

Item No. 7**SCHEDULE B**

APPLICATION NUMBER	CB/10/04238/FULL
LOCATION	Tesco Stores Ltd, Vimy Road, Linslade, Leighton Buzzard, LU7 1ER
PROPOSAL	Demolition of existing Class A1 retail warehouse (Homebase) and construction of extension (2,850 sqm) to existing Class A1 foodstore (Tesco) with additional car parking and landscaping. Construction of freestanding canalside Class A3 restaurant/cafe unit with public realm enhancements on Leighton Road frontage.
PARISH	Leighton-Linslade
WARD	Linslade
WARD COUNCILLORS	Cllrs Hopkin, Janes and Warren
CASE OFFICER	Mr C Murdoch
DATE REGISTERED	01 December 2010
EXPIRY DATE	02 March 2011
APPLICANT	Tesco Stores Ltd
AGENT	Martin Robeson Planning Practice
REASON FOR COMMITTEE TO DETERMINE	Major application with considerable public interest and objection.
RECOMMENDED DECISION	Full Application - Granted

Site Location:

Elongated north-south, the site is an irregular-shaped parcel of land on the northern side of Leighton Road, Linslade and forms part of a mixed use area between two watercourses, the Grand Union Canal and the River Ouzel. It extends to 3.32ha and is bounded on the western side by the canal, on the northern side by commercial buildings at Vimy Court and MK Air Controls and an Anglian Water pump house and on the eastern side by Vimy Road.

On the western side of the canal are detached dwellings - Nos. 19 to 37 Faulkners Way, Whichellos Wharf (NHS unit), Wharf Cottage and mixed use commercial/residential properties fronting onto Leighton Road. Immediately to the north of Unit 3 Vimy Court is a terrace of three dwellings, Nos. 82, 83 and 84 Vimy Road. To the north of these properties and Units 4 and 5 Vimy Court and the MK Air Controls building are further terraced properties, Nos. 1 to 37 Vimy Road. On the eastern side of Vimy Road is an Aldi store with its associated car parking, Linslade Tyres (beside the junction with Leighton Road), a motor repair workshop and apartment blocks at Town Bridge Mill, beyond all of which is the River Ouzel.

The site is occupied by a Tesco supermarket in the north-western corner and a Homebase retail warehouse (including garden centre) that lies adjacent in the north-eastern corner. They were developed in 1991. The Tesco store was subsequently extended in 2004, around the same time as a mezzanine level was installed within

the Homebase store. The gross external floor area of the Tesco store is currently 5,949m² and that of the Homebase store is 4,927m². In addition, the Homebase site incorporates a 957m² ancillary garden centre. The stores benefit from a shared service road and joint service yard that abut the site's northern boundary. A petrol filling station operated by Tesco is located in the south-eastern part of the site adjacent Vimy Road. The remainder of the site is predominantly occupied by car parking shared by both stores. A total of 501 parking spaces (including 20 reserved for disabled users) are laid out in two areas - one to the south, between the supermarket and the Leighton Road frontage and one to the east, between the supermarket and the Vimy Road frontage (to the south of the Homebase store). Whilst the site is generally flat, Leighton Road to the south rises as it runs west to cross over the canal, thereby creating an embankment within the site at the south-western corner.

The customer vehicle access is taken from Vimy Road via a 'T' junction approximately 40m north of the Vimy Road/Leighton Road mini-roundabout junction. This access skirts to the west of the petrol filling station before reaching a mini-roundabout which then splits the traffic between the two parking areas. Vehicles exit the site using the same access point, as well as an egress point onto Vimy Road approximately halfway along the eastern site boundary. The service yard has the benefit of a separate access from Vimy Road via a 'T' junction immediately north of the Homebase store. The service yard is of sufficient size to allow HGVs to manoeuvre within and exit onto Vimy Road in forward gear. Most customers arriving by foot approach the site from Leighton Road. Pedestrians arriving from the east (town centre direction) have the benefit of a zebra crossing positioned across the bell mouth of the Vimy Road arm of the mini-roundabout junction, whilst those arriving from the west either use the footway on the northern side of Leighton Road before turning into Vimy Road or use the ramp that leads down to the canal towpath from Leighton Road adjacent the south-western corner of the site. There is an access between the towpath and the site beside the south-western corner of the supermarket building.

The Application:

As stated above, the Tesco store has a gross floor area of 5,949m². The net sales floor area is 3,105m² comprising 2,639m² for convenience goods and 466m² for comparison goods. The proposed extension would wrap around the eastern and southern elevations of the existing building and would have a gross floor area of 2,650m². The net sales area of the extension would be 1,525m² comprising 511m² for convenience goods and 1,014m² for comparison goods. Should permission for the extension be granted, the enlarged store would have a gross floor area of 8,595m² and a net sales floor area of 4,630m² comprising 3,150m² for convenience goods and 1,480m² for comparison goods.

The extension would cover areas that are currently used for customer parking which is to be replaced elsewhere. The existing Homebase store and ancillary garden centre would be demolished to accommodate part of the eastern element of the extension, replacement car parking and a vehicle egress. The dot com (online shopping) service area that currently forms a majority of the southern elevation would be relocated to the rear of the store and form part of the service yard.

The site layout introduces a new public realm area to the Leighton Road frontage, the aim of which is to provide an attractive link between the canal towpath, the store

and the route to the town centre. Set back from the main road and adjacent the canal, a small (156m²) café/restaurant would be provided within this space. The central and eastern parts of the space would contain soft landscaping that would allow filtered views of both the store development and across the new space from the Vimy Road roundabout towards the café and canal. A direct pedestrian route would run through the centre of the space connecting the canalside with the pedestrian crossing over Vimy Road and the town centre beyond. Visitor information signage would be introduced into the space. This would identify Leighton-Linlode's attractions in terms of retailing, entertainment, historic buildings and other features of the town. Similar signage could be introduced close to the store entrance. Both would encourage Tesco shoppers and canal users/visitors alike to explore other parts of the town.

A comprehensive landscaping scheme would be implemented as part of the proposal. The visual and physical separation created by existing planting adjacent the towpath, fronting Leighton Road and along the boundary with Vimy Road would be retained. Additional planting would be introduced at the northern end of the site to help reinforce the boundary and filter views of both the rear element of the store that would be exposed following removal of the Homebase store and the new car parking that would be laid out on the site of the demolished building. Some existing trees would be removed (where they are of poor quality or fall within a new roadway within the car park) and replaced elsewhere within the parking layout. These would help break up the expanse of tarmac and filter views of the store development. The amount of parking increases only marginally from 501 to 535 spaces. Of the total number of spaces, 28 would be reserved for disabled users and 23 reserved for parents with young children. The layout of the car parks would remain similar to the existing albeit with parking where the Homebase store currently sits. With regards to vehicle access, customers would still access the site via the existing main access point from Vimy Road. Drivers exiting the site could use either the main vehicle access or a proposed vehicle egress onto the service yard access at the northern end of the site. The applicant advises that the existing vehicle egress midway along Vimy Road would be closed for safety reasons. The main pedestrian access into the site would be adjusted through the relocation of the recycling point which would be moved to the rear of the site, thereby allowing the introduction of a direct pedestrian link from the crossing beside the Vimy Road/Leighton Road junction to the store entrance. The existing access point to the towpath adjacent the southern elevation would be relocated to align with the store as extended. In order to support those customers who wish to access the site by bicycle, the applicant is proposing to provide additional cycle parking stands, resulting in space for 70 bikes.

The new east and south elevations have been designed such that their appearance would relate strongly to the building's canalside setting and create visual interest both at the store frontage (east elevation) and the side elevation facing Leighton Road. A key element of this would be a strong arch form and greater use of glazing. Where the east and south elevations meet, a corner feature would be added to create a visual connection between the store and Leighton Road. Glazing would be introduced across half of the south elevation including to the full height of a centrally located gable feature. This would generate visual interest for those viewing the store from distance and passing this elevation having entered the site from the towpath. Gable ends are introduced to the east elevation, the store entrance being identified through the use of a steeper roof pitch culminating at a level consistent with the corner feature and above the mansard element of the roof. Both the store entrance and the side gable would be orientated with the existing clock tower to

create alignment views of the store from both the east and the south. The eastern elevation would have floor to roof glazing including to the top of the gables, thereby creating visual interest and allowing additional natural light into the store. The removal of the Homebase store would expose an element of the east elevation that is currently hidden from view. This area would be constructed of brick reflecting the arches that form part of the south and west elevations. The materials to be used in the construction of the proposed freestanding canalside restaurant/café would include timber trusses, tiling for the roof, glazing and brickwork. The design for the built form has been taken from similar sized kiosks found elsewhere in parks, tourist and waterside public spaces and the aim is to create a light structure using materials that are reflective of a canalside location. Given the levels difference between the site and Leighton Road, additional height would be introduced by excluding internal ceilings (the roof space would be open) and through the roof pitch giving the building a presence when viewed from Leighton Road and the canal bridge.

The following documents are appendices to this report.

Appendix 1 - Planning and Retail Assessment prepared by Martin Robeson Planning Practice.

Appendix 2 - Appraisal of the above shopping study supporting planning application reference CB/10/04238/FULL relating to a proposal for an extension of the Tesco supermarket at Vimy Road, Leighton-Linslade prepared by Savills, for the Council.

Appendix 3 - Planning a vibrant Leighton Buzzard prepared by I ♥ Leighton Buzzard.

Appendix 4 - Letters dated 18th February 2011, 17th March 2011 and 1st June 2011 from GR Planning Consultancy on behalf of Homebase.

RELEVANT POLICIES:

National Policies (PPG & PPS)

- PPS1 - Delivering Sustainable Development
- PPS4 - Planning for Sustainable Economic Growth
- PPS5 - Planning for the Historic Environment
- PPS9 - Biodiversity and Geological Conservation
- PPS10 - Planning for Sustainable Waste Management
- PPG13 - Transport
- PPS22 - Renewable Energy
- PPS23 - Planning and Pollution Control
- PPS24 - Planning and Noise
- PPS25 - Planning and Flood Risk

Regional Spatial Strategy

East of England Plan (May 2008)

- SS1 - Achieving Sustainable Development
- SS2 - Overall Spatial Strategy
- SS3 - Key Centres for Development and Change - Luton/Dunstable/Houghton Regis & Leighton-Linslade
- SS6 - City and Town Centres

E1 - Job Growth
T2 - Changing Travel Behaviour
T4 - Urban Transport
T8 - Local Roads
T9 - Walking, Cycling and other Non-Motorised Transport
ENV1 - Green Infrastructure
ENV3 - Biodiversity and Earth Heritage
ENV6 - The Historic Environment
ENV7 - Quality in Built Environment
WAT4 - Flood Risk Management
WM6 - Waste Management in Development

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

Strategic Policy 3: Sustainable Communities

Bedfordshire and Luton Policies 2(a) and 2(b): Luton/Dunstable/Houghton Regis and Leighton-Linslade

Bedfordshire Structure Plan 2011 Policies

25 - Infrastructure

South Bedfordshire Local Plan Review Policies

SD1 - Sustainability keynote policy

BE8 - Design and environmental considerations

T10 - Controlling parking in new development

TCS4/7 - Town centre regeneration sites - land south of High Street, Leighton Buzzard

Supplementary Planning Guidance

Design Guide

Main Guide Design in Central Bedfordshire: A Guide for Development

DS2 Larger Footprint Buildings

DS5 The Historic Environment

DS7 Movement, Streets and Places

Planning History

SB/TP/87/00956 Outline permission for foodstore, petrol filling station, retail warehouse, industrial, restaurant/wine bar/pub, car parking and related facilities.

Tesco

SB/TP/90/00460 Reserved Matters approved for foodstore, petrol filling station, car park and ancillary works.

SB/TP/91/00382 Permission for temporary car park.

SB/TP/93/00207 Permission for siting of container in car park for collection of waste paper for recycling.

SB/TP/96/00061 Permission for single storey side extension.

SB/TP/96/00119 Permission for enclosure for automated telling machines.

SB/TP/99/00914	Permission for covered trolley bays and alterations to car park.
SB/TP/00/00401	Refusal for extension to foodstore with associated works. Subsequent appeal dismissed.
SB/TP/03/01035	Permission for extension to foodstore with associated works (resubmission SB/TP/00/00401).
SB/TP/04/00164	Permission for bulk store extension and cage marshalling area.
SB/TP/04/00370	Application withdrawn for temporary portacabin to provide café.
SB/TP/04/00379	Application withdrawn for sprinkler house and pump house.
SB/TP/04/00381	Permission for amendment to planning permission SB/TP/03/01035 for relocated store entrance.
SB/TP/04/00382	Permission for installation of external ATM.
SB/TP/04/00383	Permission for covered trolley bays.
SB/TP/05/00930	Permission for cage marshalling area.
SB/TP/06/01404	Permission for timber cladding on western and southern elevations of existing 'dot com' facility.
SB/TP/08/00490	Permission for new glazed lobby to front of store.
SB/09/00045/FULL	Permission for wind turbine and associated works.
CB/09/06330/FULL	Permission for combined heat and power (CHP) unit and two air handling units at roof level.
CB/10/03705/SCN	Screening opinion adopted for Class A1 extension (2,650m ² GEA) to existing Class A1 foodstore, separate Class A3 unit of 178m ² (GEA), amendments to car parking arrangements, vehicle access and associated landscaping.

Homebase

SB/TP/90/00375	Permission for retail DIY warehouse, garden centre and associated car parking.
SB/TP/90/01033	Permission for temporary access.
SB/TP/91/00148	Permission for conservatory.
SB/TP/95/00842	Permission for canopy and enclosure wall around garden centre.

SB/TP/97/00426	Permission for alterations and re-positioning of doors.
SB/TP/97/00468	Permission for new vehicular access.
SB/TP/98/00356	Permission for relaxation of Condition 13 of SB/TP/87/00956 to extend range of goods for sale.

**Representations:
(Parish & Neighbours)**

Leighton-Linslade Town Council No objection.

Would like consideration to be given to following issues:

- Positive measures need to be taken to encourage people to shop also in the town centre by further improving the route from Tesco into the town;
- A refreshment facility should be provided in a more convenient and appropriate place - the Town Council would like Tesco to finance a new refreshment kiosk within Parson's Close park in the town centre adjacent to the forthcoming Splash and Play facility; failing that, the Town Council believes the suggested siting of the refreshment franchised facility is inappropriate and should be moved away from the traffic of West Street and more linear to the canal frontage;
- Specific performance indicators relating to noise and other environmental issues should be given which will result in a decrease in the present noise, inconvenience and reduced quality of life for residents who live close to Tesco;
- A rolling financial contribution or a specific recovery system should be made/put in place to ensure that abandoned trolleys are not dumped in inappropriate places around the Parish;
- There should be ongoing discussions between Tesco and stakeholders within the town centre to encourage more people to use the town for shopping and leisure activities;
- Tesco has been present within the Parish for twenty years - during that time they have not participated fully or supported the many community events that are organised by the Town Council, I♥LB and the Rotary Club - a commitment is required that they will support both practically and financially such events and change the present views of people within the Parish who seem to believe that Tesco has given very little to the town over the last 20 years.

Neighbours

Vimy Road - 3, 4, 16
and 82

Objection.

- Everyone has right to good night's sleep - disturbed sleep due to noise levels of lorries unloading in service yard at unsociable hours between approximately 11pm and 7am; these noise intrusions include engine noise, refrigeration noise, cargo trolleys being unloaded, forklift trucks' reversing beepers and drivers sounding horns at 1am.
- With proposed store extension and increase in Tesco lorry traffic, concerned that this will only get worse.
- Need assurance that (a) during unsociable hours (11pm to 7am) lorries will not drive into service yard and unload and that all noise producing activity will cease in this area prior to and after any store extension takes place; (b) measures are taken to control noise at other times; (c) measures are taken to keep light pollution to minimum; (d) conditions are placed on any planning approval to ensure above is achieved to avoid unnecessary stress to residents.
- Concerned about delivery lorries missing service road access and driving into estate where it is difficult for very large lorries to perform complicated manoeuvres in limited space in close proximity to roadside houses thereby causing inconvenience, noise, diesel fumes and vibration; problem has gradually increased in recent years and with new application it will have even more impact on peaceful enjoyment of home.
- New exit for additional car park proposed on site of demolished Homebase would be very close to neighbours' properties; concerned that volume of traffic using this exit would cause substantial noise disturbance to residents, including enjoyment of gardens; suggest another exit point is designed to avoid this situation.

Faulkners Way - 21, 35,
37

Objection.

- Increased use of car park will mean increased disturbance for residents - when outside during summer months constantly disturbed by car alarms (took two years to get Tesco to erect barrier to prevent access to canal side of car park by joy riders and other late night revellers).

- Increased noise levels from deliveries - would expect to see increase in deliveries to serve 43% increase in gross floorspace - Homebase deliveries consist of furniture and tools, whereas majority of Tesco deliveries are perishable food goods.
- Noise from vehicles using diesel engines for refrigeration whilst loading and unloading - assurances that electrical hook-ups will be provided for all vehicles will be meaningless when many drivers do not use them as it takes time and others find couplings on vehicles incompatible with those in service yard; need guarantee that there will be electrical hook-ups for all delivery lorries and dot com vans so refrigeration units can operate silently.
- Proposed service yard acoustic screening to shield Vimy Road residents from noise should be extended to cover western perimeter wall facing Faulkners Way across canal; planting of trees in gaps in line of mature trees within Anglian Water's sewage pumping station site (between service yard and towpath) would enhance noise baffle.
- Unacceptable that precise details of mechanical services and refrigeration equipment, type and noise signature are not known at this stage; acoustic louvres and attenuation for any additional plant placed on roof must be agreed before permission is granted.
- Although 1989 permission included condition to control external loudspeaker systems, suffer noise nuisance from loudspeaker voice from within open loading bay - condition must enforce that no loudspeakers should be able to be heard by residents across canal.
- Request that proper noise control acoustic attenuation be used and external acoustic screening be erected around proposed CHP unit and exhaust directed away from Faulkners Way properties.
- Cage marshalling facility (approved in 2004) was built of transparent perspex and throws out sufficient light to illuminate bedrooms; extending facility offers opportunity to re-build it in opaque material that does not transmit light.
- Concerned about canalside café/restaurant with decking and seating for viewing canal.
- Request following restrictions - no outside use of café; no alcohol served; 8am to 6pm café opening hours and

closed on Sundays and Bank Holidays; Tesco to be made responsible for keeping towpath clear of rubbish; sole access to towpath from Tesco to be beside café; Tesco to patrol car park to reduce disturbance from car alarms; continuation of barrier system to control access to car park adjacent canal; ban on construction work outside of 8am to 6pm weekdays, 8am to 1pm on Saturdays and no work on Sundays.

GR Planning
Consultancy on behalf
of Homebase

See **Appendix 4.**

Local residents

Bideford Green - 97,
381
Bossard Court - 11
Chestnut Hill - 30, 31
Chestnut Rise - 12
Cheviot Close - 8
Chiltern Gardens - 8
Coniston Road - 76
Corbet Ride - 54
Cotefield Drive - 87
Croxley Court - 7
Derwent Road - 383
Faulkners Way - 21, 35,
37
Gibson Drive - 21
Grove Road - 21
Harcourt Close - 6
Kiteleys Green - 3
Lammas Walk - 29
Mardle Road - 33
Market Square - 14
Middle Green - 16
Milebush - 8, 9, 23
New Road - 14
Nicholson Drive - 124
Oatfield Gardens - 18
Richmond Road - 47
South Street - 3, 96
Stoke Road - 31, 37
Taylor's Ride - 4
Town Bridge Mill - 45
Wentworth Drive - 11

Objection.

Impact on town centre

- Longstanding residents remember many different shops in and around High Street - several grocers, butchers, wet fish shops, greengrocers, television retailers, photographic shops, etc.; now town centre has very few of such retailers and it is clear that town's supermarkets have led to decline of these shops; small independent shops are vitally important in small historical town, not only for townspeople but to encourage tourism and influx of spending into town.
- Extension will significantly change nature of store and destroy existing balance between store and town centre; Leighton-Linslade is very successful market town with very low level of empty shops; larger Tesco offering additional retail products and services will draw customers away from town centre and undermine its existing success.
- Huge expansion at edge of town centre will be out of proportion with town centre shopping area that is currently struggling to maintain its colourful, historic market town character in increasingly difficult financial times and will be further compromised and put at risk of serious collapse by Tesco expansion, in particular because of proportion of new extension given over to comparison goods - clothing, electrical goods, etc.; historical town centre known for its vibrancy and individuality will be dwarfed by superstore giant renowned for its mass marketing strategy of standardisation inevitably linked with blandness.
- Town centre should be hub of Leighton-Linslade and its retailers have shown remarkable resilience against competition from Milton Keynes which is obvious

magnet because of size and scope of facilities available; there have been failures - most notably Co-op which had two stores in town centre - but apart from diminishing street market, to onlooker situation is not too bad; appreciate that retailing is susceptible to changing fashions and trends but real danger is competition from nearby but separate locations; to allow foodstore to expand to sell clothing, electrical goods and whole range of non-food items on large scale would be great betrayal of town's best interests and completely nullify work being undertaken to expand town centre into area immediately behind High Street - problem is not competition but competition in wrong place.

- Tesco is known to sell at very low prices to undercut local opposition - 'predatory pricing'; once local opposition has closed down, Tesco then raise prices.
- One of Leighton-Linslade's genuinely attractive features, which distinguish it from desolate sameness of other towns, is that it still has number of small independent shops with local owners and staff; do not want these or regular street market to disappear as Tesco fills its shelves with clothes, white goods, pharmaceuticals, many of which are shoddy and probably made by exploited labour in Third World countries.
- Expansion of Tesco will damage town centre by causing smaller independent shops and market stalls to close down, as has happened in other towns where Tesco has expanded - 30 shops closed in two years in Inverness, 33% increase in shop closures in Fakenham, 12 shops closed in six months in Dumfries.
- Tesco claim its customers will visit High Street, but they will find cafés closed because Tesco will provide own in-store café and will build another on site, chemists closed when store expands its toiletries range, clothes shops closed when store expands its clothing range; there will undoubtedly be other victims.
- In current economic climate as many as possible of town's small shops and businesses should be given maximum chance of surviving.
- Government encouraged people to express their concerns about their towns and has charged councils to protect local high streets as best they can; town's High Street needs protecting - massive extension is step too far and needs to be stopped; Tesco does not

need extra business, High Street does.

- Council should be doing everything it can to preserve High Street and increase variety of shops rather than actively supporting Tesco expansion; other councils have acted to prevent Tesco expansions due to negative impact on their town centres, so hope Council will act in similar way; if Tesco is allowed to expand, this will reduce town centre's attractiveness to other retailers wishing to locate in town centre and shoppers will be left with far less choice.
- Do not wish to see repetition of failure of high streets seen right across country where independent businesses run by and for members of local community are replaced by corporations that put profit before people; one only has to look at impact of huge Asda superstore on Dunstable's town centre - boarded up empty shops with no hope of reprieve; Council should surely learn from Dunstable's misfortune.

Impact on wider town area

- Leighton-Linslade has reputation as good market town, still defining what town should be with its small independent shops and strong community groups - it feels as though Big Business is trying to eradicate this profile with emphasis on profit instead of preserving Englishness.
- Housing growth is on opposite side of town from Tesco, so any proposed retail expansion at Vimy Road will be in wrong place.
- Instead of money from Tesco customers going straight into security truck and then to Tesco shareholders, shoppers' money should stay in town where it can continue to circulate; Federation of Small Businesses states that 50% of money spent in independent shops stays local, whereas only 8% spent in Tesco stays local; Tesco will use large national businesses to service its stores, whereas local shops tend to use local businesses, such as decorator, plumber, etc.
- Interesting new plan being formulated for future of town - for benefit of residents, not shareholders of multi-national company; no doubt Tesco will want to muscle in on this by offering to provide money for some worthwhile project in return for planning permission - it has happened before and makes townspeople profoundly cynical about integrity of their councillors; hope any such offer will be rejected.

- Bad traffic conditions made worse by larger Tesco will put people off coming to town.

Loss of Homebase

- When Homebase first opened it led to closure of competing shops and were Homebase to now close, townspeople would be left with nowhere to obtain DIY products.
- As regards DIY, everything is now on doorstep; if Homebase goes, its 1.5 hour round trip to Milton Keynes - lost time and expense of petrol, not to mention another 1.5 hour round trip if item bought is wrong or does not fit.
- DIY sector is expanding quicker than others - 9 million people are now doing DIY due to economic situation; Tesco cannot supply range of DIY goods that Homebase do nor offer advice that Homebase staff are able to give.
- Homebase is good example of retail outlet that supplements goods that are not sold in town centre - although High Street has excellent hardware store, it does not sell bulky items such as bag of cement.
- Town centre shops' opening times do not match those of Homebase.

Land South of High Street / Bridge Meadow

- Proposed store extension will discourage other shops which sell better quality products from opening in area; this scheme will make town more of thriving place and will attract other businesses; town needs anchor store and mixture of shops, not large supermarket selling high proportion of non-foods.
- This development is correct way forward - will support town's specialist independent retailers and also market traders.
- Planning framework for town centre envisages new retail development as its focus which will be adversely affected if Tesco extension is allowed to take place prior to its implementation.

Traffic

- Linslade and Leighton Buzzard together are small towns that have central historic road layout - linked by just one road that easily gets congested by traffic; Tesco is sandwiched between canal, river and water meadows, location that is not suitable for further

development, given both traffic problems and surrounding landscape.

- Serious concerns about increase in traffic - delivery lorries and shoppers' cars; deliveries to store will be more frequent and lorries will be noisily driving over old canal bridge or going through town centre already congested with traffic.
- Increase in traffic will necessitate installation of traffic lights in Leighton Road thereby jamming up town, as has happened in past,
- 'Cycling Town' is already choked with traffic and increase in car use to travel to expanded Tesco will make it even more hazardous for cyclists and pedestrians.
- Franchised café in store car park will create even more traffic congestion, noise and possible litter on Leighton Road.
- Vimy Road residents at rear of site will find it more difficult to travel to/from their properties with rise in vehicle numbers using same route to/from expanded store.

Consultations/Publicity responses

Local interest groups

I ♥ Leighton Buzzard
(ILLB)

ILLB is group of local business people and local citizens who are opposing proposed development as it is seen to be detrimental to town and its population.

Within 20 mile radius of Leighton-Linslade, there are or have been at least 15 campaigns against Tesco format stores in last few years. 'Tescopoly' (alliance of organisations concerned about market-distorting power of major supermarkets) advises that nationally there are over 350 on-going or resolved campaigns against supermarkets. At Vimy Road, Tesco owns site, is there and serves function. ILLB is not against Tesco as it stands, but is against extension of store into retailing areas it is not specialist in. It will give veneer of choice as opposed to multi-choice town centre.

Town centre has around 220 retail businesses and services, 75% of which are independently owned. They also support network of smaller businesses – local trade services, accountants, book-keepers, cleaners and window cleaners. Vacancy rate is 12 shops or around 4%

- one of lowest for this size of town in country. Of these, 4 are being investigated by new tenants or are in process of being refurbished.

ILLB carried out survey of local residents in 2007 – 850 completed questionnaires indicated that people wanted better range of shops, especially clothes shops, to complement what is in town already. Majority of people in town do not use Tesco and majority of people do not think that Tesco should expand, as it is big enough as it is, both the store as it is and the company itself. Tesco's in-store presentation was accompanied by simple tick box questionnaire/comment form – 123 valid comment forms completed – 60% (74) were against extension, 36% (44) were for extension and 4% (5) were undecided. Presentation was mainly viewed by regular Tesco customers (not exactly 'community' consultation) and still reaction was against extension.

Tesco states that given larger foodstores in nearby towns – Milton Keynes, Aylesbury, Dunstable – shopper who should look to Leighton-Linslade for food and lower order comparison goods shopping are choosing to do their food shopping in these other centres and then taking advantage of respective town centre offer for other services and facilities. Tesco states further that larger foodstore in Leighton-Linslade would help bring back some of these customers for benefit of town. These statements are not true, as it is demonstrated in CBC's Retail Study that over 95% of main food shopping and 91% of top-up shopping is carried out within Leighton-Linslade. Question why people would drive miles to shop when there is good choice of supermarkets in town.

With comparison goods, town is well served by DIY and homeware stores and there is reasonable mix of stores selling jewellery, stationery and furniture. Weakest area is clothing and footwear – CBC Retail Study advises that just under 10% of all disposable income for clothes is spent in Leighton-Linslade. Milton Keynes Borough Retail Study 2009 advises that only 40% of Leighton-Linslade's disposable income spent on comparison goods is spent within town; 50% is spent in Milton Keynes – this is about £60-70 million or around £2,000 per head, of which £36 million is spent on clothes.

Tesco reckons on sales of £3.68 million on 614sqm of "new comparison" space (having deducted 400sqm for goods that Homebase sell that Tesco will sell in its store). Tesco argues that this money will come from people not going to Milton Keynes, but in reality it will come mainly from town centre. It is actually more than £3.68 million. There will be amount taken from other supermarkets;

there will be knock-on effect where shops lose footfall and chance to sell additional goods. Figure is probably around £4.5 - £5 million which is 10% of present comparison spend in town centre. Although it will vary from business to business, it is very difficult for any business to survive loss of earnings as high as 10%. Staff will be cut and other measures taken to survive. This will drive more people to go to Milton Keynes – complete reverse of what Tesco are after – and will have impact on plans to redevelop town centre, as potential investors will not come to town that is losing shops.

Retail Study conducted for Council by White Young Green considers that there is some room for convenience growth and a lot of need for more comparison goods, especially clothing. Tesco has only justified its proposals by arguing that it is overtrading and this is based on convenience sales – much lower priority for town. Tesco argues that extension of 1,000-1,300sqm would remedy this. However, although Tesco are looking at only increasing convenience retail area by 511sqm, it proposes to increase comparison retail area by 1,014sqm. Most of these comparison goods are already sold in town centre. Overtrading is overused and misunderstood phrase. In its purest sense it is where store cannot cope with volume of customer traffic and stock turnover and needs to expand to improve conditions for all and to satisfy demand. Convenience goods are human food, drink, newspapers, magazines, cigarettes and some basic non-durable goods such as tissues. Remaining goods, including pharmaceutical and health goods and goods for pets, are comparison goods. Although Tesco argues that it needs to expand because it is overtrading on convenience goods, extension is not for all convenience goods, but for two thirds comparison goods, which is not reason for extension. Tesco has longer store hours, more checkouts and bigger car park than any other store in town and aisles are of comparable size. From observation and from anecdotal evidence, there is no real overtrading at Tesco. Indeed, Tesco has very questionable tendency to have shops overtrading – of top 10 supermarkets overtrading within 11-mile radius of Leighton-Linlode, 7 are Tesco. Company also has lowest percentage of shop floor area for convenience goods of any of major supermarkets. Overtrading is excuse to get bigger store and sell more comparison goods, as there is more profit in those.

Tesco presumes that Vimy Road site is edge-of-centre site. It is not. Tesco is 400m from town centre boundary and is therefore out-of-centre site. Tesco store is 620m from town centre proper. Pedestrian visiting store and town centre has first to negotiate store car park, then use zebra crossing to cross road at very busy junction with

town's main arterial road – Leighton Road – then walk alongside this busy road to reach another zebra crossing and then either cross another zebra crossing or walk up and cross road further up Bridge Street. No matter what claims Tesco make, not many people do this journey.

In 1996, Somerfield conducted survey of 12,000 customers of its different store formats – town centre, edge-of-centre and out-of-centre. Research found that for every £1 spent in its town centre stores, 46 pence was spent in town centre, for every £1 spent in its edge-of-centre stores, 23 pence was spent in town centre and for every £1 spent in its out-of-centre stores, 10 pence was spent in town centre. CBC Retail Study states that Tesco has 55% of convenience spend in Leighton-Linslade. According to Appendix 1, Table 5 of Tesco's Retail Assessment convenience goods spend in 2016 is calculated at £99.233 million. Therefore, Tesco's share is 55% of that figure – £54.578 million. In his report on 2003 appeal, Planning Inspector considered that 22% of Tesco shoppers undertook linked trips to town centre. If 22% of customers make linked trips to town centre from Tesco, then £1.2 million will be spent in town centre (22% of £54.578 million divided by 10 pence). If one takes higher 46 pence for town centre store, then Waitrose at 15% of total convenience spend at £14.884 million will have customers making £6.847 million in linked purchases. And Morrisons as edge-of-centre store at £26.792 million will have customers spending £6.162 in linked purchases. In simple terms, Waitrose and Morrisons between them create £13 million in linked spending compared to Tesco's paltry £1.2 million. According to Appendix 3, Table 4a of Tesco's Retail Assessment comparison goods spend is £104.168 million. Waitrose and Morrisons linked spending percentage on this figure is 12.5% approximately, whilst Tesco is 1.15%. Although Planning Inspector did calculations in slightly different way – as percentage of all convenience and comparison goods for town centre at 2005 – he came to same conclusion that Tesco linked trips were worth less to town than Waitrose.

Planning briefs for Land South of High Street and Bridge Meadow have been governed very much by townspeople and propose mixture of retail, services and community facilities. Local people realise that town needs wider range of shops to improve retail offer. Proposals in planning briefs are right way to help Leighton-Linslade – it is what townspeople want.

Sequential approach set out in PPS4 requires that town centre and edge-of-centre sites have to be looked at first. Both Land South of High Street (2.5ha) and Bridge Meadow (5.5ha) are more than adequate for Tesco's

needs. Tesco has dismissed both of these sites partly because it owns existing site at Vimy Road and partly because given format of store, out-of-centre site based around car travel and car parks is preferable. Tesco will not re-use Homebase store, even though it operates format that is home goods based. Main thrust of its proposal is to put everything under one roof.

Two regeneration sites that have been identified could be seriously hampered if this extension goes ahead. Town needs wider choice of shops, primarily clothing, to draw people back from Milton Keynes. Town centre needs balance of national chains and independent businesses. Various studies have proved that new or extended supermarket will reduce footfall and spending and cause loss of business in town centre and therefore reduce choice. Tesco will never replace shops that are lost in town, as it does not specialise – it picks and chooses best bits and gives minimal, if not non-existent, service. Retail units proposed at Land South of High Street will complement other stores, not put them out of business. Reason is simple – there is more choice in small area. Main point of these proposals is that range of shops will bring in people who would usually go to Milton Keynes on regular basis back into town on regular basis and give more opportunities to all retailers to sell more goods and services.

Comparison goods impact will be at least £2 million, possibly higher. Proposal will also take away convenience goods sales from Waitrose which will lower linked shopping amount. Further, if Homebase is not replaced and its turnover, which is possibly about £10 million, is not absorbed by other town retailers, then full impact will be anything between £7-10 million. This is not what town needs. There is no reason in principle why comparison goods proposed to be sold at Tesco could not be sold in town centre. It does not need Tesco to sell them. Accordingly, proposal fails test of national retail policy before retail trading impact on town comes to be assessed. To sell comparison goods at out-of-centre location will fail to sustain or enhance vitality and vibrancy of town centre – irrespective of whether or not it is healthy town centre.

Largest site in town centre is Waitrose at 1,256sqm. Current Tesco store is 4.7 times larger and proposed Tesco building, at 8,595sqm, will be 6.8 times larger. Taking store and its car park and imposing them over town centre shows that it is half size of whole town centre. It is like having two town centres. This is too large for town such as Leighton-Linslade with over 100 Grade 2 listed buildings and still based on medieval plan. One

huge building and sea of parking will not improve area and is out-of-keeping with town. Planning brief sites do not have large units. Proposed units will be larger than current units, but will be proportionate. No one shop will dominate – this will produce range and quality of shops that town needs.

Number of additional employees, 140, is 44% of number that Tesco currently employ, which is also amount of extra space Tesco is asking for. Evidence shows that for every 20 jobs supermarket creates around 30 will go from local area. Based on PPS4 Tesco proposal does not stack up. Impact on town centre will be too great. It will lose town jobs not gain them; it will reduce investment in town; it will cause more social problems; it will reduce choice. Local economic theory maintains that money spent in local shops circulates much longer. Several local businesses depend on each other – accountants, cleaners and service people. Many of smaller branches of chain stores are of benefit – Halfords, Boots, Argos and WH Smith put over 15% of their income back into economy; Tesco puts back 8%.

All-Party Parliamentary Small Shops Group Report – High Street Britain: 2015 (February 2006)

Group was concerned that most small shops will disappear from streets of Britain by 2015 – small retailer sector is key driver of entrepreneurship, employment, skills, local economies and sophisticated business relationships.

All-Party Parliamentary Group on Town Centres Report (January 2011)

Since 1996 Government planning policy (PPG6/PPS6/PPS4) has been to promote development in town centres – shopping, leisure, offices – which require developers to select town centre sites, or if proposing out-of-centre developments, to demonstrate that they could not find more central site.

Town Centres First policy has across board support – in Parliament, among public and with most developers and retailers.

Likely outcomes if this policy is not supported:

- Medium-size/smaller towns will continue to lose out if out-of-centre superstores selling non-food as well as food take their trade.
- Further decline in retail share of town centres due to supermarkets, internet and retail parks – in that order.

Action needed:

- To recognise that strong and healthy, vital and viable town centres are essential to local economy – there is strong economic rationale to Town Centres First policy.
- There are strong social reasons as town centres are accessible to all, especially those without access to car; they enable people to make trips that allow several tasks to be done in same trip (linked trips) and town centres are at heart of our communities.
- Re-state need for town centres and recognise that town centres need good management to stay healthy – partnership between local authorities, business and local community.

Over next 20 years percentage of people over 60 will increase. Whole point of town centre is to be focus of retail, social, health and other activities. Town's street market is very important. Town centre has to be able to function for all and elderly and less well off need healthy town centre. Tesco is very much geared to car and two thirds of town's population lives on other (eastern) side of River Ouzel. Not everyone drives, particularly elderly, and public transport is not geared to Tesco. Town centre is set up for all of these needs.

By 2015/2016, town will have Center Parcs Holiday Village on its doorstep which will bring influx of people into area. It would be shame if much of town centre died and made town unattractive to visit because of decision to let Tesco expand – would be detrimental to whole of Central Bedfordshire.

Consultees

Anglian Water

There are assets owned by AW or those subject of adoption agreement within or close to development boundary that may affect site layout. Recommend informative.

Foul drainage from this development is in catchment of Leighton-Linslade STW that at present has available capacity for such flows.

There are no public foul water or surface water sewers in vicinity of site. However, there are private foul water and surface water sewers currently under Section 104 adoption agreements that may be able to accommodate foul water and surface water flows from development. Recommend conditions in respect of foul water strategy and surface water strategy/flood risk assessment.

British Waterways

General principles of improving public access to canal and 'greening' of strategically located entry into town, thereby softening impact of current extensive tarmac car park from elevated Leighton Road, are welcomed. Opening up of canal with new café on south-western corner of site should help both Tesco and BW. At present, BW's consent for opening up currently fenced boundary has not yet been finalised, although principle is welcomed.

Transport Assessment shows that when looking at modal split, on Fridays, 1% cycle and about 7% walk to store, whilst on Saturdays percentages are 0% and 7.32%. For cycling designated town these are disappointing figures. Towpath offers great chance to increase these figures with better signposting and awareness of opportunities which Tesco could help with.

Whilst welcome introduction of café, feel that roof pitch is quite high, given modest nature of building - gives 'top heavy' appearance. Café does not reflect local vernacular, as typical roof design for canalside building is natural slate with shallow pitched roof. Café walls adjoining car park should not be blank walls.

Signage from towpath to store's recycling area and provision of recyclable material for canal boaters would help BW. Tasteful and relevant work of art within landscaped area at southern end of site would be welcome.

BW would like to be party to any S106 Agreement; recommend informative in respect of any works abutting towpath.

Buckingham and River Ouzel IDB

Note applicant's intention to reduce storm water discharge from site to current 1:30 year level (211.7 litres per second) for all design events up to 1:100 year plus 20% for climate change. No objection providing Anglian Water confirm that suitable surface water sewer exists. Request suitably worded condition.

Environment Agency

No objection.

Recommend conditions and informatives in respect of flood risk, risks to controlled waters associated with any site contamination, infiltration of surface water drainage and piling or any other foundation designs using penetrative methods.

Friends of the Earth

Objection.

- PPS4 states that if there is space for retail in town centre, then edge-of-centre retail development must be

turned down. Sequential assessment is required for applications for main town centre uses that are not in existing centre and there is need to ensure that all in-centre options have been thoroughly assessed before less central sites are considered. Applications for main town centre uses that are not in existing centre and not in accordance with up-to-date development plan should be refused permission where applicant has not demonstrated compliance with up-to-date plan.

- Core Strategy states that town centre will be enhanced, building upon its strong and vibrant market town character. This will be implemented through plans for increased retail on south side of High Street, not through supporting edge-of-centre retail. According to Core Strategy/Local Plan, permission should not be given for edge-of-centre retail.
- In 2003, Planning Inspector backed South Bedfordshire District Council when turning down similar proposal by Tesco on ground that allowing this type of development at edge-of-centre site as opposed to town centre was against national retail policy. Inspector stated that sequential approach means that first preference should be for town centre sites and that there was no reason why comparison goods proposed to be sold at Tesco store could not be sold in town centre - it did not need to be Tesco that sold them. He considered that there were two possible town centre sites from which these goods could be sold. This was in 2003 when there was considerably less space for retail in town centre than now and when land south of High Street was designated for residential. Furthermore, Inspector explained that 'town centre first' policy is much more important than vitality and viability and that proposal failed national retail policy test before trading impact on town centre came to be assessed.
- In February this year, during committee stage of Localism Bill, Minister for Localism gave assurances that 'town centre first' policy will continue to be strongly expressed and intends to review policy to make it more accessible, clearer and more visible within national planning policy framework. This statement followed discussion which included fact that there were 12,000 fewer shops on nation's high streets than two years ago.
- In October 2010, Secretary of State supported Planning Inspector who overruled Stoke-on-Trent City Council and turned down proposed Tesco store

extension because it would likely result in decline of Newcastle-under-Lyme town centre. In Hailsham (Sussex), Tesco store was approved in 2009 and in February 2011, local paper reported how high street was suffering from spate of shop closures, including many long-established outlets. Devastating effect of Tesco on Bicester town centre was subject of article in Daily Telegraph which quoted comments of president of local chamber of commerce that store has curtailed flow of customers into town centre. In Inverness, 30 independent shops closed down in two years following Tesco expansion, according to local traders association.

Leighton Buzzcycles

Neither supports or opposes principle of development. Must stress that strategy to increase cycling should not involve any measure of compulsion, but rather be one of providing viable choices. There will be times when car is best choice and times when bike is. Providing good cycling access and facilities increases cycling's viability as travel choice.

- Cycling infrastructure in vicinity of site is not as good as Transport Assessment states and it would be reasonable for financial contributions to be made to bring it up to better standard, for example, there is opportunity to build missing shared use path between end of Riverside Path and Vimy Road. Access from south and west is likely to be via canal towpath which below Leighton Road bridge is narrow and offputting. Suggest new link from towpath using site of disused public toilets onto Leighton Road and across zebra crossing and then down ramp onto towpath. Ramp is currently too steep and gradient needs to be reduced by extending ramp.
- Main vehicle access off Vimy Road is undesirable because sightlines when leaving site are poor - cars approaching from left (north) are hidden until they have emerged from bend. In addition, cyclists discouraged by having to ride over section of cobbles. There is opportunity to provide better shared use access using already established desire line just to north of petrol station that would emerge opposite proposed location of cycle racks. Exit onto Vimy Road is better, as road is straight in both directions for some distance. Current access off towpath is too narrow to be shared use and needs to be improved.
- Tesco should consider using coloured tarmac to provide cyclepath from towpath and proposed new Vimy Road access to cycle racks. Enhanced provision of cycle racks is welcome. Their design is not

specified and it is requested that these be covered and enable bikes to be introduced from both sides with 'toastrack' stands at perpendicular to others for use by longer vehicles (bike plus child/cargo trailer), as existing.

- Staff bikes will be parked for long period of time and staff secure cycle parking is not shown on plans. Bike lockers such as those in town centre multi-storey car park are already installed for staff use at Morrisons. Showers are mentioned in travel plan, but not shown on plans.
- No cycle parking specified for café. Link from Vimy Road to towpath is clear cycling desire line, so would be good to see provision made.
- In conclusion, cycling facilities are insufficiently detailed and draft travel plan is inadequate. Applicant should be rejected if inadequacies cannot be corrected by resubmission or addressed by condition(s).

The Leighton Buzzard Society

Objection.

- Roads outside store already too congested and cause traffic problems; proposal will only make matters worse.
- Question what disastrous impact proposal will have on town's other traders.
- Vimy Road residents will suffer greater inconvenience.
- Question whether there will be any S106 incentives that will benefit community.
- Question whether there is other land available in The Big Plan for DIY store elsewhere; loss of Homebase is very significant to local population.

Archaeological Officer

No objection.

Applicant's Archaeological Desk-Based Assessment concludes that proposed development would have adverse impact of low magnitude on buried archaeological remains and concludes also that scale and design of scheme would not have detrimental impact on setting of heritage assets, and may actually have beneficial effect. This seems reasonable assessment of these impacts.

In order to mitigate impact on buried archaeological remains and palaeoenvironmental deposits, applicant

proposes programme of archaeological investigation. Such investigation and recording of archaeological remains affected by proposed development would enhance understanding of significance of heritage asset and is appropriate response, in line with Policy HE12.3 of PPS5 *Planning for the Historic Environment*.

Applicant proposes also provision of information and interpretation of historic environment within new development. Heritage assets in and around site, in particular Grand Union Canal, demonstrate how past human activity has shaped Leighton-Linslade's present townscape, character and sense of place. Information on and interpretation of historic environment would provide valuable emphasis on its role in shaping town, reinforcing sense of place and contributing to developing sense of community. Provision of interpretation scheme as part of development would enhance significance of heritage assets and is supported by Policy HE7.4 and 7.5 of PPS5.

Recommend conditions to secure implementation of scheme of archaeological investigation and implementation of scheme of heritage interpretation and enhancement.

Ecologist

Satisfied that there would be no detrimental impact from development. Ecological Appraisal recommends sensitive approach to any lighting scheme to reduce night-time illumination of western site boundary and River Ouzel County Wildlife Site (CWS) to east, so as to ensure CWS corridor remains available to bats. This should be conditioned.

Environmental Health Officer

Tesco store is close to noise sensitive properties and would take issue with statements in applicants' Noise Assessment that there have been no complaints regarding service yard activity. Since 2000 there have been sporadic complaints of noise from night-time deliveries. Whilst in 2002, EHOs were told by then store manager that deliveries cease at 22.00 and do not resume until 07.00, it would appear that following erection of bulk store extension and cage marshalling area in 2004 store commenced night-time deliveries. In line with restrictions placed on other supermarkets in Central Bedfordshire, recommend condition imposing night-time curfew on deliveries.

Recommend conditions in respect of fixed operational plant noise limits, normal construction working hours, construction environmental management plan, possible site contamination and external lighting. With specific reference to proposed restaurant/cafe, recommend condition to minimise any adverse impact of fumes/odours

arising from cooking activities.

Recommend informative covering licensing, health and safety, food hygiene and safety matters.

Highways Officer

No objection.

The development would necessitate the demolition of a DIY retail warehouse which has a total floor area (GFA) of 5884m². The proposed Tesco store expansion is only 2650m² which is less than half the Homebase store to be demolished. Comparing the normal traffic generation of a standard foodstore it is usually 3 times that of a standard DIY store similar to Homebase. However, it is also recognised that the bigger a foodstore is, the lower the trip rate (trips per m² of GFA). Therefore, it would be reasonable to assume that the proposal to demolish a DIY store and extend the existing foodstore by only 45% of floorspace of that demolished store would represent (in traffic generation terms) nil detriment.

Having looked at the application and the Traffic Assessment within the application, I confirm that this is the case and that I am satisfied that this is a fair representation.

There have been concerns that there will be an additional problem in exiting the site onto Vimy Road. This could not be proven and for that reason I would not offer any comments on this. However, it would be quite reasonable to seek a clause in the travel plan for the applicant to monitor the circulation of traffic within the site as well as traffic egress and entry from the premises to the public highway.

There is also a consideration that there will be additional pedestrian traffic between the Tesco car park/store and the town centre and indeed this is something the authority would want to promote. There is a concern that the zebra crossing is not on the desire line of these trips and that additional pedestrian traffic using this crossing will only lead to a decrease in vehicular throughput of this junction. This can be solved by installing another zebra crossing between Bridge Street and Vimy Road and enhancing the footway on the south side of Leighton Road.

It would be quite reasonable to ask the applicant to monitor the traffic the site will generate and this could be done through the travel plan by carrying out a multi-modal travel study after 3 years of the extension to the store being fully open.

Other than securing the travel plan and the financial contribution towards promoting sustainable modes of transport, which I would expect should be delivered through a Section 106 agreement, I have no objection to the application.

Sustainable Growth
Officer

Offer following comments.

- It is good to see development would be complying with Code 3. However, this will be mandatory standard by October this year, so is not particularly in excess of current Building Regulations. Greater acknowledgement of what would be needed to achieve Code 4 would have been positive step, even if it was just acceptance of Code 4 standards for particular issues, such as water and energy.
- Applicant states that store would aim for 15% reduction in emissions through energy efficiency measures and then additional 10% to meet Code 3 would be provided by renewable/low carbon on-site generation. This would also meet Policy ENG1 from RSS for 10% on-site microgeneration. Applicant explains that it is very difficult and costly to meet 25% purely through efficiency measures. However, PassivHaus standards are comparable to Code 4 (44% reduction) and are being met without difficulty on continent and are slowly being integrated in UK. Would suggest looking at these standards to see if any could be incorporated.
- It is positive to see that applicant is looking at reducing energy need first before considering renewable technology. However, believe that 10% Policy ENG1 target from RSS is making developer consider renewable technology too early when there is still considerable savings to be made from energy efficiency measures. Would wish to highlight energy hierarchy at this point. Increase in energy efficiency measures would mean that overall energy demand would be lower, thus lowering 10% of energy to come from renewable sources.
- Wind energy has been rejected due to low predicted energy demand. However, more detailed feasibility study should be carried out as wind speed is of acceptable level. Acknowledge their issues with visual appearance and other environmental considerations such as shadow flicker and impact on biodiversity.
- PV (photovoltaic/solar electricity) has been rejected on grounds of cost. However, with introduction from 1st April 2010 of Feed in Tariffs (FiTs), this could make PV more viable. Would expect more detailed review of this.

- Ground Source Heat Pumps have been rejected due to built-up nature of development. However, there is considerable open area and development is not of high-density, so it could feasibly be achieved by vertical or horizontal systems.
- Combined Heat and Power (CHP) and decentralised energy production have been dismissed due to low density of development (although site has been described as too built-up for both wind turbines and GSHP). However, perhaps taking account of surrounding schools and local centre/employment areas would increase heat load of development and make decentralised energy viable option. It would also significantly increase carbon savings from site - up to approximately 50%.
- Over-reliance on one technology - solar thermal - is of concern. Would expect mosaic of technologies to be incorporated into development to allow for greater security.
- With regards to water efficiency, applicant is aiming to meet Code 3 which has minimum standard of 105 litres/person/day which is currently in excess of Building Regulations. Environment Agency has stated that Bedfordshire and East of England is in severe water stress and would expect applicant to consider achieving high level of water efficiency. However, pleased to see incorporation of water butts as way of reducing outside water use.
- In respect of sustainability rating for proposed buildings, would hope for BREEAM 'very good' or 'excellent' and would also hope for some consideration of renewable technology.
- With regards to passive design, would suggest Central Bedfordshire Design Guide advice on incorporating solar orientation and shading. It is pleasing to see some consideration has already been given to this. Use of local materials should be priority and not just given consideration.
- It would be interesting to understand how FiTs and proposed Renewable Heat Incentive (RHI) would help in incentivising renewable technologies and whether this has been considered by applicant when looking at feasibility of each of technology options.
- To support development of network/infrastructure for electric vehicles, would hope to see addition of charging points for customer use in car park. Initially, this need only be two or three bays.

Sustainable Transport
Officer

Overall, travel plan is comprehensive submission that falls short of information required.

Travel plan does not fully appraise policy background to travel plans. It should (a) include objectives to reduce customer single occupancy vehicle trips; (b) confirm whether travel plan co-ordinator will be provided with budget to implement travel plan's measures; (c) propose to install showering facilities for staff; (d) confirm whether staff cycle parking will be covered; (e) assess whether any parking space provision will be set aside for car sharing staff; (f) propose targets for increasing staff car sharing; (g) make proposals for measuring customer travel.

Tree and Landscape
Officer

No objection, recommend conditions. Offer following observations.

- Proposal would involve removal of 52 semi-mature trees within or around existing car park configuration. Any tree removal on such scale would lead to sudden and significant short-term loss of visual amenity around site.
- Construction of proposed canalside café would require removal of 8 semi-mature Norway maple trees and to mitigate this loss, up to 20 replacement trees are to be planted along new pedestrian concourse between Vimy Road and towpath.
- Store extension and associated car park reconfiguration would involve felling of 44 semi-mature trees and to mitigate this loss, 71 replacement trees are to be planted within new car park layout.
- Planting belt to east of existing Homebase store is being retained in its entirety and would need protection during construction works.
- Significant number of existing trees, in particular Norway Maple or multi-stemmed Silver Birch, are of poor structural form - genetically based problem associated with many young trees originating from stock of poor provenance within nursery stock industry. Long-term success of these trees is questionable and given importance of landscaping within car park, there are concerns about securing reliable and sustainable planting scheme for future.
- Opportunity of new landscaping may address these concerns and achieve longer term sustainability of treescape. Further potential benefit of proposed development is that there would be net gain of new trees through additional replacement planting.

Walking and Cycling
Officer/Programme
Manager: Leighton-
Linslade Cycling Town

Recommend contributions be sought to provide following improvements to pedestrian and cyclist infrastructure.

- Width of footway on eastern side of Vimy Road at junction with Leighton Road is inadequate. If agreement could be reached with Linslade Tyres, their boundary wall could be relocated to allow footway to be widened to 3.5m at this point. Such works would significantly enhance pedestrian interaction between town centre and store.
- Width of footway on northern side of Leighton Road to west of site is inadequate. Width of splitter island at approach to roundabout at Wing Road junction could be reduced at this point to allow footway to be widened.
- Provision of stepped access to towpath from southern side of Leighton Road. This would involve demolition of disused Council-owned toilets and would remove requirement for people heading north on towpath to have to negotiate narrow section under road bridge. Such works would significantly enhance pedestrian interaction between south Linslade and store.
- Whilst footway on southern side of Leighton Road between canal bridge and river bridge is one of most heavily trafficked in town, in stretch of 200m, it is interrupted by eight separate service roads. Existing tactile paving could be removed and footway across each service road could be raised to afford pedestrians obvious priority, thereby significantly enhancing pedestrian interaction between town centre and store.
- Existing link on southern side of store between towpath and store entrance should be upgraded to shared use standard - 3.5m wide.
- Provision of new crossing of canal north of store at Twelve Arches. This strategic link would provide significant proportion of Linslade residents with alternative walking and cycling route to store that avoids heavily trafficked Leighton Road corridor.
- Recommend that proposed new area of public realm between Vimy Road and towpath be designated as 'shared space' and that section of footway on northern side of Leighton Road between junctions with Bridge Street and Vimy Road be designated for shared use to provide cyclists wishing to access store from town centre or from Riverside Walk with off-road alternative to using Leighton Road/Vimy Road. In addition to widening of footway beside Linslade Tyres, may also require widening of existing two-stage zebra crossing of Vimy Road.

- Given Leighton-Linslade's cycling town status, investment already made in developing town-wide cycling network and proximity of store to National Cycle Network Route 6, would expect to see travel plan target of at least 10% of those employees living within 5km radius commuting to store by bike.
- Note five-year target to reduce number of single occupancy car journeys by 10%. Southern Leighton Buzzard exemplar scheme is targeting 20% reduction against baseline car journeys and would recommend that this scale of ambition should be mirrored in current proposal.
- Recent provision by Sustrans of new stretch of cycleway running parallel to river and exiting onto Vimy Road creates additional cyclist desire line to store. Point of access into site is required to complete this route. Suggest new cycling and pedestrian entrance be provided off Vimy Road east of proposed cycle parking area.
- Design of car park layout south of store is inadequate for pedestrians. Recommend provision of north-south walkway through centre of car park creating refuge between rows of parked vehicles and linking to middle point of three access points to public realm area at southern end of site.
- Recommend that provision of segregated cycle parking exclusively for use by employees, together with provision of changing/showering and locker facilities be made subject of condition(s).

Waste Planning
Development Liaison
Officer

Whilst application includes Waste Audit, there is also requirement for Site Waste Management Plan to be submitted alongside Waste Audit. Recommend condition requiring submission of Site Waste Management Plan for approval prior to commencement of development.

Determining Issues

The main considerations of the application are;

1. Presumption in favour of sustainable development
2. Retail impact
3. Sequential approach and disaggregation
4. Noise and disturbance
5. Traffic generation and sustainable transport

Considerations

1. Presumption in favour of sustainable development

In March this year, HM Treasury and the Department for Business, Innovation and Skills published *The Plan for Growth* which sets out the Government's economic policy objective *to achieve strong, sustainable and balanced growth that is more evenly shared across the country and between industries*. The document contains a number of ambitions that seek to ensure progress is made towards achieving this economic objective. With regards to the ambition to make the UK one of the best places in Europe to start, finance and grow a business, the Government proposes *radical changes to the planning system to support job creation by introducing a powerful presumption in favour of sustainable development, opening up more land for development, while retaining existing controls on greenbelt land*.

In June this year, the Department of Communities and Local Government published the draft wording of the presumption in favour of sustainable development which will be incorporated into the forthcoming National Planning Policy Framework and should be central to the approach taken to both plan-making and decision-taking. Local planning authorities are urged to plan positively for new development, and approve all individual proposals wherever possible. The draft wording of the presumption states:

Local planning authorities should:

- *Prepare local plans on the basis that objectively assessed development needs should be met, and with sufficient flexibility to respond to rapid shifts in demand or other economic changes.*
- *Approve development proposals that accord with statutory plans without delay.*
- *Grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date.*

All of these policies should apply unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits when assessed against the policy objectives in the National Planning Policy Framework taken as a whole.

In respect of the Development Plan, Chapter 1 of the South Bedfordshire Local Plan Review establishes a set of guiding principles intended to ensure development is as sustainable as possible and a physical development strategy setting out the preferred locations of development land. Of the nine categories of development, the first category of development - that considered to be the most sustainable category - is development on previously developed sites and vacant land within urban areas. The proposed development would be undertaken at a site that is centrally located with the urban area and where public transport services are available. Policy SD1 of the Local Plan Review states that preference will be given to proposals on sites within the first four categories of the development strategy. The Tesco site is one of the most sustainable locations within the urban area and the proposal clearly accords with

the requirements of Policy SD1.

A key strand of the East of England Plan is to ensure that the most dynamic areas, sectors and clusters continue to grow to lead the region's economic progress and competitive advantage, while promoting a step change in employment growth. Policy E1 establishes an indicative target of 23,000 for net growth in jobs in Luton and southern Central Bedfordshire during the period 2001-2021. Whilst the proposal would generate some additional employment, the demolition of the Homebase store would result in the loss of the existing jobs there. Homebase currently employs 56 full and part time staff. Tesco advises that the new extension would generate approximately 140 full and part time jobs. The proposal would involve the creation of some 84 net additional full and part time jobs and would therefore make a modest contribution towards the indicative net job growth target set down in Policy E1.

In that the new development would accord with policies in the development plan, the draft wording of the presumption in favour of sustainable development lends a degree of support to the proposal.

Furthermore, in respect of national guidance, there is support for the proposal in PPS4 *Planning for Sustainable Economic Growth*. Policy EC10 states:

Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably.

2. Retail impact

The retail content of the proposed development

The gross floorspace of the proposed store extension is 2,650m². PPS4 states that an impact assessment is required for main town centre uses, such as retail developments, that are not in a centre and not in accordance with an up-to-date development plan where the gross floorspace of the proposal exceeds 2,500m². In response to this requirement, the applicant has submitted a Planning and Retail Assessment (the Assessment) prepared by Martin Robeson Planning Practice (MRPP). To offer the Council guidance on the robustness and validity of its various inputs and its conclusions, retail consultants, Savills, were appointed to review the Assessment. In undertaking their analysis, Savills relied on the material contained within the Assessment and within the Luton and South Bedfordshire Retail Study (the Retail Study), prepared by White Young Green (WYG) - the 2005 original report and the 2009 updated report.

As mentioned above, the net sales area within the proposed store extension would be 1,525m² comprising 511m² for convenience goods and 1014m² for comparison goods.

The Assessment explains that the purpose of the extension is to deal with the overtrading situation which the Retail Study calculated was generating convenience sales 78% above the company average and which was manifesting itself in store by an inability to house sufficient stock, conflict between shoppers and shelf stocking operations and overcrowding in the aisles and at the checkouts. The Assessment explains also that the comparison offer of the

existing store is limited and in that respect compares unfavourably with superstores in the surrounding towns. The increased comparison offer is directed towards improving the range and choice of goods for customers.

The development would involve the loss of the existing Homebase store and the Assessment argues that as some 400m² of that unit is devoted to comparison sales that would be found in the extended Tesco store - electrical appliances, kitchenware and homeware goods - the net provision of new comparison floorspace would be 614m² and the total, 1080m². Although the turnover of the Tesco floorspace would be markedly higher than the Homebase sales density, Savills consider this a reasonable adjustment for assessing trading implications.

The local shopping structure

Savills advise that the nature and function of the shopping facilities in the sphere of influence of the Tesco store and the prevailing expenditure flows are a critical context for assessing the implications of the proposed store extension.

With regards to the convenience sector, the Retail Study advises that the town centre has a reasonably good representation consisting of a Waitrose supermarket (1,286m² net floorspace), an Iceland store (557m² net floorspace) and a modest range of small independents. A Morrison supermarket (2,270m² net floorspace) occupies an edge-of-centre site in Lake Street. Although the Retail Study and the Assessment describe the Tesco store as being edge-of-centre, measurements taken and the definition of edge-of-centre in PPS4 ("*.....a location that is well connected to and within easy walking distance (ie. up to 300 metres) of the primary shopping frontage.....*") confirm that it is out-of-centre. The distance between the nearest point of the Tesco site and the primary shopping frontage is 390m and that between the store entrance and the primary shopping frontage is 550m. Again, whilst the Retail Study considers that it is the Waitrose and Morrison stores that are geared to main food shopping and that the town centre's convenience shopping role has declined significantly as a consequence, the original 2005 study states that Tesco attracts over half (55%) of the main food shopping.

The comparison offer is limited by the proximity of the major regional centre of Milton Keynes which dominates trading patterns in this part of Central Bedfordshire. Key multiple traders include WHSmith, Argos and Boots along with a small selection of clothing and footwear nationals. The Retail Study takes the view that there is a satisfactory spread of traders amongst the comparison goods outlets, including bulky goods categories. Although the proportion of service units (39%) is higher than the national average (33%), the town centre is an important focus for a range of non-retail activities, including estate agents, financial services, health and beauty and food and drink. The Retail Study notes that there were 13 vacant units in the town centre (August 2008), representing around 6% of all units. This is lower than the then national average of 12%. Vacant units were distributed throughout the centre and there were no concentrations in either primary or secondary shopping areas. On the issue of vitality and viability, the Retail Study concludes as follows.

"The range of shopping and service facilities is good. The town centre benefits from having a very attractive environment, and accessibility is good. While there are signs of weakening investor confidence, the low vacancy rate indicates that

Leighton Buzzard is performing well. Overall, Leighton Buzzard displays good levels of vitality and viability."

The household survey underpinning the Retail Study divides the study area into 14 zones. Zone 7 is drawn tightly around Leighton-Linslade and is surrounded by Zone 8 (for the most part the town's rural hinterland) that extends north to Great Brickhill, south to Tring, east to Wingfield and west to Stewkley and Cublington. The market share data from the household survey provides an analysis of the retail function of the town centre and Savills summarise this information as follows.

- The expenditure data indicates that Leighton-Linslade has a fairly well defined catchment area for convenience shopping comprising Zone 7 and the northern part of Zone 8.
- The town accounts for 94% of potential convenience sales within Zone 7 and 19% from Zone 8. It attracts both main food and top-up sales from an unusually wide area - 9 of the 14 zones - which may be due to the fact that Waitrose and Morrison are far less frequently represented throughout the study area than the other major retailers and thereby offer greater choice. Aylesbury draws 51% and Tring 19% of the main food convenience expenditure from Zone 8. The potentially large attractors of custom - Milton Keynes, Luton and Dunstable - attract only modest levels of expenditure from Zone 7 and the northern part of Zone 8. This confirms Savills' view that customers will attempt to meet their convenience shopping requirements as close to home as possible.
- The retention of comparison expenditure varies dramatically between the different types of expenditure sector. Predictably, those comparison sales demanding a wide choice - clothing and footwear - are drawn away to the major centres. The town retains just 9% of such expenditure with leakages from Zone 7 accounting for 88% of potential sales. In respect of electrical goods, the retention rate is 35% and for other non-food goods, 58%. Nearly the whole of the balance of expenditure is due to leakage, the lion's share being taken by Milton Keynes.
- Savills' conclusions are that the retail outlets in Leighton-Linslade provide a comprehensive convenience shopping service for the town and its immediate hinterland. There is no obvious substantial leakage save from the southern part of Zone 8 where 70% of sales are drawn to Aylesbury and Tring. Given the location of those centres, Savills agree with the Assessment that there is probably some potential for drawing further expenditure from Zone 8 in terms of 'closest to home' considerations. Savills advise also that their conclusions on the retail function of Leighton-Linslade match those of the Assessment.

Expenditure

The convenience expenditure data in the Assessment is based on the 2005 figures from MapInfo, as employed in the Retail Study. Thereafter, the Assessment modifies the original Retail Study assumptions by employing the MapInfo Retail Expenditure Guide 2010/2011 which anticipates real growth of 0% over 2005/2006, 0.4% over 2006/2007, minus 1.5% over 2007/2008 and

minus 2.7% over 2008/2009. Thereafter, a growth rate of 0.4% is used for the period 2009/2031. Special forms of trading - all retail sales not in shops and stores, including sales via the internet, mail order, TV shopping, door-to-door and temporary open market stalls - are excluded at 1.3%.

Similar adjustments have been made to the comparison expenditure growth rates in the Retail Study using the MapInfo Retail Expenditure Guide 2010/2011 which anticipates real growth of 4.9% over 2005/2006, 2.8% over 2006/2007, 3.8% over 2007/2008 and minus 0.3% over 2008/2009. Between 2009 and 2015 the growth rate is forecast at 3.7% and between 2016 and 2031 at 3.8%. Special forms of trading are excluded at 7.4%.

Savills advise that although the above forecasts are drawn from a recognised source and are acceptable, more recent guidance from Oxford Economics indicates that the special forms of trading element should be appreciably higher. The consequence is that the residual balance of expenditure upon which floorspace capacity assessments are based is too high.

Benchmark turnovers and efficiency ratios

In the Assessment, the benchmark turnovers for convenience and comparison retail floorspace are taken from more recent data than that used in the Retail Study, that is, *Retail Rankings 2010* and *Mapinfo Retail Expenditure Guide 2010/2011*.

Savills have concerns over the efficiency ratios employed in the Assessment which are based on the now somewhat dated assumptions of the Retail Study. A floorspace efficiency ratio is the percentage by which a retail sales density is assumed to increase annually in real terms over a stated period and retail sales density is a measure of convenience, comparison and all retail sales for a specified year on the price basis indicated divided by the net retail sales area generating those sales.

No allowance has been made in the Assessment for increased trading efficiency of convenience floorspace. Advice from Mapinfo 2010/2011 suggests that over the medium term, a growth of 0.5% per annum might be expected, whilst a recent retail exercise undertaken by Savills/Oxford Economics suggests a multiplier of 0.4%.

Savills argue that it is not normal for no allowance to be made in respect of these factors. Indeed, WYG in preparing the Retail Study included efficiency ratios in the identification of future floorspace requirements. Accordingly, Savills advise that their resultant trading capacity figures for the existing floorspace are well below those contained in the assessment. Adopting the most recent information and employing an efficiency ratio/multiplier of 0.4% per annum produces the following amendments to the sales capacities of convenience facilities in the town, as set out in Appendix 1, Table 5 of the Assessment (£M per annum).

	2008		2011		2016		2021	
	MRPP	Savills	MRPP	Savills	MRRP	Savills	MRPP	Savills
	£Mpa	£Mpa	£Mpa	£Mpa	£Mpa	£Mpa	£Mpa	£Mpa
Turnover of town's facilities	95.32	-	95.32	96.47	95.32	98.41	95.32	100.4

It follows that these amended sales capacity figures produce lower convenience floorspace capacities/requirements (m²).

	2008		2011		2016		2021	
	MRPP	Savills	MRPP	Savills	MRRP	Savills	MRPP	Savills
	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²
Floor-space capacity	1,148	-	1,141	1,046	1,474	1,217	1,891	1,468

The Assessment assumes comparison floorspace will improve its efficiency by 1%. Mapinfo 2010/2011 advised the adoption of a ratio of 2%, as compared to the 1.8% per annum emerging from the Savills/Oxford Economics analysis. Employing the lower ratio/multiplier produces the following amendments to the sales capacities of comparison facilities in the town set out in Appendix 3, Table 4 of the Assessment (£M per annum).

	2008		2011		2016		2021	
	MRPP	Savills	MRPP	Savills	MRRP	Savills	MRPP	Savills
	£Mpa	£Mpa	£Mpa	£Mpa	£Mpa	£Mpa	£Mpa	£Mpa
Turnover of town's facilities	73.47	-	75.7	77.5	79.56	84.74	83.61	92.65

Appendix 3, Table 4a of the Assessment builds into the calculation the 0.1% increase in trade retention due to the Tesco extension and the new retail facilities proposed to be introduced at Land South of High Street by 2016. The combination of this change and the above amended sales capacity figures produce lower comparison floorspace capacities/requirements than those shown in Appendix 3, Table 4a (m²).

	2008		2011		2016		2021	
	MRPP	Savills	MRPP	Savills	MRRP	Savills	MRPP	Savills
	m ²	m ²	m ²	m ²	m ²	m ²	m ²	m ²
Floor-space capacity	-	-	2,648 (1)	2,153	6,691	5,281	11,798	9,462

(1) Corrected figure

Catchment areas

As mentioned above, the Retail Study's household survey demonstrates a catchment area for convenience expenditure concentrated on Zone 7 (the urban area) with further significant trade drawn from the northern part of Zone 8 (the town's rural hinterland). In addition, peripheral attraction is exerted in Zone 4 (Dunstable and the area to the south and west of Dunstable). The Assessment notes from the Retail Study that Leighton-Linslade attracts 19% of the Zone 8 main food shopping trips and then claims that it would not be unreasonable to assume that this figure would increase by 4% in the period to 2016. Whilst Savills question the justification for this 4% increase, they accept that it must arise largely from a greater penetration of the rural hinterland immediately around the town. Tesco confirms that an improved offer at the Vimy Road store in conjunction with the potential additional convenience floorspace to be delivered at Land South of High Street would result in a 4% increase in retention of convenience goods expenditure generated by people living in Zone 8. Existing and planned housing growth within the urban area and its rural hinterland will lead to an increased population here that will in turn generate increased retail expenditure and a requirement for additional floorspace.

With regards to Leighton-Linslade's comparison goods catchment area, the Assessment makes the assumption that the town would increase its retention rate by 0.1% as a consequence of the Tesco extension and the retail development at Land South of High Street. Savills advise that the predicted increase in expenditure in 2011 would be around 3% of the comparison sales in the town which would suggest that the 0.1% uplift is not an unreasonable adjustment of the wider retention rate. Savills' view has, in part, been influenced by the large capacity for increased comparison sales suggesting a degree of 'catch up'. However, this is tempered somewhat by guidance from GVA Grimley (consultants advising the Council on options for the redevelopment of Land South of High Street and Bridge Meadow) that only a limited proportion of the retail floorspace proposed at Land South of High Street might be developed by 2016. Accordingly, Savills consider that the increased retention rate is unlikely to be justified until 2021.

Implications for convenience trading in Leighton-Linslade

Appendix 1, Table 4 of the Assessment sets down the adjusted retail trading capacity for Leighton-Linslade as at 2008.

Store	Over/Undertrading £M per annum
Waitrose	+3.816
Iceland	-0.849
Morrisons	-1.794
Tesco	+18.990
Co-op	-5.324
Aldi	-1.064
Total	+13.775

Appendix 1, Table 5 carries through the predicted convenience floorspace capacity in the town to 2011, 2016 and 2021. The Assessment indicates that in 2011, allowing for overtrading of £13.775M per annum and residual expenditure of £13.697M per annum, capacity exists for 1,141m² of convenience sales floorspace. Savills argue that the adjustments arising out of increased floorspace efficiency, referred to above, suggest that the revised convenience sales floorspace capacity is of the order of 1,046m².

Projecting forwards to 2016, the predicted residual expenditure would be £17.689M per annum, equating to a convenience sales floorspace capacity of 1,474m². However, Savills' floorspace efficiency adjustment would reduce the residual expenditure to £14.61M per annum and the floorspace capacity to 1,217m². Updating the figures to reflect the 4% increase in market share in Zone 8 would increase potential sales by £3.12M per annum, equating to a floor area of 260m². In 2016, therefore, the predicted residual expenditure would be £17.73M per annum and the floorspace requirement would be 1,477m². Similar adjustments to the above for 2021 indicate that the anticipated convenience turnover of the new extension would be £3.16M per annum in respect of a floor area of 511m². Savills confirm that there is, therefore, substantial capacity/requirement to accommodate the convenience element of the proposed development.

It is likely that the improved Tesco offer, as a consequence of the new extension, could divert some limited turnover from Waitrose and Morrisons. Whilst the Assessment suggests that there is a distinction between the trading profiles of Waitrose and Tesco with the former providing a generally higher offer, Savills draw attention to the fact that both Waitrose and Morrisons have initiated programmes that seek to compete on a like-for-like basis with the other major supermarkets. In this regard, Waitrose launched 'Brand Price Match' in September 2010 which fixes the cost of 1,000 regularly purchased lines at the prices of other major retailers, in particular those of Tesco. Given that the proposal is the extension of an overtrading Tesco, Savills do not expect substantial trade to be drawn from Waitrose and Morrisons, although its

improved offer could well see some limited re-distribution of expenditure within the town. It is Savills' view that the scale of change is most unlikely to prejudice the economic health of these two stores.

Furthermore, Savills point to a compensatory factor - that new customers drawn to the enlarged Tesco store would almost certainly engage in associated shopping trips to the town centre. Survey information collected by Tesco in June 2010 showed that some 42% of customers visiting the Vimy Road store undertook linked trips and it would be reasonable to assume that the overwhelming majority of such trips were to the town centre. Support for this view is evident in relation to the proposed Tesco store at Sandy, the retail assessment for which was also analysed by Savills. Here, a new store located some 400m from Sandy's primary shopping area would give rise to a significant number of linked trips, thereby confirming the results of the Vimy Road customer survey.

Implications for comparison trading in Leighton-Linslade

As stated previously, the Assessment assumes that the retention rate for comparison expenditure would be increased by 0.1% of potential expenditure within the study area of the Retail Study. This assumption is based upon the premise that by 2016, the year at which the retention rate is predicted to rise from 1.7% to 1.8%:

- the Tesco store would have been extended, and
- the major town centre development planned for Land South of High Street would have become operational.

The combined effect of these changes would significantly improve the attraction of the town to the support population. However, Savills argue that there are two factors to take into account which suggest that the assumption is flawed and unjustifiably uplifts turnover inflow and floorspace requirements.

- The proposal involves the demolition of the Homebase store and there are no firm plans to relocate Homebase to another site. The implications of this are twofold. Firstly, the Homebase store is a large unit - 4,835m² including the garden centre and, secondly, whilst Leighton-Linslade experiences a significant proportion of leakage of comparison expenditure, the DIY sector is relatively healthy. Savills advise that there must be concern that the downgrading of the town's retail content would reduce the attraction of custom to the town. Secondly, apart from the inherent attraction of the Homebase store for Leighton-Linslade, it is likely that significant linked trips are generated and such expenditure would be lost to more distant facilities. Whilst Savills accept MRPP's assertion that those same customers would continue to use the town for their main food shopping, that does not negate Savills' conclusion that DIY/comparison based trips would be significantly affected. Although the Tesco extension would off-set those overall effects, the substantial difference in scale (between the Homebase store and the Tesco extension) suggests that linked trips may be reduced. Savills consider that the combined implications would have no significant impact on the town centre, but would be likely to slightly prejudice its vitality and viability.

- With regards to Land South of High Street, as mentioned above, GVA Grimley advise that whilst a limited early phase of its floorspace might be in operation by 2016, it is not expected to be completed until towards 2021. It is Savills' view that without the attraction of a major increase in facilities, the increase in the retention rate from 1.7% to 1.8% is an unrealistic assumption until 2021.

Savills have made further amendments to Appendix 3, Table 4a of the Assessment by excluding the 0.1% increase in retention rate until 2021. The resultant comparison floorspace capacity figures then become:-

2011 m ²	2016 m ²	2021 m ²
786	3,707	9,462

Furthermore, they state that in order to assess the trading implications of the proposed store extension for the town's comparison sectors, it is necessary to consider the potential redevelopment sites at Bridge Meadow and Land South of High Street and how their retail profile and programming integrate with the context provided by the above analyses of comparison expenditure and floorspace capacity. Planning and development frameworks are currently being prepared for both sites that would form part of the LDF for southern Central Bedfordshire.

Bridge Meadow

This site is south of Leighton Road, Linslade, between the river and the canal opposite Vimy Road. The objectives emerging from the consultation procedure anticipate the creation of a mixed use scheme, creating a strong identity and access to the canal and river frontages. The proposals do not include any retail uses save for small-scale facilities associated with canalside leisure uses in the north-western corner of the site. In noting that at present there is no intention to provide town centre retail on the site, Savills advise that the Tesco scheme would not prejudice the development proposals at Bridge Meadow.

Land South of High Street

The greater part of this site is within the boundary of the town centre, as defined in the Local Plan Review, and lies immediately to the rear of shops fronting the south side of High Street. Of irregular shape, it extends to some 2.5ha. Vehicular access to the site is from Lake Street via Duncombe Drive. There are a number of pedestrian links to/from High Street, for example, Bell Alley and Rylands Mews. The objectives emerging from the recent public consultation procedure anticipate the creation of a retail destination attracting high profile retailers with complementary uses. The retail uses would incorporate an anchor store and be located in the eastern part of the site. The central section would be a mixed use area merging with employment uses in the western part of the site. A new car park would be located adjacent to the anchor store. The anchor store would be of the order of 2,400m² (gross) and the remaining shopping up to 2,850m² (gross). Whilst the market will dictate the quantum and distribution of uses within the site, at present it is envisaged that the anchor store would be a convenience unit with the remaining retail units largely directed towards meeting comparison floorspace needs. As stated previously, although it is not expected

that any scheme would be completed until towards 2021, early phases of development on Council-owned parcels of land may be delivered during the period up to 2016.

Clearly, the trading proposals of the Tesco scheme overlap with the retail development proposals at Land South of High Street, as indicated in the following table prepared by Savills.

	Tesco Extension Sales m ²	Land South of High Street Sales m ² (1)
Convenience Sales Floorspace	511	1,296 (2)
Comparison Sales Floorspace	614	1,710

(1) Assumes a gross to net ratio of 100:60

(2) Assumes convenience sales on 90% of the sales floorspace

The following table, also prepared by Savills, compares the combined Tesco and Land South of High Street proposals with the convenience and comparison floorspace requirements as at 2016 and 2021.

	Tesco and Land South of High Street schemes m ²	Floorspace Requirement m ²	
		At 2016	At 2021
Convenience Sales Floorspace	1,807	1,477	1,728
Comparison Sales Floorspace	2,324	3,707	9,462

Savills consider that if the Land South of High Street scheme were to be operating towards 2021, the earlier development of the Tesco comparison floorspace would have no prejudicial impact on the town centre scheme, given the substantial surplus of the floorspace requirement. In respect of the convenience element, the combined sales floorspace would exceed the floorspace requirement by just 79m² and would be of no consequence in terms of trading impact on the town centre proposals.

Savills argue that given that the Land South of High Street scheme is due to be planned and promoted (and possibly part-implemented) during the period to 2016, it is relevant to consider whether the Tesco proposal might prejudice any

early delivery of the town centre scheme.

MRPP make the point that as at 2016 the Tesco extension would have been built and that the turnover of the extension, £3.16M per annum, should be deducted from the residual expenditure figure, thus reducing it to £14.56M per annum, equivalent to a convenience floorspace requirement of 1,214m². Adjusting the anchor store sales area to reflect convenience sales on 85% of the sales area (compared with the 90% assumption referred to above) indicates a convenience sales area of 1,224m² - a negligible difference with the convenience floorspace requirement (1,214m²). Savills confirm that as at the time of the opening of the Tesco extension in say 2013 there would be sufficient floorspace capacity/requirement for both that development and the anchor store.

However, Savills add a note of caution. The exercise conducted by MRPP assumes a continuing sales capacity of £3.16M per annum for the extension when the tendency would be for the turnover ratio to climb towards the company average with the effect of substantially reducing expenditure capacity. Savills argue that the above table (combining the Tesco and town centre schemes) assumes that change has taken place by 2016 and is, therefore, a robust illustration of capacity at that date, namely a difference of 330m² between the convenience floorspace to be provided in the combined schemes (1,807m²) and the convenience floorspace requirement at 2016 (1,477m²). Insofar as the extension turnover would not have reached the company average, the difference between the two figures would be correspondingly less. The implications of these circumstances would be two-fold - firstly, reduced sales in the other main supermarket outlets and secondly, less than sufficient retail need to support the convenience element of the anchor store at 2016. Notwithstanding their note of caution, it is Savills' view that the scale of the overall difference between the two figures and its spread suggests very limited trading implications for the vitality and viability of the town centre.

As at 2016, the requirement for comparison floorspace substantially exceeds any early phases of development at Land South of High Street. In consequence, the town centre would benefit from increased comparison facilities at Tesco and Land South of High Street, whilst leaving the other comparison outlets in the town centre benefiting from the requirement for such additional floorspace.

3. Sequential approach and disaggregation

Sequential approach

Policy EC14 of PPS4 states that a sequential assessment is required for planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date development plan. This requirement applies to extensions to retail uses where the gross floorspace of the proposed extension exceeds 200m². Policy EC15 advises that in considering sequential assessments, local planning authorities should ensure that sites are assessed for their availability, suitability and viability and ensure that all in-centre options have been thoroughly assessed before less central sites are considered.

Planning for Town Centres - Practice guidance on need, impact and the sequential approach, was prepared for the Department of Communities and Local Government by GVA Grimley to help the interpretation of town centre policies set out in PPS4.

ILLB and other objectors argue that the sequential approach requires that the town centre site at Land South of High Street and the edge-of-centre Bridge Meadow should be considered for the additional floorspace that Tesco is proposing. It should be noted that the emerging development brief for Bridge Meadow favours health, educational and residential uses rather than retail use. In order to be acceptable as a sequentially preferable site, Land South of High Street needs to be assessed in terms of its availability, suitability and viability.

The practice guidance points out that the term availability refers to sites that are available now or are likely to become available for development within a reasonable period of time. With reference to appeal decisions, the longest period that has been adopted as representing a 'reasonable period' appears to be 5 years. A site is considered available for development, when, on the best information available (such as searches), there is confidence that there are no insurmountable legal or ownership problems, such as multiple ownerships, ransom strips, tenancies or operational requirements of landowners. The practice guidance goes on to explain that the issue of availability and the sequential approach have to be considered together with the impact of development occurring in edge- or out-of-centre locations and the long term consequences for town centres.

With regards to Land South of High Street, much of the site is in beneficial use and therefore not immediately available. In addition, there are a number of constraints associated with land assembly, relocation of existing uses, ground conditions, archaeological interest and infrastructure provision. Taken as a whole, there is insufficient certainty to conclude that the site would be available within a reasonable period. In respect of the other two tests, the site is clearly suitable, given that the Council is promoting it as a potential area for retail development and, when the economic conditions are satisfactory, the market will decide whether such retail development is viable.

Disaggregation

Policy EC15 states also that local planning authorities should ensure that in considering sites in or on the edge of existing centres, developers and operators have demonstrated flexibility in terms of:

.....the scope for disaggregating specific parts of a retail or leisure development, including those which are part of a group of retail or leisure units, onto separate, sequentially preferable, sites. However, local planning authorities should not seek arbitrary sub-division of proposals.

Policy EC15 continues:

In considering whether flexibility has been demonstrated.....local planning authorities should take into account any genuine difficulties which the applicant can demonstrate are likely to occur in operating the proposed business model from a sequentially preferable site, for example where a retailer would be limited

to selling a significantly reduced range of products.

In response to this guidance, Tesco make the following points.

- The Council's Retail Study has found that there is a significant need for retail development in the centres within the study area in order to counter the impact of major retail schemes in competing centres.
- It would be wholly inappropriate to accommodate the additional 511m² of convenience goods sales floorspace in a location other than that attached to the existing Tesco store. Doing so would not improve the quality of the retail environment or range and choice of goods available to the shopper.
- The success of the 1,014m² comparison goods sales floorspace, in terms of addressing the existing outflow of expenditure on comparison goods, is intrinsically linked with the primary food and grocery offer of the store. It is the food and grocery offer that primarily draws customers to the store. Without it, the non-food floorspace would not be as successful at encouraging those purchasing comparison goods in superstores elsewhere to now use the Tesco store instead, nor would the offer be attractive to those leaving the local area generally to shop elsewhere.
- There are genuine difficulties for the company to operate a separate, non-food retail unit that does not contain a sufficient range of products in order to draw the required number of customers, that is, it would be providing a reduced range of products which reduces the viability of the trading operation. Disaggregating or reducing the scale of the floorspace will reduce the attractiveness of the offer which would not then achieve the qualitative benefits. The proposed floorspace cannot be disaggregated from the existing store and still be capable of delivering the improved quality, range and choice for shoppers.

ILLB and others argue that Land South of High Street (2.5ha) and Bridge Meadow (5.5ha) are more than adequate for Tesco's needs and that there is no reason in principle why the comparison goods proposed to be sold at Tesco could not be sold in the town centre - it does not need Tesco to sell them. Tesco is being inflexible, given that the company has started trading standalone comparison goods stores under the Tesco Homeplus name.

However, it should be noted that national policy does not require retailers to split their developments onto a range of sites. Whilst the additional floorspace is not critical to the store's primary role as a food and convenience goods store, it is generally accepted that comparison goods floorspace is found in many food superstores. The non-food items would not act as a destination in their own right, so it is inappropriate to try and disaggregate the proposed extension from the rest of the store. Allowing the new extension would not materially impact on the redevelopment proposals at Land South of High Street. There is no substantive evidence to suggest that the scheme would fail to proceed if permission were to be granted. The decision making process for a potential foodstore occupant of the anchor unit will include an assessment of the trading context in which it is to operate, that is, the existing retailers in the town (such as Tesco, Waitrose, Morrisons), the extent of the catchment area and its

demographic profile. The presence of these retailers and the attractive town centre environment contribute towards the promotion of an attractive centre to visit and in which to shop. The 2001 Census indicates that Leighton-Linslade has a higher than average A, B and C1 approximated social grade (used to analyse spending habits) which suggests a better than average level of spending. Any shortfall in demand for additional floorspace will not have an influence on a foodstore operator's decision to enter Leighton-Linslade. Indeed, it is very often the case that a foodstore operator will seek representation in a town through the submission of a planning application where there is little need or capacity identified. The reason being the retailer wants representation even in the context of insufficient capacity to support the quantum of floorspace sought. In respect of comparison goods, as mentioned above, Savills indicate that the substantial demand for additional floorspace is sufficient to support both the Tesco scheme and the comparison goods elements of the development at Land South of High Street.

Having regard to the above comments, it is considered that the proposal to extend the Tesco store meets the national policy tests in respect of the sequential approach to site selection and disaggregation.

4. Noise and disturbance

Since initially commenting on the application proposals, the Environmental Health Officer has received an additional 4 complaints regarding disturbance from Tesco's night-time deliveries. A further resident has been in direct contact with the agents (MRPP), whilst another has contacted the Council citing all-day disturbance arising from deliveries to the service yard. In response, the Environmental Health Officer comments as follows.

As part of the investigation into these complaints noise recording equipment was left for 1 week at the home of one of the complainants; additional monitoring is proposed. This noise monitoring demonstrated a serious night-time intrusion at the resident's property. Recorded noises from the various aspects of the night-time delivery regime at the service yard were clearly audible within the complainant's bedroom. These noises included revving and idling engines of delivery lorries, reversing beepers, vehicle horns, impact bangs, scraping sounds, goods cages being moved, delivery yard gate slamming shut, voices.

Noise log sheets that have been maintained by the complainant confirm the severity of the night-time intrusion. Individual entries will typically show up to 4 intrusive events a night, each of which can last from 5 minutes to over 1 hour. There are many recorded instances of activities between 02:00 and 05:00 hours, times at which residents should not be subject to sleep disturbance.

Martin Robeson Planning Practice maintains that the environmental noise assessment carried out by Sharps Redmore, Tesco's noise consultants, found existing noise levels do not exceed recommended thresholds. I would not agree with the noise consultants' methodology for assessing the impact of the service yard noise and would use an assessment methodology that has been used by both the legacy South Bedfordshire District Council and Mid Bedfordshire District Council in assessing the noise impact. However even if the noise consultants' preferred methodology is used, individual noises above the thresholds cited in their preferred methodology have been recorded in the

complainant's bedroom.

Martin Robeson Planning Practice claim any increase in Tesco based activity will be outweighed by the loss of Homebase based activity. I have spoken with Homebase's store manager who confirmed Homebase do not have night-time deliveries to the Vimy Road store, therefore any increase in Tesco's activity will result in greater disturbance.

Martin Robeson Planning Practice have provided a service yard management plan, which sets out best practice measures to reduce/prevent any noise generated from sources or operations which have been specifically identified by local residents as being problematic. 10 principles to be adhered to are proposed; I would suggest all of which should already be standard practice. Notable omissions from these principles include the slamming of the service yard gate, which results in very loud impact noises within neighbouring dwellings far above the noise consultants' guideline thresholds; the substitution of tonal reversing alarms with white sound (broadband/"quiet") alarms and the sounding of delivery vehicle horns as these vehicles approach the service yard.

Tesco has been advised of the Environmental Health Officer's concerns and has agreed to a condition prohibiting deliveries/dispatches to/from the store between 11pm and 7am.

In addition, the company is proposing amendments to the service yard boundary treatments. The existing 3.5m brick wall on the western boundary would be retained, whilst the 3m wooden lattice fence on the northern boundary, which has relatively poor acoustic dampening properties, would be replaced by a 3m close boarded acoustic fence. A new acoustic fence would also be provided on the eastern boundary of the service yard. Tesco argues that these measures would have a significant effect on dampening noise generated within the service yard and ensuring noise levels are within the World Health Organisation guideline values for 'community noise'. The provision of the acoustic fencing could be conditioned. Further conditions are recommended in respect of fixed operational plant noise limits, normal construction working hours, a construction environmental management plan, external loudspeakers and external lighting.

5. Traffic generation and sustainable transport

The proposed development would involve the demolition of the Homebase store which has a gross external floor area of 5,884m² (including a 957m² ancillary garden centre). The proposed extension to the Tesco store would have a gross external floor area of 2,650m² which is less than half the size of the Homebase store to be demolished.

The Highways Officer advises that the normal traffic generation of a standard foodstore is usually three times that of a standard DIY retail warehouse. However, it should be noted also that the bigger the store the lower the trip rate, that is, trips per m² of gross external floor area. The submitted transport assessment states that it is reasonable to assume that the proposal to demolish a DIY retail warehouse and extend an existing foodstore on the same site by 45% of the floor area of the demolished store would represent, in traffic generation terms, nil detriment. The Highways Officer agrees that this is an acceptable representation of the position with respect of traffic generation.

There is likely to be additional pedestrian traffic between the store and the town centre and these linked trips should be encouraged. There is concern however that the existing zebra crossing is not on the desire line of these trips and that additional pedestrian traffic using this crossing would lead to a decrease in vehicle throughput. It is the Highways Officer's view that this potential problem could be solved by installing another zebra crossing between Bridge Street and Vimy Road and enhancing the footway on the south side of Leighton Road. In addition, the Highways Officer considers that it would be reasonable for Tesco to monitor the traffic the redeveloped site would generate and that this could be achieved through the travel plan by carrying out a multi-modal travel study three years after the date on which the store as extended becomes fully operational. The travel plan and the financial contribution towards promoting sustainable modes of transport could be secured through the S106 Agreement.

6. Other Issues

In their consultation response, the Town Council expressed a concern that Tesco has had very little engagement with the local community since the store opened and suggested that it becomes more supportive. In response, Tesco advises that the company is working to provide a 'Community Champion' who would work across several stores in Central Bedfordshire. Tesco now has 314 Community Champions in its stores across the UK and is seeking to continue to expand the programme. Community Champions are Tesco employees whose dedicated role is to strengthen links between the stores and the local communities they serve. They work in a part time capacity and their role encompasses identifying local needs, developing local community initiatives and supporting local organisations.

All other matters raised by consultees and interested parties have been taken into account in the consideration of this recommendation but have not been material enough such as to lead to an alternative recommendation for refusal or have been taken into account in the imposition of relevant conditions, such as, at number 11 (restriction of net sales areas for convenience and comparison goods) or condition 20 (restriction on hours of deliveries).

There has also been consideration given to the requirements of a Section 106 agreement to address such matters as reducing any impact on the vitality and viability of the town centre and enhancing the connections of the town centre and sustainable transport. We will report further on these matters at Committee, but these tesco have agreed in principle the heads of agreement shown below, including for example help towards the financing of a Town Centre manager.

Recommendation

That Planning Permission be granted subject to the completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to ensure:

- Provision of an on-site public realm enhancement.

- Promotion of sustainable transport initiatives within the vicinity of the site, to include provision of a zebra crossing;
- Provision of Real Time Passenger Information;
- Financial contribution for the provision of a part time Town Centre Manager;
- Financial contribution towards improvements to the appearance of shopfronts and pedestrian links within the town centre;
- Financial contribution towards public art;
- Implementation of a travel plan;

and subject to the following conditions:

- 1 The development shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Tree protection shall conform to the specification outlined in the Tree Protection Plan produced by Aspect Landscape Planning as per their Drawing No. AA TPP 02, which forms part of the Landscape Supporting Statement, which clearly shows the position and build specification of tree protection relating to the Root Protection Area for each retained tree, calculated under Table 2 of BS 5837 : 2005 "Tree in Relation to Construction", or any amendments or subsequent editions to this Standard. This will be for the purpose of enclosing an area around the trees marked to be retained within the development, as indicated on the "Proposed Site Plan" prepared by Saunders Partnerships Architects on their Drawing No. 6676_P101.0, dated 20/10/10. The fencing shall form a "Construction Exclusion Zone" (as specified in Section 9 of BS 5837 : 2005) which shall be demarcated by Protective Barriers (as specified by Figure 2 of the BS 5837: 2005). These measures will be for the purpose of avoiding localised compaction of the rooting medium and preventing damage to the natural canopy spread by avoiding branch encroachment by vehicles, plant and machinery.

Reason: To safeguard the rooting medium, as defined by the calculated Root Protection Areas, and the natural canopy spread and health of retained trees within the development.

- 3 Consent is being granted in recognition that no underground services are scheduled to be routed through Root Protection Areas of retained trees. If any services are subsequently required to be routed through Root Protection Areas then this work should be carried out in full accordance with the National Joint Utilities Group (NJUG) Volume 4 "Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees".

Reason: To safeguard the integrity of the rooting medium within the Root Protection Area of retained trees within the development.

- 4 **Development shall not commence until a landscape scheme has been submitted for approval to the Local Planning Authority to indicate the size and species of trees, shrubs and hedging to be planted in the areas indicated for proposed new planting as per the "Proposed Site Plan" prepared by Saunders Partnerships Architects on their Drawing No. 6676_P101.0, dated 20/10/10. The planting scheme shall also include a detailed planting specification showing clearly the design and build construction specification of tree planting pits, including provision for adequate drainage and backfill requirements and means of protecting each tree from vehicle compaction and damage from vehicle manoeuvring through the provision of cast iron tree grids and guards. All landscape planting shall be maintained for a period of 5 years thereafter, replacing any specimens lost during the first planting season following failure.**

Reason: To ensure satisfactory landscape planting and establishment in order to mitigate against the high loss of trees felled to accommodate the new development in order to maintain visual amenity.
(Policy BE8, S.B.L.P.R.).

- 5 **Development shall not commence until a scheme for the parking of vehicles on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall comply with the standards of the Local Planning Authority and shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose. Furthermore, the parking layout shall incorporate marked segregated pedestrian footways in order to provide safe access for pedestrians between the parking areas and the store entrance.**

Reason: To ensure provision for car parking clear of the highway.
(Policy T10, S.B.L.P.R.).

- 6 **Development shall not commence until samples of the materials to be used for the external walls and roofs of all new buildings has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason: To control the appearance of the buildings.
(Policy BE8, S.B.L.P.R.).

- 7 **Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval.**

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

- 8 **Development shall not commence until a scheme for the parking and storage of cycles on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

Reason: To ensure the provision of adequate cycle parking to meet the needs of customers and employees of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 9 **Development shall not commence until wheel-cleaning facilities have been provided at all site exits in accordance with a scheme submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be installed and made operational before development commences and the Site Developer(s) shall ensure that all vehicles exiting the site use the approved wheel cleaning facilities. The wheel cleaning facilities shall be retained until the development has been substantially completed or until such time as the Local Planning Authority is satisfied that the roadworks necessary to provide adequate and clean access to and from the public highway have been completed (apart from final surfacing).**

Reason: In the interests of amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

- 10 The Tesco foodstore as extended shall only be used for Class A1 retail purposes and for no other purpose in Part A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification). The proposed freestanding café/restaurant adjacent the Leighton Road site frontage and the Grand Union Canal shall only be used for Class A3 purposes and for no other purpose in Part A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification).

Reason: To control the development in the interests of amenity. (Policy BE8, S.B.L.P.R.).

- 11 The gross external floor area of the Tesco foodstore as extended shall not exceed 8,595m² and the net sales floor area shall not exceed 4,630m². The net sales floor area dedicated to the display and sale of convenience goods shall not exceed 3,150m² and the net sales floor area dedicated to the display and sale of comparison goods shall not exceed 1,480m² or 32% of the total net sales floor area.

Reason: To define the maximum gross external and net sales floor areas permitted and to control the mix of convenience and comparison net sales floor areas in accordance with national guidance in Policy EC19 of Planning Policy Statement 4 *Planning for Sustainable Economic Growth*.

- 12 **Development shall not commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. The Tesco foodstore as extended shall not be brought into beneficial**

use until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

- 13 **Development shall not commence until a surface water strategy/flood risk assessment has been submitted to and approved in writing by the Local Planning Authority. The Tesco foodstore as extended shall not be brought into beneficial use until the works have been carried out in accordance with the surface water strategy/flood risk assessment so approved unless otherwise approved by the Local Planning Authority.**

Reason: To prevent environmental and amenity problems arising from flooding.

- 14 The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 16 November 2010, reference 091124 revision A, prepared by Pinnacle Consulting Engineers Limited, and the following mitigation measures detailed within the FRA:

1. Submission of a surface water drainage strategy to demonstrate that the surface water run-off generated by events up to and including the 1 in 100-year critical storm (with an allowance for climate change) will not exceed 211.7 liters per second, and not increase the risk of flooding off-site.

2. Finished floor levels are set no lower than 82.96m above Ordnance Datum (AOD).

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

- 15 **Prior to the commencement of development approved by this planning permission, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:**

- 1) **A preliminary risk assessment which has identified:**
 - **all previous uses**
 - **potential contaminants associated with those uses**
 - **a conceptual model of the site indicating sources, pathways and receptors**
 - **potentially unacceptable risks arising from contamination at the site.**
- 2) **A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**
- 3) **The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy**

giving full details of the remediation measures required and how they are to be undertaken.

- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The site overlies a principal aquifer – Woburn Sands Formation. Principal aquifers are geological strata that exhibit high permeability and provide a high level of water storage. They may support water supply and/or river base flow on a strategic scale. The regional use of groundwater in the area makes the site vulnerable to pollution. The overlying Secondary aquifer and nearby River Ouzel are also at risk of pollution from this site. The previous uses of the land which include a petrol filling station, engineering works, factories and warehouses suggest that land contamination should be expected until a phased investigation (covering the whole area within the red line boundary of the planning application) concludes otherwise.

- 16 Prior to construction, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: Should the proposed intrusive investigation identify any soil or groundwater contamination onsite, a validation report demonstrating satisfactory remediation of the site is required prior to commencement of the proposed development.

- 17 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and harm to human health.

- 18 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which

may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason: To prevent the pollution of controlled waters. In accordance with the Environment Agency Groundwater Protection Policy, direct discharges into groundwater of surface water run-off are not acceptable and only clean uncontaminated water should be discharged into any infiltration structures. We do not allow construction of infiltration structures in potentially contaminated land. All surface water drainage from areas susceptible to oil contamination must be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained.

- 19 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason: The site overlies principal aquifer. It is recommended that piling on sites underlain by aquifers is avoided where possible, and that non-invasive methods, such as rafts, should be used instead. Where there is no alternative to piling, a method should be selected that minimises the risks of groundwater pollution or gas migration. Mitigation measures and/or environmental monitoring may need to be incorporated into the design. The method selected should be presented in a "Foundation Works Risk Assessment Report" which should be submitted to and approved by the Local Planning Authority before development commences.

- 20 No deliveries shall be taken at or dispatched from the site outside the hours of 07.00 and 23.00.

Reason: To prevent nuisance from noise and to protect the amenities of the area.
(Policy BE8, S.B.L.P.R.).

- 21 All plant, machinery and equipment installed and operated in connection with the proposed development must be designed to a level which is at least 5dB(A) below the existing LA90 background noise level as measured during the relevant time period. Any tonal, impulsive and/or irregular noise would be addressed by imposing a further 5dB penalty as per the methodology set out in BS 4142:1997. Noise limits for new plant, either measured or calculated, are to apply at a position 1m from the closest affected window of the relevant noise sensitive property.

The applicants/developers/occupants of the site shall clearly demonstrate that noise from the installed fixed operational plant achieves the required noise standard prior to the use of the plant.

Reason: To protect neighbouring residents from any adverse impact from noise arising from the operation of the Tesco store as extended.
(Policy BE8, S.B.L.P.R.).

- 22 Normal working hours for demolition and construction works shall be 08:00 to 18:00 on Mondays to Fridays and 08:00 to 13:00 on Saturdays. There

shall be no working on Sundays, Bank or Public Holidays.

Reason: To minimise disturbance to the occupants of neighbouring properties during the demolition and construction phases of the development.

(Policy BE8, S.B.L.P.R.).

- 23 Equipment shall be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation both within the Tesco foodstore as extended and within the proposed freestanding canalside café/restaurant hereby permitted. Such equipment shall be operated and maintained in accordance with the manufacturer's instructions for so long as the development's commercial food preparation and food service uses continue. Full details of the method of odour abatement and all odour abatement equipment to be used, including predicted noise levels of the equipment, shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of the equipment. The approved equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the use hereby permitted commencing.

REASON: In order to prevent any adverse impact of odours arising from cooking and food preparation within the site on the amenity of nearby residents.

(Policy BE8, S.B.L.P.R.).

- 24 No external loudspeaker systems shall be installed without the prior written approval of the Local Planning Authority.

Reason: To protect of the amenity of nearby residents.

(Policy BE8, S.B.L.P.R.).

- 25 No external lighting shall be installed without the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of neighbouring properties and/or highway safety.

(Policy BE8, S.B.L.P.R.).

- 26 **Prior to the commencement of any phase of development approved by this planning permission, the developer shall submit to the Local Planning Authority, in both paper and electronic form where possible:**

(a) A Phase 1 desk study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.

(b) Where shown to be necessary by the Phase 1 desk study, a Phase 2 site investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling.

(c) Where shown to be necessary by the Phase 2 site investigation, a Phase 3 detailed scheme for the remedial works and measures to be taken to mitigate any risks to human health, groundwater and the

wider environment.

- (d) On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a Phase 4 validation report to incorporate photographs, material transport tickets and sampling.

Any remediation scheme and any variations shall be agreed in writing by the Local Planning Authority prior to the commencement of works. This should include responses to any unexpected contamination discovered during works.

The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and shall be adhered to.

Reason: To protect human health and the environment.
(Policy BE8, S.B.L.P.R.).

- 27 Development shall not commence until details of an acoustic barrier fence to be erected along the northern and eastern boundary of the service yard shall be submitted to and approved in writing by the Local Planning Authority. The acoustic barrier fence as approved shall be erected before the Tesco foodstore as extended is first brought into beneficial use and thereafter retained in its entirety.

Reason: To protect neighbouring residents from any adverse impact from noise arising from the use of the service yard
(Policy BE8, S.B.L.P.R.).

- 28 Development shall not commence until the applicant or developer has secured the implementation of a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority. The proposed development shall only be implemented in accordance with the scheme thereby approved.

Reason: To record and advance understanding of the significance of the heritage asset in accordance with Policy HE12 of Planning Policy Statement 5 *Planning for the Historic Environment*.

- 29 Development shall not commence until the applicant or developer has secured the implementation of a scheme of heritage interpretation and enhancement which has been submitted to and approved in writing by the Local Planning Authority. The proposed development shall only be implemented in accordance with the approved scheme.

Reason: To ensure that the development makes a positive contribution to the character and local distinctiveness of the historic environment and sustains and enhances the significance of the heritage asset in accordance with Policies HE7.4 and HE7.5 of Planning Policy Statement 5 *Planning for the Historic Environment*.

- 30 Development shall not commence until a Site Waste Management Plan, indicating how opportunities for the reduction, recycling and re-use of waste during the construction and occupation of the Tesco foodstore

as extended will be taken account of, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the proposed development shall be carried out and completed in accordance with the approved Site Waste Management Plan.

**Reason: In the interests of sustainable waste management.
(Policies W5 and W6, Bedfordshire and Luton Waste Local Plan).**

DECISION

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