

Report of: Head of City Development
To: East Area Planning Committee 6th July 2011
Title of Report: Templars Retail Park, Between Towns Rd, Cowley

Summary and Recommendations

Purpose of Report: This report seeks the views of committee on a variation to legal agreement relating to retail park to allow up to 2500sq m of floor space to be used for food sales.

Planning Reference: 11/00461/POM

Key Decision: No.

Portfolio Holder: Colin Cook

Scrutiny Responsibility: Communities & Partnership

Recommendation(s): Committee is recommended to agree to the amendment of a planning agreement relating to the Retail Park so as to permit food sales for up to 2500 sq m of floor space.

Background to the Case

1. In May 1986 outline planning permission was granted for the redevelopment of the then Grove Cranes factory site at Between Towns Road to form a retail park consisting of 13,032 sq m gross of retail floor space plus garden centre. The development was to be served by 496 car parking spaces accessed from Between Towns Road at a point opposite its junction with Crowell Road. Service access was to the rear via Rymers Lane. That permission was followed later that year by a reserved matters permission for the outstanding details.
2. The development when completed traded for many years as the John Allen Centre and now as the Templars Retail Park. Since permission was granted the amount of floor space has increased by the insertion of mezzanine levels into many of the retail units, which until recently would not have required planning permission. This has resulted in 19,205 sq m of floor space being permitted at the centre. At the same time adjustments to the parking layout over the years has resulted in the total number of public car parking spaces being reduced to 468. A site plan of the retail park is attached at **Appendix 1** to this report.

3. Accompanying the outline planning permission was a planning agreement which secured various financial contributions and off site works, but also restricted the range of goods to be sold to non - food items. In the years since there have been adjustments to the permitted range of goods which could be sold, but still excluding food sales. The current owners of the site approached the Council as the Local Planning Authority in 2009 with an application to relax the non - food restriction via a "Deed of Release" to permit up to 1,500 sq m of floor space to be used for food sales. This was subsequently approved at Cowley Area Committee in May 2010. This current approach seeks to extend this figure to 2,500 sq m. This would equate to a supermarket of approximately the size operated by Sainsbury's at Templars Square until the 1990's.

Public Consultation

4. Although the submission is not a planning application, public consultation has been undertaken on the proposal. The comments received may be summarised as follows.
 - 99p Stores, Templars Square: Many stores have ancillary food sales and there are independent food outlets such as a greengrocer, a butcher and several bakers. These stores would be badly affected should this be granted. Car park is already over saturated at peak times; a new supermarket will increase the number of cars and make things worse.
 - Richard Holmes Property Consultants of behalf of the Co-op: Templars Square is suffering in the current economic climate however it still represents a well balanced pedestrian mall serving day to day needs. Templars Retail Park caters predominantly for bulky goods shopping. Raising the limit to 2500 sq m of food floor space would make it much more appealing to the major four supermarket operators. This would have a significant impact on footfall within Templars Square. It would be premature to modify the agreement pending the preparation of a master plan therefore the decision needs to be deferred.
 - Highway Authority No Objection. See Below
 - Individual Comments: Service area problems in terms of congestion, nuisance and noise. Increase cars with to cause displacement to surrounding areas especially employee cars. No cycle parking provision. Request should not extend the hours permitted for the servicing area. Increase in servicing vehicles not acceptable. Replacement trees required for those lost with the 'pod' building. Several small independent food outlets along with other retail units selling non-perishable food lines.

Officers' Assessment

5. The two key determining issues in this case are planning policy and highways, access and parking issues.

Planning Policy

6. Since the closure of Sainsbury's and more recently Somerfield the existing food provision has declined within the district centre. It now comprises only the Co-op (1,080 sq m) and Iceland (840 sq m); together with the, as yet unimplemented, variation to allow 1,500 sq m of food sales permitted in 2010. At the same time discussions have taken place with the owners of Templars Square in relation to a new food store within that centre. However none of these have come to fruition.
7. The variation of the legal agreement now proposed would allow up to 2,500 sq m of convenience (food) floor space. This is intended to be located either in Unit 1D or Units 1C/D combined (2,500 sq m), as part of an approved permission (10/03090/FUL). These would be located in the unit currently occupied by B&Q.
8. The summary findings of the Retail Needs Study (RNS) carried out for the Council referred to in the now adopted Core Strategy (CS) confirms that Oxford is reasonably well provided for food goods. However it does suggest that further provision could reasonably be supported to 2016. In terms of future provision the RNS considered potential new development sites. It identified Crowell Road as a suitable site for future redevelopment to include a food store. However no scheme has come forward or has been discussed in recent times. The Core Strategy also supported raising the status of the Cowley District Centre (with extended boundaries) to that of a Primary District Centre. The Inspector into the Core Strategy concluded that 'the loss of South Oxford Strategic Development Area was likely to have only a marginal impact on the proposals to develop Cowley Centre since the centre is well placed to serve an enhanced role in the hierarchy of centres, with good accessibility and several potential redevelopment sites.'
9. In terms of national guidance PPS4 Planning for Sustainable Growth provides the latest national advice. Amongst its key objectives are:
 - to deliver more sustainable patterns of development, reduce the need to travel, especially by car and respond to climate change; and
 - to promote the vitality and viability of town and other centres as important places for communities, through 'new economic growth and focusing development in existing centres'; and encouraging competition between retailers and enhanced consumer choice by providing innovative and efficient shopping.
10. More specifically PPS4 provides a number of national policies relevant to the current case:
 - EC3 which emphasises the importance of identifying a network of centres with potential for growth;

- EC4 which supports a 'diverse range of uses', and a 'strong retail mix';
 - EC5 relating to site selection and land assembly;
 - EC10 which seeks to support planning applications that secure sustainable economic growth; and
 - EC14 which confirms that proposals of the size proposed only require alternative sites to first be considered under the 'sequential approach', or impact assessment drawn up if they fall outside an established retail park.
11. As the proposed development falls within an established Primary District Centre as identified in the Core Strategy, and the requirement to demonstrate 'need' is no longer required by PPS4, then the proposal falls within the terms of both the local and national policy regime as it applies to retail development. No objection is therefore raised to the proposal in these terms. For their part agents acting for Templars Retail Park indicate that there is 'no intention of applying for a larger release of convenience goods floor space on the Park, if this current application is allowed'.

Highways, Access and Parking

12. Access to the Templars Retail Park for customers is taken from Between Towns Road at its junction with Crowell Road. This is a signal controlled junction originally funded through the planning agreement accompanying the 1986 permission. In 2006 there were adjustments to the junction to include a second outward bound lane. Service access to the rear delivery area of the Retail Park is taken from a separate point on the east side of Rymers Lane. The car parking provision available for the site is 468 spaces including 19 for disabled users. This is marginally in excess of the required 461 spaces to accord with standards within the Oxford Local Plan for the mix of food and non-food retailing as now proposed. This is considered acceptable given that the site is in a Transport District Area and hence considered sustainable in terms of transport. Furthermore, there are 4 other Oxford City Council car parks in the area with a total of 862 other car parking spaces.
13. In November 2010 planning permission was granted under reference 10/01959/FUL to allow changes to the car park access/egress and a barrier system controlled by a 'pay on foot' car park management strategy. The applicant remains committed to the introduction of car park management, though the precise detailing of the system may vary from what was originally intended. Following further discussions between tenants and the owners it is likely that an alternative system may be introduced. This would not require barriers, would enable the current free parking to be offered but with more effective control over motorists who use the car park for longer periods, such as local

employees. This should enable the car park to be managed in a form which displaces long stay car parking to increase the capacity for shoppers, whilst avoiding the concerns raised by retailers regarding charging, and Highways Officers concerning queuing and barrier controls.

14. Detailed transport information has been produced in support of the submission which examines and adverse impact on the signal controlled junction at Between Towns Road/Crowell Road/Templars Retail Park. This information has been examined by the Highway Authorities Traffic Signals Management Team who has concluded that the proposal with the barrier controlled entry/exit arrangement in place would not impact adversely on the traffic signal controlled junction. Moreover given the other payment car parks already existing in the locality, which therefore gain in usage as free parking is ended at the retail park, then this may lead to a reduction in congestion there.
15. There would be an increase in the number of service vehicles associated with the sale of food in comparison to non-food goods. It is anticipated that a food outlet of this size would require a maximum of 3 to 4 deliveries per day, with typically only 1 or 2 larger HGV. This is not significantly different from those for the 1,000 sq m (2 to 3 deliveries per day, with typically only 1 larger HGV).
16. Although it falls outside the terms of the current submission, officers would however request the introduction of additional cycle parking facilities to serve the retail park.

Conclusion

17. The proposal relates to a retail park which falls within the Primary District Centre of Cowley where the newly adopted Oxford Core Strategy 2026 seeks to provide facilities for both food and non-food retailing. Further, it accords with the thrust of PPS4 which seeks to support economic growth at established centres. There are no objections raised by the Highway Authority.
18. Committee is recommended to support the approach to allow up to 2,500 sq m of retail floor space at Templars Retail Park to be used for food retailing and to delegate Officers to undertake the required Deed of Release to the 1986 planning agreement.

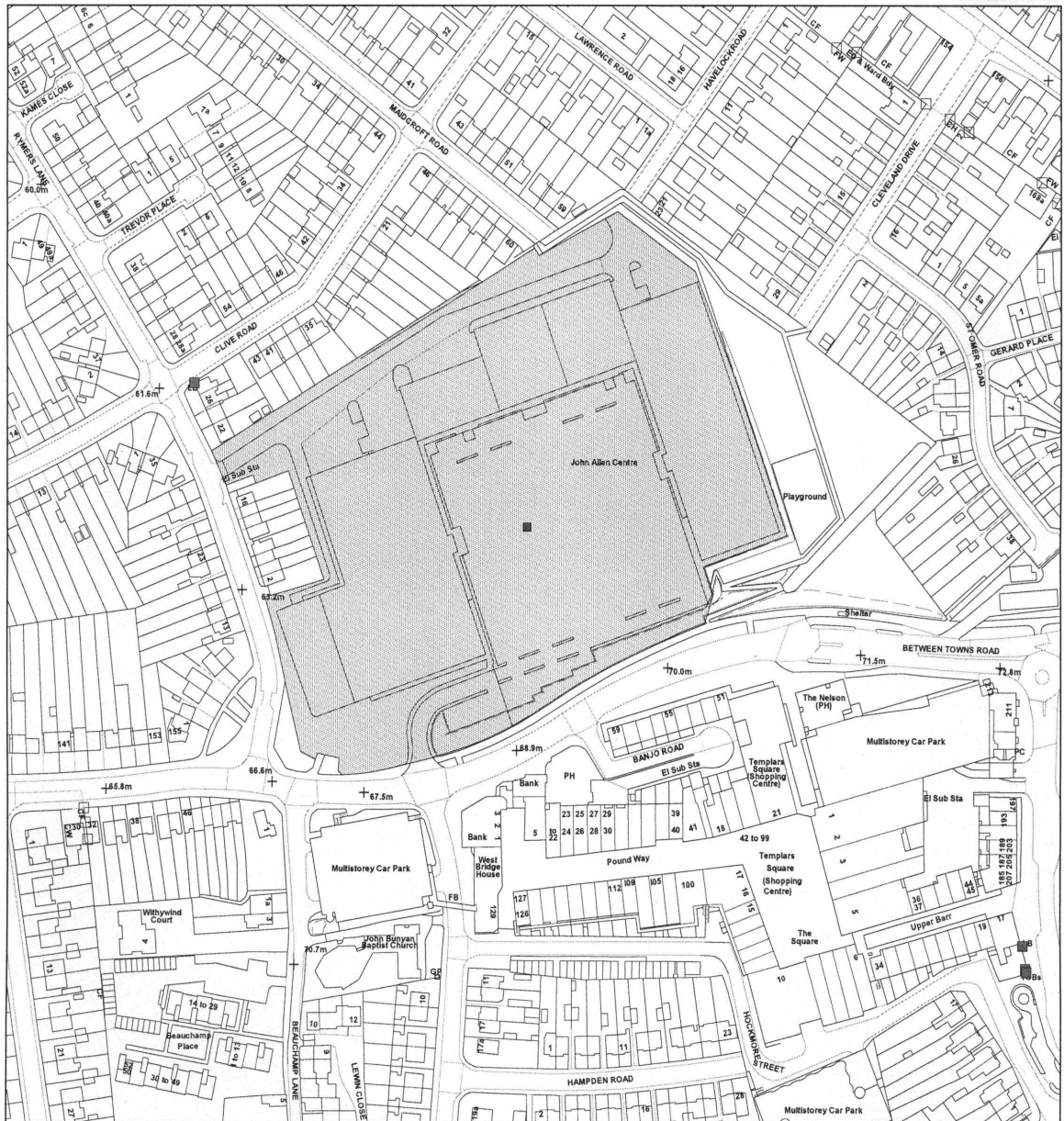
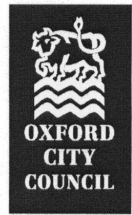
Contact Officer: Lisa Green

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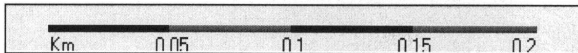
Date: 15th June 2011

Appendix 1

11/00461/POM Templars Retail Park



Scale : 1:2500



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Ordnance Survey 100019348.

Organisation	Oxford City Council
Department	City Development
Comments	
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