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Dear Mrs Feeney

IPSWICH LOCAL PLAN (SITE ALLOCATIONS) EXAMINATION

On 6th July 2106, a Hearing Session was held in relation to 'Matter 7' (Retail). This was attended by MRPP, the Council and its representatives. Several impasses were reached during the Session, arising from concerns raised by MRPP and the Inspector's own observations. The Inspector asked the Council to address four matters:

1. Set out justification for the approach pursuant to Policy CS14 (i.e. only seeking to provide 15,000m² in the context of a significant quantitative requirement);
2. Explain why the Council consider all 15,000m² of this should be directed to Westgate, including in light of the publication of the 'Vision for Ipswich';
3. Explain why flexibility in the allocation for Site IP047 (Grafton Way) to include retail and other town centre uses is not appropriate; and
4. Explain why flexibility to include retail uses at other allocated sites is not appropriate in the Council's view.

The Inspector asked for information to be provided to relevant participants to review and comment as necessary. This note constitutes MRPP's response thereto.

The Council has provided three papers for review. These are appraised under the following headings.

Council Retail Update

The Retail Update note has been produced by the Council and sets out its position regarding quantitative need and distribution, in addition to a summary of the Cushman & Wakefield Opportunity Area Update. The Retail Update acknowledges that the most recent Retail Study (Strategic Perspectives) was undertaken in 2010.

It is perhaps unfortunate that the Council did not commission an update to the Study to support the Site Allocations process. This is despite the Retail Update noting that evidence should be “regularly updated”. In the absence of a formal update, one would anticipate the Council using its development control knowledge to give consideration to the subsequent losses and gains of retail floorspace in order to then: (a) assess the robustness of the CS14 requirement; and (b) ensure sufficient sites are allocated to meet that requirement.

But the Council take a very different approach. It suggests that the Policy CS14 figure (35,000m² (net)) identified for the Borough to 2026 (Strategic Perspectives) can be broken down into constituent locations, as follows: 10,000m² at Westgate, 20,000m² at Mint Quarter and a further 5,000m² in the Central Shopping Area. The Council assert that since the Mint Quarter is proposed for residential development, Policy CS14 should now be interpreted as requiring only 15,000m² of new floorspace across the Borough, and since all 15,000m² of this will be delivered at Westgate, there is no requirement to allocate other sites.

There are several fundamental issues with the Council's approach:

1. The 35,000m² figure in Policy CS14 is already substantially less than the 3,580-7,161m² convenience and 47,498m² comparison (net) floorspace requirement identified in 2010 by Strategic Perspectives;
2. Notwithstanding difficulties associated with long-range forecasts, the Site Allocations document looks to a horizon of 2031, consistent with the Core Strategy Review (for which a higher capacity figure was forecast);
3. The 35,000m² represents the level of ‘need’. The sites referred above are merely one approach to meeting that need; their deletion from the Plan does not obfuscate the level of need or the requirement to allocate sites; and
4. No attempt is made to update the forecasts to take account of events since the adoption of the Core Strategy.

In respect of (4), the implication is likely a neutral. Whilst some schemes will have contributed to meeting cross-Borough retail need (eg, John Lewis at Ransomes Way), other schemes have failed to come forward. Indeed, it is notable that the Strategic Perspectives capacity forecast (and by implication, Policy CS14) took account of existing commitments, which at that time included both Tesco at Grafton Way and the Westgate Centre; neither scheme has come forward and thus the floorspace associated with both schemes should be ‘credited’ back to the overall capacity figure.

Thus, whilst our responses here focus on matters relating to Site Allocations, we also raise considerable concern regarding the Council's approach to reducing the Policy CS14 figure in the absence of robust evidence. This is critical, since the approach to allocating sites is reliant upon it.

Since the remainder of the Council's August 2016 update relates to the Cushman & Wakefield letter, our comments thereto are set out under the following heading.

Cushman & Wakefield Letter

We have not seen a copy of Cushman & Wakefield's brief but given the Inspector's concerns here were wide-ranging, it is unfortunate that the report update is partial and focuses on Westgate, rather than re-appraising conditions across all opportunity areas in order to identify appropriate sites for allocation.

The Cushman & Wakefield letter appears to paint a negative picture of the current health of Ipswich town centre, which is subsequently cited as an important reason not to allocate other sites for retail and related development (because of the risk posed to Westgate). It is noted that Ipswich has fallen in the CACI rankings, but so have other important eastern centres: Cambridge, Bury St Edmunds and Norwich. It is unfortunate the table should exclude the nearby and comparable centres of Chelmsford and Colchester. There is also a suggestion that the vacancy rate is twice the national average. However, a large proportion of the 2015 vacancy level can be attributed to long term vacancies (eg, TJ Hughes) and the refurbishment of the Buttermarket (eg, TK Maxx and New Look, accounting for some 4,000m²). Recent 'key closures' must also be assessed individually; Next has undergone a significant 'model' alteration and retains a presence at Suffolk Retail Park, whilst Gap has been re-occupied by the Primark extension. The closure of BHS relates to the Administration process rather than any specific deficiency in Ipswich.

Whilst some of these matters are acknowledged by Cushman & Wakefield, little or no attention is given to positive aspects, including major refurbishments to the Buttermarket and Tower Ramparts; the latter is now re-branded and trading as 'Sailmakers'. Back-to-back refurbishment is relatively unprecedented and demonstrates a commitment to ensuring Ipswich's principal shopping centres actively manage space to ensure current needs are met effectively, with the Buttermarket in particular, re-aligning its space to provide additional leisure (restaurant and cinema) facilities. Any negative aspects must therefore be carefully weighed against a further understanding of the relative health and effectiveness of the town centre.

Cushman & Wakefield go on to advise that competing retail proposals "*...may have significant effects on the decisions of retailers who may be considering whether to invest in Ipswich Town Centre and could therefore undermine the deliverability of a retail-led scheme at the Westgate site*". The emphasis is clearly the continued protection of Westgate, rather than an objective assessment of whether the allocation of specific additional sites (to address significant unmet need) would have unacceptably negative effects in the context of relevant NPPF policy tests.

Cllr Ellesmere Letter

At the Examination Hearing, the Inspector not only sought clarification on the Council's position at Westgate, but also its decision not to allocate other sites to address the floorspace requirements set out in the adopted Core Strategy. The letter is silent in this regard. Furthermore, irrespective of claims regarding the origin of the 'Ipswich Vision', the Council's website confirms that "*seven partners came*

together to produce a shared vision to support growth ..." including Ipswich Borough Council. Cllr Ellesmere signed the document on behalf of the Council on the page which explained that *"This Vision and [the Delivery] Plan will inform the Local Plan as it makes its way through the planning system"*. Thus, whilst Cllr Ellesmere is correct that the 'Vision' could never have the same weight in decision-making as an adopted Local Plan, it clearly forms part of the Council's evidence-base and, given its relatively recent publication, is a material consideration to which considerable weight can be attached.

Having extensively reviewed the Council's response to the Inspector's requests, we find nothing which directly explains the Council's position in respect of: (a) the scale of the Borough's retail floorspace requirement over the remainder of the Plan period; and (b) its decision to allocate only one site. This remains of considerable concern given the various requirements of the Framework, to *"allocate a range of suitable sites to meet the scale and type of retail ... development needed in town centres. It is important that needs for retail ... are met in full and are not compromised by limited site availability"* (paragraph 23.6) and *"if sufficient edge of centre sites cannot be identified, set policies for meeting the identified needs in other accessible locations that are well connected to the town centre"* (paragraph 23.7).

These requirements are mandatory and purposefully set out in the Framework to ensure adequate land supply to support the retail sector. They cannot simply be ignored.

It is acknowledged that the Grafton Way site is out of centre and is proposed to be allocated for a mixed-use, residential-dominated redevelopment. However, it is a rather special case. Whilst technically out of centre (approximately 450m from the Primary Shopping Area), it is nonetheless within the town centre boundary and only 300m to the designated speciality retail area. The Committee Report into the 2008 'Tesco' application found the route to the town centre was relatively attractive *"...and has the potential to be further enhanced by improvements to local linkages, funded by development"*. The Report confirmed the Grafton Way site was the *"next best sequential site"*. Whilst that judgement was made in the context of a specific development proposal, it indicates the qualities of a site synonymous with retail use (demolished former B&Q and Carpet Warehouse units) and where permission was granted for a substantial superstore and related uses.

The site lies adjacent to existing trade/retail units at Commercial Road (eg, Topps Tiles, Carpet Right, Jollies Pet Food and Majestic Wines) and provides an opportunity to supplement the existing leisure facilities at Cardinal Park. The site also plays a key role within Opportunity Area F, in terms of linking the Station/Princes Street Corridor to the waterfront-proper (east-west movements) and also facilitates movement towards the town centre (north-south movements). It also sits, strategically, within an area of historic and planned housing growth and would help to meet day to day needs in situ, in addition to wider retail needs.

On this basis, the Grafton Way site is capable of accommodating not insignificant new retail (A1, A3, A5) uses without negatively impacting the town centre or the intended residential focus of the site itself. MRPP cannot therefore support the Council's 'one site' approach to meeting the Borough's retail needs.

Notwithstanding these concerns, there are very recent, material considerations that MRPP wishes to bring to the Inspector's attention. Tesco Stores Ltd has, following extensive marketing and due diligence, exchanged contracts relating to the disposal of its freehold interest in the Grafton Way site, subject to the grant of a satisfactory planning permission. The developer involved will in due course engage with the Council in respect of pre-application consultation and is minded, we understand, to pursue a residential-dominated development. That proposal will also include a range of supporting mixed uses supported by the draft allocation policy. In order to ensure the viability and thus deliverability of that scheme, the developer requires a degree of flexibility over the final mix of uses, which the policy does not presently allow.

It is therefore suggested that 'retail' is included within the secondary group of use, to include A1, A3 and A5 uses. The proposed amendment would maintain the residential focus of the site but ensure that a retail component is provided for, of a scale appropriate to the river-front location, the site and surrounding retail and leisure destinations. This is considered to be a realistic and sensible compromise between the NPPF requirement to ensure local retail needs are met in full, whilst not prejudicing other allocations or the fulfilment of allocation IP047. However, we defer to the Inspector's discretion to recommend an appropriate approach here.

Yours sincerely



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