



Summer Sharpe
Senior Planning Officer
Eastleigh Borough Council
Eastleigh House
Upper Market Street
Eastleigh
SO50 9HT

18th November 2022

Ref. SP22-1047

Dear Ms Sharpe,

**Planning Application F/22/93720 – North Stoneham Park, Chestnut Avenue, Eastleigh, SO50 9HT
Erection of Retail Foodstore (Class E) with Associated Car Parking, Access, Landscaping and
Engineering Works**

During our presentation to Design Review Panel (DRP), on 8th November 2022, the site-specific development constraints which have influenced the design process were discussed. We have since received formal comments from DRP on 16th November 2022 and are reviewing as a design and project team.

However, it is now an opportune moment to place on record our concern with respect to a number of consultation comments which have queried both the design and layout of the proposal.

That, in itself, is not unusual for a major application such as this and, together with our technical consultants, we are continuing to work through the comments. We will be providing our detailed comments, in due course, including to the DRP. However, we do not consider any of the matters raised as being insurmountable.

Rather our principal concern, at this stage, relates to the rather unhelpful comparisons our application is continuing to draw to the originally consented local centre. For example, comments from Urban Design (Dated 17th October 2022) suggest that *“alternative layouts should be explored, potentially with an L-shaped footprint, locating the store closer to the edges”*. A similar theme forms the focus of comments from Eastleigh Borough Council Environmental Health which suggests the applicant reconsider the layout of the site whilst, in relation to Air Quality matters, it is suggested that *“an alternative handed version of what is presently proposed could be better”*. The comments from DRP have continued in a similar vein placing significant importance upon the previously consented masterplan.

In short, we are deeply concerned that the previous design expectations for this particular component of the North Stoneham Local Centre are appearing to unduly influence some consultee comments, alongside the DRP. Whilst the planning history to the site is, of course, a material consideration, it is legitimate to question whether the same level of negativity concerning design would have been forthcoming had the proposals been considered without the benefit of the consented position.

Accompanying this letter is correspondence from Mr Nigel Meek (Chairman, Highwood). This provides further narrative regarding the timeline leading up to the conception of the original Local Centre. The note concludes that the application proposals represent the only likely proposition for delivering a convenience retail offer. It is not a question of an and/or scenario between the consented position and the proposed application.

Background

By way of background, Outline Planning Permission (Ref. O/15/76023) for the new North Stoneham Park

Community was granted in January 2016. There have been various planning applications since. Of most relevance, is Reserved Matters application (RM/18/84537). This, as you'll be aware, related to the appearance, landscaping, layout and scale (pursuant to outline planning permission Ref. O/15/76023) of the local centre. The Reserved Matters application was approved in March 2019. The design principles, as approved under the Reserved Matters application, have been acknowledged in several consultation responses received on the planning application file together with narrative contained in the DRP response.

A copy of the Reserved Matters approved layout plan is shown below:



The application site relates to the parcel of land originally shown to be occupied by “Proposed Building A”. Building A was shown as an inverse L-shape and comprised a 1.5 storey convenience store and café and a new road junction: alongside a row of 4 smaller retail units on the return with first floor gymnasium above. It comprised the following:

- 370m² commercial unit (e.g., a local supermarket at ground floor), with associated ‘back-of-house’ accommodation and service yard to the rear.
- 147m² ground floor café.
- 3 x Commercial Units at ground floor level (Unit 1, 122m², Unit 2, 85m² and Unit 3, 144m²).
- 640m² gymnasium at first floor level (a separate application for a NMA was made to vary Condition No. 41 of the outline planning permission).
- 56 car parking spaces for the commercial units and 22 car parking spaces for the gym (78 total).

A total of 868m² of A1 (now Use Class E) retail floorspace was permitted as part of the local centre (excluding the gym). There were no restrictive goods conditions imposed on the Reserved Matters approval (Ref. RM/18/84537). All of the consented floorspace, (within the individually approved units) could be utilised for food retail purposes. This sets an important context against which the application proposals should be considered.

The Reserved Matters application did not name any specific retail operators. Rather, the supporting planning statement (prepared by WYG) merely suggested (Paragraph 1.11) future occupiers/operators had been identified. The scheme did not, as such, have direct operator input in terms of its design, layout and form. It was essentially a best or educated vision as what the market might require rather than a development driven by clear operator requirements.

This narrative regarding the proposed end-users is, perhaps, not unsurprising. It supports the position set out by Highwood that, in 2018, LSH (Lambert Smith Hampton) were originally commissioned to market the main retail units forming part of the Local Centre. On that basis, it is not unreasonable that the original Reserved Matters application sought to achieve maximum commercial flexibility.

However, as Highwood confirm, marketing and, therein, commercial interest in the units was met with mixed success. It was not sufficient to satisfy funding obligations. Further, following the COVID-19 Lockdown (March 2020), all commercial interest disappeared entirely with funding withdrawn for the project.

There is a world of difference between identifying and securing occupiers – a point clearly illustrated within Highwood's accompanying letter. The reality is that the approved reserved matters layout has failed to attract tangible operator interest despite active marketing by national retail agents. Conversely, this application is on behalf of a national food retailer with a proven track record of delivery. Repeated reliance on the failed reserved matters layout is neither justified or, we would suggest, appropriate. This application, including its layout and design, should be judged on its own individual merits.

Indeed, of the four buildings identified on the approved Reserved Matters Layout Plan, only two component parts of the Local Centre (Community Centre and additional age-restricted residential accommodation) have come forward. It is our understanding that the original S106 agreement provided an obligation on the original developers to bring forward the community building and transfer it to the Local Planning Authority. The main retail component, alongside the commercial office building, have failed to materialise.

Planning Policy Position

As we describe within our Supporting Planning Statement, the application site does not benefit from a retail allocation within the Development Plan (Eastleigh Borough Local Plan April 2022).

In retail terms, we contend that the application proposals remain wholly in accordance with the broad objectives of the NPPF. We say this for the following reasons:

- The proposal delivers sustainable economic development on a site previously identified for retail purposes, of direct benefit to local residents.
- The proposal provides sustainable economic development on a logical retail location and within an area which is to benefit from significant population growth.
- The proposals provide an anchor to a previously approved local centre.

- The proposals bring forward sustainable economic development.
- The proposals create in the region of 40 full and part time net additional local jobs.
- The proposals may act as a catalyst for further investment at this location.
- The proposals are accessible by both public and private transport.
- The proposals will result in efficiency and sustainability gains by delivering a form of discounted food retail in a manner which complements existing retail provision.
- The application site is not subject to any site-specific policy designations that would preclude its delivery for food retail purposes, subject to satisfying the key retail policy tests (i.e. sequential and impact).

Within the National Planning Policy Framework (NPPF), separate definitions for local centres are not provided. Rather, the NPPF is clear that *“references to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance”*. The NPPF definition of district and local centres is, therefore, *“predominately occupied by main town centre uses, larger than parades of neighbourhood significance”*.

The Eastleigh Borough Council Retail and Leisure Needs Assessment (2017) defines Local Centres (Glossary) as:

“Local centres include a range of small shops of a local nature, servicing a small catchment. Typically, local centres might include, amongst other shops, a small supermarket, a newsagent, a sub-post office and a pharmacy. Other facilities could include a hot-food takeaway and launderette.”

The Borough’s Settlement Hierarchy is set out in Table 1 of the Adopted Plan. It is the main consideration when considering the overall spatial distribution of development. The settlement hierarchy is based on the facilities that already exist in local communities (not those that are proposed or coming forward). Accordingly, it does not identify the local centre at North Stoneham Park. However, Paragraph 4.7 of the Local Plan acknowledges that most towns and villages in the Borough have a reasonable range of facilities with some having more than others. They have been classified into a settlement hierarchy based on whether the following services are available:

- Shops (Convenience Goods) and Post Office.
- Leisure and Community Facilities.
- Education Facilities.
- Health Care Facilities (doctors, dentists, pharmacies).
- Local Employment.
- Public Transport.

Such classifications are hugely important in the context of the application proposals. Once fully developed, the proposals will fully complement the existing Local Centre. They will deliver the food retail anchor, alongside the existing community facilities (nursery, YMCA, etc) and education facilities. It is also not unreasonable to assume that the proposals will act as a catalyst for further investment. They will increase the likelihood of the consented

office development coming forward, alongside occupation of existing (built-out) vacant units. It is clear that the application proposals represent the best prospect of ensuring this location can begin to function as a local centre.

Strategic Policy S10 (Community Facilities) states that the Borough Council will work with Hampshire County Council, the health authorities, emergency services, town and parish Council's, faith groups and voluntary groups to ensure the adequate provision of facilities to serve the Borough's communities. In association with new residential development, a range of community infrastructure is to be sought. Supporting paragraph 4.55 notes, in particular, the following:

"Also in association with the new developments the Borough Council will seek to secure the provision of new multi-purpose community halls and/or improvements to existing halls and where feasible, local shops. The intention is that these should be grouped with the new schools to form new local centres within each new community."

There can be no doubt that the proposals will deliver the retail element of the approved Local Centre, in conjunction with the already existing community and educational uses appropriate to the centre. They provide a commercially realistic alternative to the previously consented, yet unviable, proposition.

Conclusions

The note provided by Highwood unambiguously concludes the application proposals represent the only solution to realising any meaningful form of retail development at this location.

Should the Council opt to refuse the planning application, on design grounds, this will not have the presumably intended consequence of the original Local Centre being rekindled. That, as we have shown, is not a realistic prospect. Rather, the significant investment by Lidl would be irretrievably lost and the site would, in all likelihood, remain undeveloped for a sustained period. Accordingly, to refuse the application will simply deny the existing and, indeed, expanding North Stoneham community the many benefits the scheme affords and which are acknowledged by many local resident comments on the application.

The proposals result in a £multi-million investment on a logical site forming an integral part of the wider Stoneham development. The proposals will act as a catalyst for further investment within the Stoneham community increasing, for example, the market attractiveness of existing and vacant retail and commercial units. Contrary to comments raised by the Council's Economy and Business Support Team, the proposals do not result in the loss of commercial/employment land but, rather, result in the delivery of retail floorspace on land previously envisaged as the heart of the Local Centre. Approximately, 40 (full and part time) jobs will be created directly by the application proposals. These will be both full-time and part-time and will be across a range of skill sets. The majority of these jobs will also likely be taken up by local people with the proposals providing a real opportunity for career advancement.

The jobs and opportunity created by the development and the immediate economic spin-offs are clear. We disagree with the narrow view of Economy and Business Support regarding the value of the jobs. The retail sector is hugely important within Eastleigh and its economic importance should not be underestimated. The jobs are also wholly comparable to those that would have been available through the original proposals.

The positive impacts of the development are significant. They represent the best likelihood of delivering any form of economic and job creating development at this location. Therefore, the planning balance should be viewed



positively, subject of course, to relevant material considerations. This assumes further importance owing to the increasing risk of entering a prolonged recession within the UK.

Our client welcomes dialogue with Officers as to the continued evolution of the proposed layout, however, this should not extend, as suggested by a number of the consultees and DRP, to fundamentally altering the proposals to a point at which they are impractical and no longer meet the legitimate operational needs of the intended retailer.

Should you require any additional information regarding the contents of this letter, then please do not hesitate to contact me. Alternatively, if you felt it would be beneficial to meet to discuss further then I am happy to arrange in due course.

Yours sincerely,



Alastair Thornton

Director