shall enter into a S278 agreement with the Highway Authority to ensure that the revised site accesses and works to the footway are provided to appropriate standards. Design and implementation stages are to incorporate industry standard Safety Audits as considered necessary and appropriate. Reason: Highway safety.

Construction Vehicle Loading / Offloading / Turning

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

Provision of Parking for Site Operatives/Visitors

Prior to the works commencing on site, details of parking for site personnel, operatives and visitors shall be submitted to and approved by the Local Planning Authority and thereafter shall be provided and retained throughout the construction of the development. Reason: To ensure provision of adequate off-street parking for vehicles, in the interests of highway safety and to protect the amenities of local residents.

Works to Prevent the Deposit of Mud

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. Reason: Highway safety and amenity.

- 35 On 2/7/13, the following revised comments were submitted in response to amended plans:

'thank you for consulting with us about the revised plans.

The application is for a food store of gross external area 2170 square metres with 122 parking spaces inclusive of 7 places for customers with disability, 5 spaces for parents with children and 5 spaces for staff.

In these revised plans the access to customer parking has been moved from B2026 Station Road to St Johns Way. This has the advantage of removing conflicts between pedestrian flows on the west footway of B2026 Station Road and customers' cars entering and leaving the car park. It also has the advantage of not creating intermittent congestion on B2026 Station Road at the entrance to the car park, and reducing the potential for vehicular conflicts due to the close proximity with the entrance to the petrol station. By contrast, both vehicular and pedestrian flows are lower on St Johns Way, so there is much reduced likelihood of conflicting movements occurring.

Access to the service yard and staff car parking would continue to be off B2026 Station Road, however the smaller number of access movements is not expected to be any worse than for the existing permitted site usage.

The applicants have estimated the traffic generation of the store using traffic surveys from comparable stores in the TRICS database. Estimates for the evening peak hour are 174 arrivals and 178 departures. (For purposes of comparison, this is approximately twice the number of arrivals and departures at the petrol station north of the application site, based on a survey on 15th April 2013.)

Other highways and transportation issues are as follows:-

1) The applicants have modelled the likely traffic impact of the proposals on the B2026 Station Road / St Johns Way roundabout, and the results demonstrate that the junction should operate well within capacity.

2) The applicants have also modelled the junction of B2026 Station Road and Four Elms Road. The results are not entirely clear, because the very variable

traffic levels arriving at the junction are difficult for the PICADY software to process. There is also the complicating factor of a pedestrian crossing on one arm of the junction. The net result, however, is that it is likely the intermittent queues that are experienced here at peak periods will tend to increase in frequency and length.

3) *Parking provision.* The number of parking spaces per square metre would be broadly similar to that proposed by the Sainsbury application. It is not clear if this will always be sufficient, however there is no sound basis for insisting that more parking places should be provided.

4) *Access to public transport is not good.* The nearest existing bus stops would be 240 metres - 280 metres from the store entrance door, and this would deter many customers from travelling by bus, particularly if they would have to carry heavy shopping bags. The main local bus operator has been asked if it would be willing to divert the 231/233/236/237 services to pass the store, however the response was that this would be likely to result in a lower number of passengers than on the existing route via Fircroft Way. However the less frequent services 232 and 234 pass the site and a Section 106 contribution for the installation of a bus stop is requested if the application is approved.

5) *Access to the site for pedestrians is limited to a single route from the St John's Way / Station Road roundabout.* I have asked for pedestrian routes along the pedestrian desire lines to the entrance door from the road at the northern and western site boundaries. However, these have not been forthcoming.

6) *At the time of writing this response, the proposals as displayed on the Council website do not show where the proposed cycle parking would be located.*

7) *Access to the store by bicycle would be mainly along the road network as the limited cycle path provision in the town is not yet sufficiently joined-up to provide an off-road route to the store.* Overall, considering the accessibility on foot, by cycle and by bus, the proposed store does not appear to be particularly accessible by 'sustainable modes of transport'.

8) *The Travel Plan is short on commitments for practical measures to increase sustainable travel.* For example, it mentions that cycling could be encouraged IF changing facilities were provided, but there is apparently no commitment to provide any.

Similarly the plan proposes to "encourage employers to set up and promote a guaranteed lift home fund" for car sharers, but it stops short of committing the applicants to this scheme. We would welcome any plans for improving accessibility for customers without cars or bicycles who do not live within easy walking distance. On the other hand, the applicant's commitment to widen the footway outside the store is welcome.

9) *Details of the design of site entrances will need to be agreed with KCC Highways as part of a Section 278 agreement process and safety audits will be required.*

Conclusion:

The National Planning Policy Framework requires that "Development should only be prevented or refused on transport grounds where the residual cumulative

impacts of development are severe." Taking all the above issues into account, I do not intend to raise any objection on highways grounds, as the net impact of the application on the road network is unlikely to justify this.

I would request that any permission granted should be subject to the following planning conditions:

Section 106 Agreement

The developer shall be required to provide a Section 106 contribution of £10,000 for the provision of double yellow line waiting restrictions, a bus stop, and other highway works that are approved by the applicant and that are adjacent the store.

Reason: Highway safety, to ensure effective car parking management and control, improved amenity and encouraging sustainable transport. Unused funds to be returned to the Applicant.

Section 278 Agreement

The developer shall enter into a S278 agreement with the Highway Authority to ensure that the revised site accesses and works to the footway are provided to appropriate standards. Design and implementation stages are to incorporate industry standard

Safety Audits.

Reason: Highway safety.

Construction Vehicle Loading / Offloading / Turning

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 Planning Authority and thereafter shall be provided and retained throughout the construction of the development.

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

Provision of Parking for Site Operatives / Visitors

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

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

Works to Prevent the Deposit of Mud

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 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.

Reason: Highway safety and amenity.

Cycle Parking

Cycle Parking is to be provided as shown on drawing 28200-002-013 dated 2/7/13 or as otherwise agreed in writing with the Planning Authority in consultation with the Highway Authority.

Reason for condition: This drawing is not yet included in the application documents shown on the SDC planning web site."

Sevenoaks District Council Policy Team (prepared prior to the August 2013 committee)

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

(Note that more detailed supporting comments are contained in the background papers).

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, as suggested by the Council's retail consultants. 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.

It is recommended that in order to make the development acceptable in planning terms the following be secured through legal agreements:

- A commitment from Tesco to maintain the Tesco Express store in the town centre:*
- A financial contribution to help reinforce the town centre and offset the loss of trade:*
- A restriction to the degree to which the proposed store is able to offer non-food goods and services comparable with those found in the town centre: and*
- A restriction to the overall sales area dedicated to comparison goods.*

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. This is on account of the facts that part of the site is still occupied, there have been no apparent attempts to market the site and no viability evidence has been submitted for the potential B1/B2 redevelopment identified by the applicant or any other business use redevelopment. Despite this non-compliance, the Tesco proposal would provide an increase in the number of jobs currently on the site and the number that are likely to be provided if the permitted development on the southern part of the site were to be built out. It also provides an opportunity for other planning benefits at Edenbridge such as an increased choice and range of goods within the town without a significant adverse impact on the town centre vitality and viability and trade in the town centre. As a result of these material considerations and the balance of benefits, the Planning Policy team recommends the approval of the Tesco proposal."

Sevenoaks Arboricultural Officer

37 Sevenoaks Arboricultural Officer has made the following comment:

'this location is either light industrial or waste ground awaiting some form of development. There are no issues with the current landscape as there are no trees or other vegetation of worth that will be affected.

I have therefore turned my attention to the proposed landscaping as this is an opportunity to add to what could be a beneficial and attractive green corridor, which is one of the main routes into the town. I suggest that this could be conditioned

The applicant has shown details of boundary planting, which will be of great amenity benefit to this scheme should it be approved. I consider however that additional planting could be carried out within the internal areas of the site. There are a few available spaces that could be planted with additional trees, I would like to open up this discussion."

Sevenoaks Council Environmental Health

38 Sevenoaks Council Environmental Health have made the following comment:

"Noise issues can be resolved by condition for this proposed development, section 4.4 of the Sharps Redmore acoustic report Project no: 1313288, suggests an acoustic fence 2 metres high, the possibility of a 10 dB reduction in noise from a 2 metre barrier is optimistic. I do believe any barrier should be higher if visual amenity will allow (2.5 metres +). Details of the construction of any proposed barrier will be required.

The gates to the service yard should be conditioned to require them to be closed at all times except for ingress and egress, they should be close fitting with minimal gap at the bottom and at the sides with a nominal density of 10 Kg/m². Section 5.2 of the acoustic report.

Section 6, mechanical plant and services, whilst an engineering solution is possible to overcome noise issues from plant and equipment, the applicant should be required to undertake a validation assessment of the noise from the plant and equipment once the installation is complete but prior to the store becoming operational and undertake further mitigation measures if sufficient attenuation has not been achieved.

Restricting operational hours and deliveries by condition and the possible inclusion of a noise management plan are also recommended as conditions, section 8 of acoustic report."

'this team has no objection to this development in principal subject to a suitable condition requiring a site investigation and any remediation if required. A contaminated land condition can be suggested on request, though you may have a standard condition for this purpose.

It should be noted that the environmental consultant has, as part of his report, made recommendations concerning the nature of the site investigation he proposes. Whilst I am in general agreement with his proposals I would take this opportunity to make a few observations:-

- *Currently no soil sampling is proposed on the footprint of the existing Fi Glass building. Either this will need to be rectified or acceptable justification provided.*
- *Window sampling to a depth of 4m is proposed (8.2). If groundwater is not encountered within this depth I would like to see further reasonable efforts made to obtain groundwater samples in order that the groundwater regime can be characterised.*
- *Three rounds of gas monitoring is proposed over a minimum of three weeks. Guidance document CIRIA 665 : (Assessing Risks Posed by Hazardous Ground Gases to Buildings) indicates that a minimum of four rounds of monitoring should be undertaken over a period of at least 4 weeks. If the consultant is aware of other alternate authoritative guidance that supports their proposal this can be discussed.”*

Representations

39 94 notifications of support have been received. These raise the following points:

- The proposal would create new jobs in the community
- The store would be convenient for those in Marlpit Hill and Spittals Cross areas
- There is a need for a good supermarket that has choice and variety of products
- It's a good location for those without private transport
- Edenbridge needs a larger supermarket to cater for its growing population
- The improvements to the roundabout would be welcomed
- The proposal will bring life back into the town
- Prefer Tesco to Sainsbury's
- Tesco have constantly informed residents of their proposals whereas Sainsbury's have not.
- The store will improve the appearance of the street scene.
- The store will save people having to go into town to do their weekly shop.

40 The Eden Valley Chamber of Commerce have advised that following debate and presentation about each 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 also 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"

41 96 notifications of objection have been received. These raise the following points:

- The proposal is contrary to planning policy
- There will be unacceptable noise and pollution from the traffic and delivery vehicles
- Do not need another mid sized store – they are already in the high street
- Increase in traffic in general
- Residents of St Johns Way will suffer further traffic congestion and loss of parking
- Early and late opening will have a detrimental impact on a quiet residential area
- Loss of Class B employment land
- No need for another Tesco – there is already one in the high street
- Edenbridge needs a full size supermarket with a petrol station
- Pedestrian entrance from St Johns Way should be sited further around the corner in Station Road
- The relocated entrance will have an unacceptable impact on amenity of residents

- The new access would have an unacceptable impact on traffic and highway safety
- The Sainsbury's scheme is preferable to the Tesco proposal
- The store will not attract enough shoppers to Edenbridge
- Tesco have had little interaction with residents in the Town.

Chief Planning Officer's Appraisal

Assessment

- 42 This application was initially to be heard at committee on 8th August 2013 alongside an application for retail development at a nearby site (application reference 13/00134/FUL).
- 43 The committee resolved on 8.8.13 to approve application the Sainsbury's application 13/00134/FUL subject to satisfactory completion of a legal agreement. 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 call it in.
- 44 Because the Sainsbury's application 13/00134/FUL represents a material planning consideration in determination of this application, this application was deferred for decision until the Council knew the outcome of the referral.
- 45 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 the Sainsbury's application 13/00134/FUL has not been completed within the deadline resolved by committee, the application has been reverted back to committee in the form of an update report.
- 46 The resolution by committee to grant permission for the Sainsbury's store (13/00134/FUL) is a material planning consideration which will be dealt with in the main body of this report.
- 47 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

- 48 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.
- 49 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.
- 50 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'*.
- 51 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.
- 52 Policy EP8 of the Local Plan identifies the main business areas and states that Class B uses will be permitted within these areas.
- 53 One of the three roles that the NPPF identifies that the planning system should 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"*
- 54 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.”

55 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.”

56 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.

57 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.

58 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.

59 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.

60 The application site makes up 0.78 ha of the 18.8 ha Station Road employment allocation which would represent a 4% decrease in the area of the employment allocation. The application site currently comprises an existing industrial building (in B2 use) of 2160 sq m, which is currently used to manufacture fibre glass by the owner-occupier (Fi Glass), and a vacant area that has had planning permission for new employment development of 862 sq m for 8 years. The Councils Employment Land Review notes that the total floorspace of buildings on the Station Road employment site is approximately 111,645 sq m. As the applicant notes, the loss of the existing building would result in approximately a 1.9% reduction in the total floorspace.

61 The site currently accommodates 14 Full Time Equivalent (FTE) employees, whilst the proposed development is estimated to produce 100 FTE jobs, made up of 50 full time jobs and 70 part time jobs. The applicant has not assessed the number of jobs that could be accommodated on the site if the permitted employment

development were to be built. According to published guidance, the planning permission for the site (SE/04/01365), which has been implemented, would generate approximately 24 FTE jobs. This indicates that even if the permitted development were to come forward and that the existing building were to remain occupied by the owners then the number of FTE jobs on the site would be significantly lower at 38 than those to be delivered by the development of the Tesco store (100).

- 62 It is accepted that the existing buildings are in a poor state of repair and are no longer fit for purpose. It has also been stated that the existing occupier is looking to relocate from the site to ensure their long term competitiveness. The applicant claims that the current occupiers require a much smaller facility to meet the company's anticipated future needs. However, it is not clear from the application that an alternative site has been identified. It is claimed that the owner of the site would have difficulty marketing it to other occupiers, given the quality of the buildings, and that they would need to be subdivided to meet the average B2 unit size required in Edenbridge. It is claimed that the costs of this refurbishment and the likely uplift in value would not result in a viable scheme. This is apparent from the estimates of costs and value uplift set out in the submitted employment land study. It is considered that a significantly stronger market for B2 development and greater investor confidence would be required to produce this yield.
- 63 A redevelopment of the site for B1/B2 use is also claimed to be non-viable, although no viability evidence is provided to justify this position. Instead, the applicant claims that the fact that the extant permission for the southern part of the site has not come forward is sufficient evidence. It is not disputed that this indicates a weak market for employment development of this type in Edenbridge at the current time. However, Core Strategy Policy SP8 is clearly concerned with the need for business sites during the Core Strategy period (until 2026) rather than current market conditions. The site is not seen, by the applicant, as viable for redevelopment to B8 uses, given its relatively poor access to the Strategic Road Network. However there is also no evidence that the owner of the land with the extant permission (Cooper Estates) has marketed the site to test whether another developer may be able to develop a viable scheme, including in combination with the redevelopment of the Fi Glass site.
- 64 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 and the NPPF. This is because part of the site is still occupied and there have been no apparent attempts to market the site and no viability evidence has been submitted for the potential B1/B2 redevelopment identified by the applicant or any other business use redevelopment.
- 65 However, the proposal would provide an increase in the number of jobs currently on the site and the number that are likely to be provided if the permitted development on the southern part of the site were to be built out. It is considered that this benefit of the amount of increased job creation weights against the policy objection to the loss of employment land. This balance will be addressed in the conclusion of the report and taken into account along with the other considerations.

Impact on Town Centre

66 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.

67 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.

68 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.

69 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)”*

70 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.

71 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. The report is available in the background papers.

72 An addendum has also been produced to GVA's critique of the Retail Impact Assessments carried out to support the Sainsbury's and Tesco planning

applications, see Appendix 1. 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.

- 73 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).
- 74 The original GVA report was not sufficiently clear about how the impact on the town centre as a whole 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).

Sequential test

- 75 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 site 6 allocated within the Local Plan Allocation EB3 (known as the Leathermarket site).

The Leathermarket site 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.

The layout of the existing store on the Co-op site provides only a limited opportunity to accommodate a second 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 redevelopment 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.

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

Choice and range of goods

- 76 The Tesco store will increase the choice and range of goods and increase local competition in the town although not to such a large degree as the proposed Sainsbury's store. This is an objective of the Local Plan and Core Strategy, but such improved choice is sought in the town centre, not outside of it.

Expenditure claw back

- 77 The Tesco store proposal will claw back some expenditure back into the town although not to such a large degree as the Sainsbury's proposal. However, whilst this is a secondary benefit in terms of reduced frequency and length of trips, it 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

- 78 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 underestimated 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%
- 79 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 Tesco store will lead to an overall impact of 11.7% on the town centre as a whole.
- 80 The GVA report has *recommend that "any reduction in footfall in the town centre is not favourable and, in certain circumstances, would lead to the closure of stores, increasing the vacancy rate and undermining the overall vitality and viability of the town centre". They recommend that the Council secure a commitment to Tesco maintaining the Tesco Express store in the town centre and seek a financial contribution to help reinforce the town centre and offset the loss of trade.* GVA also suggest that if the Council is minded to approve a new out of centre foodstore it should restrict the degree to which the proposed store is able to offer non-food goods and services comparable with those found in the town centre and the overall sales area dedicated to comparison goods.
- 81 A legal agreement has been drawn up to control the following matters in relation to impact on the town centre.
- A commitment from Tesco to maintain the Tesco Express store in the town centre:
 - A financial contribution to help reinforce the town centre and offset the loss of trade:

- A restriction to the degree to which the proposed store is able to offer non-food goods and services comparable with those found in the town centre: and
- A restriction to the overall sales area dedicated to comparison goods.

82 As a stand alone application, taken in isolation, subject to conditions and a legal agreement, the retail impact of the proposal is considered to be acceptable and therefore in accordance with policy LO6 of the Core Strategy, EB1 of the Local Plan, and the NPPF. However, as will be discussed in the next section of this report, the application isn't a stand alone submission and needs to be considered in the context of application SE/13/00134 for a Sainsburys store.

Other Material Planning Considerations

83 As discussed earlier in this report, planning application SE/13/00134/FUL has previously been considered by the Development Control Planning Committee who resolved to grant permission for the proposal. The Secretary of State has advised that the application will not be called in for his consideration.

84 Due to the time it took for this decision to be reached, the deadline for completion of a legal agreement as resolved by committee, has passed. Application 13/00134/FUL is therefore being brought back to committee in the form of an update report on the basis of the committee's previous resolution to approve the scheme.

85 The committee resolution to approve application 13/00134/FUL is a planning consideration which has a material bearing on the acceptability of this proposal.

86 The Applicant has submitted figures relating to the cumulative impact of the Sainsbury's and Tesco application. It finds that the cumulative impact on the coop store would be 37% and on the Tesco store it would be 47%

87 The GVA report has considered the cumulative impact of permitting 13/00134 and this application. It concludes **that the development of two foodstores would have an unacceptable impact on Edenbridge town centre**. The impact has been detailed as follows:

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

88 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.

- 89 The cumulative impact on the town centre of this Tesco proposal and the Sainsbury's development resolved to approve under 13/00134/FUL would be unacceptable. As such, only one of the schemes can be permitted without harm to the town centre.
- 90 The committee have previously resolved to grant permission for the Sainsbury's application 13/00134/FUL. If permission is granted for Sainsbury, this Tesco application cannot be considered acceptable on grounds of cumulative retail impact on the town centre.

Other Matters

- 91 Since this application was heard at committee on 8.8.13, the Coop 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.
- 92 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.'

- 93 In response to an objection from Waitrose Ltd to the Sainsburys application, the Council commissioned GVA to review the retail impact of the proposal based on a changed town centre operator from Coop to Waitrose. The Waitrose objection did not consider that consideration of this application would be affected by the change in operator but for completeness the results of the GVA review are reported as part of the late observations report.

The Design of Development

- 94 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.
- 95 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.
- 96 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.
- 97 The site is visually prominent from both Station Road and St Johns Way. The scale of the proposed building is appropriate to the character of the location with consideration given to the elements that adjoin residential land and of the existing heights on the site and surrounding area.
- 98 The front elevation has a lower canopy running its length with a soffit height of 5m which is similar to the eaves height of a residential unit. The elevation faces the St Johns Way / Station Road roundabout approach and is shown in timber and glass with a pedestrian forecourt which leads to the parking provision.
- 99 The eastern elevation has a more industrial character which accords with the general character of the area although some of the materials used in the front elevation are continued onto this one to reflect its location onto a road. The North

and west elevations are much simpler in character which is appropriate to their industrial neighbours.

- 100 The proposal is designed in a manner that would contribute to an improvement in the quality of the environment. The materials shown are appropriate to the proposed use and to the character of the locality.
- 101 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. The Arboricultural Officer considers that additional planting could be required within the car park to break up the hard landscaping further. This could be required by condition.
- 102 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

- 103 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
- 104 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.
- 105 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.
- 106 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.
- 107 Policy VP1 requires parking provision to be made in accordance with the KCC adopted vehicle parking standards.
- 108 Extensive discussions have taken place between the applicant and Kent Highways and as a result of Kent Highway Services (KHS) objecting to the location of the main access on Station Road, the applicant amended the main access to its current location on St Johns Way. This is an existing access to the permitted unrestricted industrial use of the site. Kent Highway Services considers that this access has the advantage of removing conflicts between pedestrian flows on the west footway of B2026 Station Road and customers' cars entering and leaving the car park, and would prevent intermittent congestion on B2026 Station Road at the entrance to the car park, thereby reducing the potential for vehicular conflicts due to the close proximity with the entrance to the petrol station.

Because of the lower vehicular and pedestrian flows on St Johns Way, there would be a reduced likelihood of conflicting movements occurring.

- 109 Associated traffic movements to the service access and staff car parking as proposed is not expected to be any worse than for the existing permitted site usage.
- 110 KHS consider that the roundabout would operate well within capacity. They are satisfied with the number of parking spaces provided. There is no sound basis for insisting that more parking places should be provided.
- 111 Further information is required regarding the location of cycle parking. This can be dealt with via condition.
- 112 The proposal falls short in terms of commitments for practical measures to increase sustainable travel, although a commitment has been made in the legal agreement to widen the footway outside the store is welcome. A revised travel plan with a better commitment to such matters can be required by condition. It is expected that this would make provisions such as staff shower facilities at the store, and a staff car share scheme.
- 113 The Applicant has committed to contributions to deal with highway impacts as requested by KHS including £10,000 for the provision of double yellow line waiting restrictions, a bus stop, and other highway works that are approved by the applicant and that are adjacent the store.
- 114 KHS has required other matters to be controlled which be dealt with by condition including construction vehicle loading / offloading / turning, provision of parking for site operatives / visitors and works to prevent the deposit of mud.
- 115 It is considered that the impact of the store, subject to the completion of a legal agreement is acceptable and in accordance with policies EN1 and VP1 of the Local Plan.

Amenity impact

- 116 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.
- 117 The site is an established industrial site with an operation B2 use, and an extant planning permission for B1/B2/B8 use in accordance with the allocated use of the land for employment use. These uses are unrestricted in terms of hours of operation.
- 118 Access of the use of the B1/B2/B8 development totalling 862 sqm is off St Johns Way which serves a residential area to the west of the site.
- 119 The site is located adjacent to a residential area which lies to its west. Objections have been made about the impact of the store on the ease of access and amenity impact on the residential area.

- 120 The servicing area for the store which would be used by heavy vehicles is accessed from Station Road, well away from the residential properties. Kent Highways have addressed the customer traffic movements and found them to be acceptable given the context of the site.
- 121 The side of the car park which adjoins residential land is shown as landscaped to mitigate against any adverse traffic impact. It is considered that these properties would benefit from a restricted use of the land by domestic vehicles compared with the permitted unrestricted use by industrial vehicles. As such, the proposal would result in an improvement of the amenity of the adjoining occupiers.
- 122 The noise report which has been submitted with the application and assessed by the Councils Environmental Health team concludes that the development could proceed without detriment to the amenity of the adjacent residential occupiers. Sevenoaks Environmental Health agree that noise issues can be resolved by condition, and that the acoustic fence should be higher. Revised details of acoustic fencing and landscaping to mitigate the visual impact of this can be required by condition/
- 123 It is also recommended that details of the gates to the service yard should be conditioned along with further details of mechanical plant and services requiring a validation assessment of the noise from the plant and equipment once the installation is complete but prior to the store becoming operational and further mitigation measures to be undertaken if sufficient attenuation has not been achieved.
- 124 Operational hours and deliveries and requirement for a noise management plan can be required by condition, along with details of the external lighting of the store to ensure that excessive light spillage does not impact detrimentally on adjoining residents.
- 125 A condition would be required relating to site investigation and remediation.
- 126 Given the existing and extant use of the site, the existing access arrangement and that the proposed use would be controlled in terms of hours of operation and noise, 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

- 127 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”*

- 128 Policy SP2 of the Core Strategy requires that all new commercial development is required to achieve BREEM “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.
- 129 Policy SP11 of the Core Strategy requires the biodiversity of the District to be conserved and opportunities for enhancement sought.
- 130 Based on the Flood Risk Assessment report that has been submitted with the application, the Environment Agency has requested the imposition of a condition regarding a sustainable surface water drainage scheme. This is because a significant area of the southern part of the site consists of permeable material which is not connected to the drainage system. Without a sustainable surface water drainage scheme, the proposal would result in most of the area becoming impermeable and positively drained, thereby representing an increased impermeable area and therefore, an increased rate of discharge. There is also a small increase in the proposed roof area which could result in increased runoff to the watercourse north of the site and present a risk of flooding to the Firfield Estate.
- 131 The Environment Agency have advised that this could be achieved by a number of ways using sustainable drainage techniques and by increasing the size of the rainwater harvesting tank. Provided this condition is imposed, the proposal would be in accordance with the requirements of the NPPF in terms of flood risk.
- 132 An environmental sustainability statement has been submitted with the application. This outlines the means by which the proposal will implement sustainable initiatives. These include LED lighting, a digitally controlled lighting system which makes optimum use of natural light, the use of aluminium instead of copper in the main power transformer, glass doors on freezer cabinets, and natural ventilation. It is also committed that the store will be built to BREEAM standard “Very Good”.
- 133 The achievement of BREEAM “very good” standard can be secured via condition.
- 134 As such, the proposal would accord with policy SP2 of the Core Strategy, and the NPPF in terms of sustainability.
- 135 Natural England and Kent Ecology Service have assessed the submitted information and are satisfied that the proposal would have no adverse impact on habitats or species of ecological importance. They have suggested that biodiversity could be enhanced through, for example native planting around the site. This can be taken into account through submission of a revised landscaping scheme which will be requested via condition. A sustainable surface water drainage system will be required by condition. Details of the external lighting of the store would be requested in relation to residential amenity. Submission of details should also address the potential of the site for foraging bats.
- 136 Given that the site contains buildings and vegetation which could be used by nesting birds, a condition could be imposed requiring an experienced ecologist to

examine the site prior to works starting and if any breeding birds are identified all work to cease until all young have fledged.

- 137 A condition could also be imposed requiring bat and bird boxes to be incorporated in to the scheme to enhance roosting and nesting opportunities within the site.

Conclusion

- 138 In terms of design, highways impact, amenity impact, flooding sustainability and ecology, the proposal is considered to be acceptable and compliant in these respects with policies SP1, SP2, SP9 and SP11 of the Core Strategy, EN1 and VP1 of the local plan, and the NPPF.
- 139 Whilst 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. This is on account of the fact that part of the site is still occupied, there have been no apparent attempts to market the site, and no viability evidence has been submitted for the potential B1/B2 redevelopment identified by the applicant or any other business use redevelopment. The proposal would provide an increase in the number of jobs currently on the site and the number that are likely to be provided if the permitted development on the southern part of the site were to be built out. While the loss of employment land is contrary to local policy, the increase in jobs does counter this objection and weighs positively in favour of the proposal in accordance with the NPPF aim towards sustainable economic growth.
- 140 The cumulative retail impact on the town centre of this proposal and that of the Sainsbury's application 13/00134/FUL which committee has resolved to approve, would have a detrimental impact on the vitality and viability of the town centre contrary to policies EB1 of the Local Plan and LO6 of the Core Strategy, and the National Planning Policy Framework. Provided permission is granted for the Sainsbury scheme, my recommendation is to refuse planning permission for this proposal.

Background Papers

Site and Block plans

Contact Officer(s):

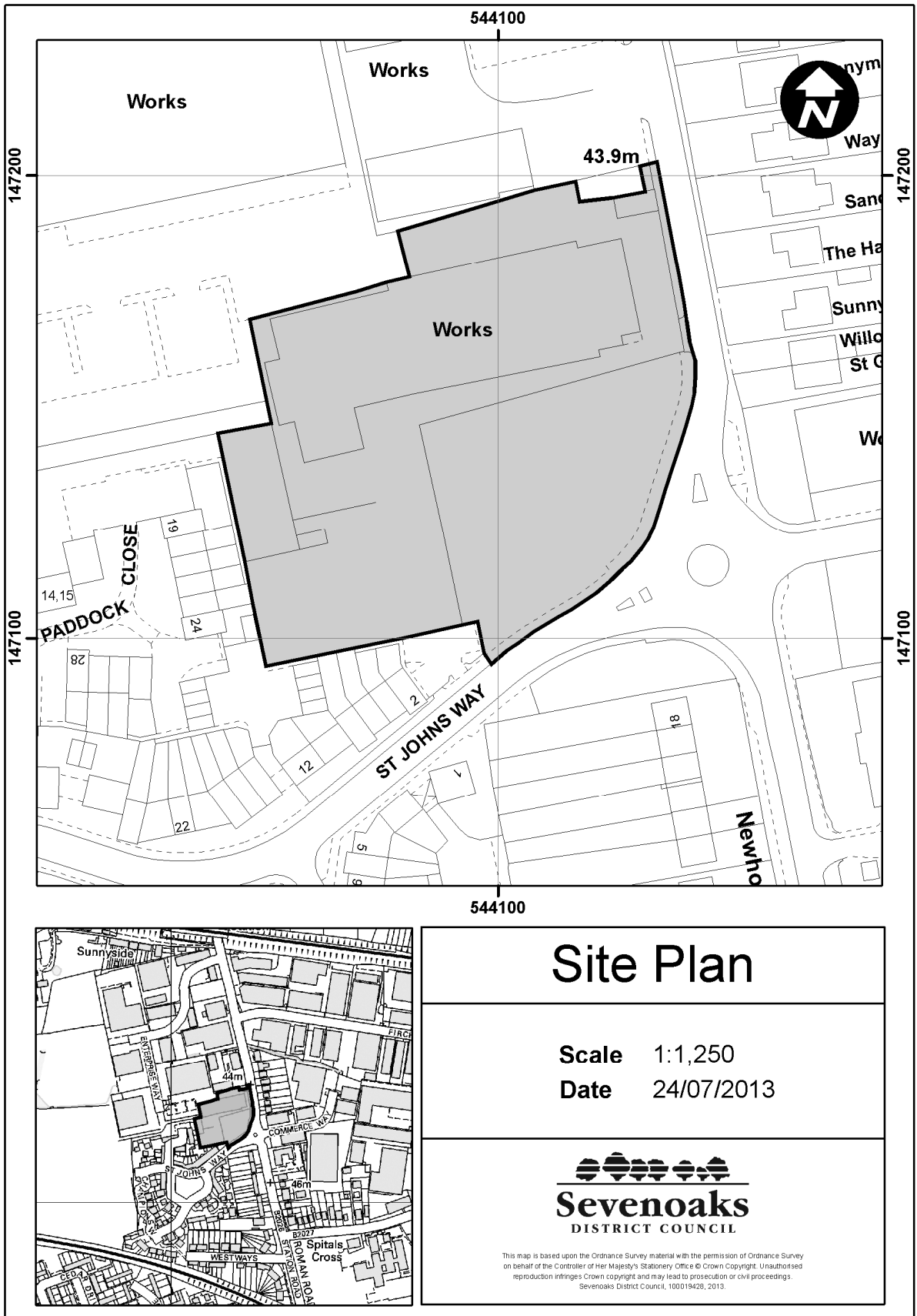
Richard Morris
Chief Planning Officer

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MKB7PBBK8V000>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MKB7PBBK8V000>



Site Plan

Scale 1:1,250
 Date 24/07/2013



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 Sevenoaks District Council, 100019428, 2013.

Block Plan





Addendum to Edenbridge Foodstore Critique

Sevenoaks District Council

Introduction and advice to date

1. In May 2013, GVA undertook an independent critique of the retail assessments supporting proposals by Sainsbury's and Tesco, both seeking to develop new foodstores in out of centre locations in Edenbridge.
2. Our report considered the proposals individually and highlighted various concerns relating to the technical analysis underpinning both assessments. One concern related to the estimated level of trade diversion from existing stores in Edenbridge town centre (namely the Co-op and Tesco Express) which we considered to be understated. We also highlighted a disparity over the estimated turnover of the Co-op in Edenbridge which has a subsequent bearing when judging the 'significance' of impact identified on this store and the town centre as a whole.
3. Having considered the evidence underpinning both applications and drawing on our own sensitivity analysis, our overall advice to the Council was that the impact of either store would be broadly acceptable in isolation (the Tesco more so given its smaller scale and lower turnover) subject to appropriate conditions. The outputs of our impact sensitivity testing for each store in isolation, is set out in Table 1.

Table 1: GVA Estimated SOLUS Impact on Edenbridge Town Centre

Edenbridge Town Centre	Sainsbury's Solus Impact (%) 2018	Tesco Solus Impact (%) 2016
Co-op	49%	21%
Tesco Express	30%	16%
Local Stores	-	2%
Town Centre 'as a whole' ¹	26.5%	11.7%

Source: GVA

4. Given the anticipated impact of the Sainsbury's store in isolation (which we judged to be just within the limits of acceptability), we considered the combined effect of

¹ Includes comparison goods turnover.

allowing both stores would lead to a significant impact on Edenbridge town centre. However, our critique did not specifically quantify the cumulative impact.

The Applicants' Cumulative Impact Assessments

5. Since completing our report, Sainsbury's have produced a cumulative impact assessment. Tesco have also undertaken a cumulative impact assessment which was included in their original retail assessment. Table 2 below sets out the results of the applicants' respective assessments.

Table 2: Applicants' Estimated Cumulative Impact on Edenbridge (Convenience Goods)

Edenbridge Town Centre	2018 Cumulative Impact (%)	
	Tesco's Assessment	Sainsbury's Assessment
Co-op	37%	54%
Tesco Express	47%	46%
Local Stores, Edenbridge	1%	-
Town Centre 'as a whole' ²	20.5%	32.7%

Source: Table 12, Tesco Retail Assessment (March 2013) & Table A (WYG via email 10th July 2013)

6. Both applicants have adopted a broad brush approach which draws on the other's trade draw analysis. Both applicants have assessed cumulative impact at 2018. As a minor criticism, neither applicant has made any adjustment to Tesco's estimated turnover to allow for growth in sales between 2016 and 2018. In addition, we note that Tesco has assumed a higher level of inflow to the Sainsbury's store (20% compared to 5% estimated by Sainsbury's). We do not consider this a realistic or justified assumption and as such consider Tesco's analysis to have far understated the potential cumulative impact of the two stores.
7. It is also relevant to note that in providing a cumulative impact assessment, Sainsbury's have revised the estimated trade draw patterns associated with their proposed store (as presented in their original assessment). The revised assessment assumes an increased level of trade draw from Zone 1 (from 50% to 65%); reduces the anticipated trade draw from Zones 2-4 (from 15% to 10%); and maintains an estimated inflow of 5%.
8. No commentary has been provided by Sainsbury's to explain or justify the adjustments made. However, the revised assumptions are more closely aligned with our own

² Include comparison goods turnover. Calculated by GVA using the applicants' assessments.

professional view and they go some way to addressing a number of concerns highlighted in our original report. For ease of reference Table 3 below compares Sainsbury's original impact assessment (Table 10) to the revised 'solus' figures presented in their cumulative assessment (Table A).

Table 3: Comparison between Sainsbury's Impact Assessments in January and July 2013

Edenbridge Town Centre	2018 Solus Impact (%)	
	Sainsbury's Assessment (Table 10, Jan 2013)	Sainsbury's Assessment (Table A, July 2013)
Co-op	35%	45%
Tesco Express	25%	31%
Local Stores, Edenbridge	-	-
Town Centre 'as a whole' ³	19.6%	24.6%

Source: Table 10, Sainsbury's Retail Assessment (Jan 2013) and Table A (WYG via email 10th July 2013)

9. The revised impact figures produced by Sainsbury's are broadly consistent with the results of our independent analysis (presented in Table 1 above). Notwithstanding some minor criticisms, we would regard Sainsbury's cumulative impact assessment (Table 2 above) as the more reliable between the two applicants.

GVA's Independent Cumulative Impact Assessment

10. In advance of receiving Sainsbury's updated assessment, the Council instructed GVA to undertake a cumulative impact assessment. This adopted the same broad brush approach as the applicants and drew on the outputs of our critique in respect of the individual trade draw patterns associated with each store (para 5.13-5.20 of the main report).
11. The results of our cumulative analysis is broadly consistent with Sainsbury's, both identifying a cumulative impact of 46% on the Tesco Express in Edenbridge town centre. We identify a marginally greater impact of 64% on the Co-op (compared to Sainsbury's 54%). However, our analysis assumes that both the Sainsbury's and Tesco will achieve their respective company averages (i.e. 'worst case') and does not factor in the potential for the two new stores to directly compete with and impact on each other, which in reality they will do.

³ Includes comparison goods turnover. Calculated by GVA using the Applicant's assessment.

-
12. As highlighted in our original report, there remains a degree of uncertainty over the current turnover of the Co-op, with Tesco's figures identifying a lower turnover at 2018 (£8.25) relative to Sainsbury's (£12.49). Therefore to apply the same estimated trade draw assumptions as above, to the lower turnover would imply a much greater level of impact in percentage terms (96% rather than 64%). This is the consequence of a purely arithmetic exercise which we do not consider to be a realistic reflection of the practical implications of the two stores on the Co-op. Whilst it is not possible to verify which turnover is the more accurate, as set out in paragraph 6.16 of our main report, the Tesco estimate may be understated in any event.
 13. In terms of the practical implications for the Co-op store, in our experience, it is very rare for a multiple retail operator to cease trading in a location where it has a strong presence as they will generally seek to maintain representation. Multiple operators also have the benefit of using their wider portfolio to bolster stores which under trade. In the circumstances however, it is very difficult to say that the Co-op would not cease trading based on the potential losses of over half its turnover at 2018 (even on Sainsbury's figures). If the Co-op were to close, this would remove a key anchor from the town centre. This would have a negative knock-on effect for other shops and services in the town centre as a direct result of the reduced propensity for linked trips.
 14. It is feasible that the Tesco Express could close in the event that Tesco's application is successful irrespective of whether the Sainsbury's is also granted planning consent or not. Our advice remains that The Council should seek to clarify Tesco's position in this respect and to establish whether they would be willing to enter into a legal contract to maintain this store for an agreed period of time (e.g. 3 years).

Impact on the Town Centre 'as a whole'

15. The above commentary focuses solely on the convenience turnover of existing stores and does not consider the impact on the town centre 'as a whole', i.e. also having regard to the comparison goods turnover of the town centre and the proposed stores.
16. On the basis that Tesco propose only a small element of comparison floorspace (130 sqm net) they have not undertaken a detailed impact assessment for comparison goods and their household survey did not ask any questions about comparison shopping patterns. We can therefore only rely on Sainsbury's evidence which estimates the comparison turnover of the town centre is £14.1m at 2018.
17. In broad terms, it is estimated that the proposed stores would each divert approximately £0.85m comparison goods trade from the town centre at 2018. This

reflects the difference in scope to compete on a like-for-like basis and divert comparison trade from foodstores in the wider area, the Tesco being more limited in this respect.

18. The combined effect of both stores therefore equates to a total comparison goods trade draw of £1.7m from the town centre. Without taking into account the convenience turnover of the Co-op and Tesco Express, this would equate to a cumulative impact of c.12% (which compares to a solus impact of approximately 6% of each store, associated with the £0.85m trade draw set out above). The difference between the two sets of evidence in this instance is minimal due to the fact that the turnover of the Co-op is the main point of difference.
19. The figures excluding the Co-op and Tesco Express have been provided at the request of the Council. However, it is important to acknowledge that these stores are the main convenience anchors in the town centre and perform an impact role in contributing to its overall vitality and viability (as noted by the Sainsbury's survey evidence). As we have previously highlighted in our main report, any material impact on these stores and a consequent reduction in the propensity for linked trips is not favourable and a substantial reduction will lead to a significant impact on the town centre as a whole.
20. If we also take into account the estimated convenience turnover of the town centre post-development, this equates to an overall **cumulative impact of between 37% - 43% on the town centre as a whole** which we consider would be regarded as significant. Again the reason for the difference in impact in percentage terms arises from the differing turnover estimates between Sainsbury's and Tesco's survey evidence - Sainsbury's evidence again being the more optimistic. As highlighted above, it is also relevant to note that the majority of trade diversion from the town centre is attributed to the Sainsbury's store (£7.8m) whereas the trade draw associated with the Tesco is more limited (£3m).

Conclusion

21. This supplementary analysis reinforces the view that the cumulative impact of two stores on Edenbridge town centre will be significant in retail planning terms. In light of the above and given the uncertainty over the turnover of the Co-op and the potential significant impact on this store alone (and its potential closure as a result), we would not recommend approving both proposals, but we recognise that the Council should take into account all relevant material considerations in reaching its decision on both applications.



GVA Tesco and Sainsbury's Impact Assessment Critique

Impact on the Town Centre as a whole

Sainsbury's

Table A: Convenience Goods Turnover and Estimated Trade Draw

Store	Estimated Turnover (\$m)	Trade Draw (\$m)
Co-op	£12.49	£6.18
Tesco Express	£2.57	£0.77
Local Stores	£0.31	-
Total	£15.37	£6.95

Table B: Comparison Goods Turnover and Estimated Trade Draw

	Estimated Turnover (\$m)	Trade Draw (\$m)
Edenbridge town centre	£14.10	£0.85

Table C: Total Trade Draw - Impact on the town centre as a whole

	Estimated Turnover (\$m)	Trade Draw (\$m)
Convenience Goods	£15.37	£6.95
Comparison Goods	£14.10	£0.85
Total	£29.47	£7.8
Impact on Town Centre	-	26.5%

Tesco

Table D: Convenience Goods Turnover and Estimated Trade Draw

Store	Estimated Turnover (\$m)	Trade Draw (\$m)
Co-op	£8.05	£1.70
Tesco Express	£2.52	£0.39
Local Stores	£0.46	£0.01
Total	£11.03	£2.10

Table E: Comparison Goods Turnover and Estimated Trade Draw

	Estimated Turnover (\$m)	Trade Draw (\$m)
Edenbridge town centre	£14.10	£0.85

Table F: Total Trade Draw - Impact on the town centre as a whole

	Estimated Turnover (\$m)	Trade Draw (\$m)
Convenience Goods	£11.03	£2.10
Comparison Goods	£14.10	£0.85
Total	£25.13	£2.95
Impact on Town Centre		11.7%

Table 1: Cumulative Impact Assessment based on Tesco's Survey Evidence

Convenience Goods	2018 Turnover Pre-Development	Tesco Trade Draw (\$m)	Sainsbury's Trade Draw (\$m)	2018 Turnover Post-Development (\$m)	Cumulative Impact (Note A) (%)
Co-op, Edenbridge	\$8.25	\$1.76	\$6.18	\$0.31	-96.2%
Tesco Express, Edenbridge	\$2.58	\$0.40	\$0.77	\$1.41	-45.3%
Local Stores, Edenbridge	\$0.47	\$0.01	\$0.00	\$0.46	-2.1%
Morrisons, Oxley	\$24.12	\$5.23	\$5.46	\$13.43	-44.3%
Other Stores within the catchment	\$18.33	\$0.62	\$1.13	\$16.58	-9.5%
Sainsbury's, Sevenoaks	\$3.96	\$1.56	\$1.46	\$0.94	-76.3%
Tesco, Riverhead	\$4.67	\$1.46	\$1.43	\$1.78	-61.9%
Sainsbury's East Grinstead	\$5.22	\$1.95	\$2.99	\$1.28	-79.4%
Waitrose, East Grinstead	\$2.24	\$0.35	\$1.44	\$0.45	-79.9%
Other stores outside the catchment	\$19.84	\$1.43	\$1.68	\$16.63	-15.6%
Internet/delivery	\$3.44	-	\$0.82	\$2.62	-23.8%
TOTAL	\$94.22	\$14.77	\$23.36	\$56.09	

Note A: It is acknowledged that whilst the impact on certain stores beyond Edenbridge may appear high in percentage terms, we accept that this reflects the fact that the household survey has not captured the full turnover of these stores. In reality, taking into account the full turnover of these stores, we would expect the impact to be substantially less.

Table 2: Cumulative Impact Assessment based on Sainsbury's Survey Evidence

Convenience Goods	2016 Turnover Pre-Development	Sainsbury's Trade Draw (\$m)	Tesco Trade Draw (\$m)	2016 Turnover Post-Development (\$m)	Cumulative Impact (Note A) (%)
Co-op, Edenbridge	\$12.49	\$6.18	\$17.6	\$4.55	-63.6%
Tesco Express, Edenbridge	\$2.57	\$0.77	\$0.40	\$1.40	-45.5%
Local Stores, Edenbridge	\$0.31	\$0.00	\$0.01	\$0.30	-3.2%
Marlons, Oxley	\$27.87	\$5.46	\$5.23	\$17.18	-36.4%
Waltham, Oxley	\$6.98	\$0.55	-	\$6.43	-7.9%
Aldi, East Grinstead	\$7.27	\$0.37	-	\$6.90	-5.1%
Sainsbury's East Grinstead	\$26.57	\$2.99	\$1.95	\$20.63	-19.3%
Waltham, East Grinstead	\$5.88	\$1.44	\$0.35	\$4.09	-30.4%
Sainsbury's, Sevenoaks	\$3.95	\$1.46	\$1.56	\$0.94	-76.3%
Tesco, Ryehead	\$5.95	\$1.43	\$1.46	\$4.06	-41.6%
Waltham, Sevenoaks	\$1.62	\$0.00	-	\$1.62	0.0%
Co-op Westham	\$2.21	\$0.11	-	\$2.10	-5.0%
Others in survey area	\$13.43	\$0.10	\$0.62	\$12.71	-5.4%
Others beyond survey area	\$20.15	\$1.68	\$1.43	\$17.04	-15.4%
Intermet	\$5.85	\$0.82	-	\$5.03	-14.0%
TOTAL	\$143.11	\$23.36	\$14.77	\$104.98	

Note A: It is acknowledged that whilst the impact on certain stores beyond Edenbridge may appear high in percentage terms, we accept that this reflects the fact that the household survey has not captured the full turnover of these stores. In reality, taking into account the full turnover of these stores, we would expect the impact to be substantially less.

Table 3: Cumulative Impact Assessment based on Tesco's Survey Evidence

Edinburgh Town Centre	2018 Turnover Pre-Development (\$m)	Sainsbury's Trade Draw (\$m)	Tesco Trade Draw (\$m)	2018 Turnover Post-Development	Impact (%)
1. Comparison Goods	14.10	0.85	0.85	12.40	-12.06%
2. Convenience Goods (including Co-op and Tesco Express)	11.30	6.95	2.17	2.18	-60.71%
Town Centre as a whole (i.e. 1 + 2)	25.40	7.8	3.02	14.58	-42.60%

Table 5: Cumulative Impact Assessment based on Tesco's Survey Evidence

Edinburgh Town Centre	2018 Turnover Pre-Development (\$m)	Sainsbury's Trade Draw (\$m)	Tesco Trade Draw (\$m)	2018 Turnover Post-Development	Impact (%)
1. Comparison Goods	14.10	0.85	0.85	12.40	-12.06%
2. Convenience Goods (excluding Co-op and Tesco Express)	0.47	0.01	0	0.46	-2.13%
Town Centre as a whole (i.e. 1 + 2)	14.57	0.86	0.85	12.86	-11.24%

Table 4: Cumulative Impact Assessment based on Sainsbury's Survey Evidence

Edinburgh Town Centre	2018 Turnover Pre-Development (\$m)	Sainsbury's Trade Draw (\$m)	Tesco Trade Draw (\$m)	2018 Turnover Post-Development	Impact (%)
1. Comparison Goods	14.10	0.85	0.85	12.40	-12.06%
2. Convenience Goods (including Co-op and Tesco Express)	15.37	6.95	2.17	6.25	-59.34%
Town Centre as a whole (i.e. 1 + 2)	29.47	7.8	3.02	18.65	-36.72%

Table 6: Cumulative Impact Assessment based on Sainsbury's Survey Evidence

Edinburgh Town Centre	2018 Turnover Pre-Development (\$m)	Sainsbury's Trade Draw (\$m)	Tesco Trade Draw (\$m)	2018 Turnover Post-Development	Impact (%)
1. Comparison Goods	14.10	0.85	0.85	12.40	-12.06%
2. Convenience Goods (excluding Co-op and Tesco Express)	0.31	0	0.01	0.30	-3.20%
Town Centre as a whole (i.e. 1 + 2)	14.41	0.85	0.86	12.70	-11.82%