

Planning Appeal - PPA-200-2008 Tesco Stores Ltd, 7 Gavins Mill Road, Milngavie

We Like Milngavie and Milngavie Community Council

Hearing Statement: Design

Introduction

- 1 **Milngavie - A Local Centre:** Milngavie lies at the north-western edge of the Glasgow conurbation and has a population of around 13000. The heart of its town centre is the pedestrianised shopping precinct. It is a traditional centre with primarily independent retailers, some national chain stores and a range of cafes, restaurants, public houses, banks and community facilities. It acts as a focal point for community activities throughout the year, such as the Milngavie Book & Arts Festival and a monthly Farmer's Market.
- 2 This attractive town is also significant for tourism and day trips. Located in a wooded glaciated valley, it is bordered by hills and moorland to the north and west that open out into the Loch Lomond and Trossachs National Park. This attractive wooded setting, nestling between open hills, has been much appreciated by its inhabitants and visitors for many years.
- 3 The nearby Mugdock Country Park draws numerous visitors, mainly from the Glasgow conurbation. The Antonine Wall, running along the prominent dolerite sill overlooking Milngavie, has World Heritage Status, while the parkland surrounding Glasgow's A-listed reservoirs, set in the wooded hills in the north of the town, celebrates a heroic example of Victorian engineering. Also of international importance, the West Highland Way long distance walk begins in the middle of Milngavie Precinct.
- 4 **A town centre full of character, trees and modestly scaled buildings:** Although we refer in this Statement to the 'town centre' from a planning perspective, 'village' is commonly used by local residents. This reflects its relatively small size and the affection that the community holds for it for shopping, meeting and other community activities.
- 5 This is reflected in the Glasgow and Clyde Valley Structure Plan, which places the Bearsden and Milngavie town centres as primarily serving the convenience needs of the Bearsden and Milngavie populations respectively. The Main Issues Report for the new Strategic Development Plan and its Background Report 11 "Retailing and the Network of Strategic Centres" designates Milngavie a Local Centre in the regional hierarchy. Commonsense from observation alone would also lead to this conclusion.
- 6 Many buildings reflect the roots of the town centre in the Victorian and Edwardian industrial era. Redevelopment over the past 50 years has been by organic growth following the topography, resulting in an intimate town centre with constant surprises and varied building styles. However all are modestly scaled buildings only occasionally exceeding 2 storeys.
- 7 As noted in the Milngavie Town Centre Conservation Area Appraisal, trees provide a natural setting for buildings and enrich the streetscape throughout the area. Land Use Consultants (LUC) in their Report commissioned by WLM entitled 'Proposed

Replacement Tesco Store: Preliminary Appraisal of Townscape and Visual Aspects' also refers to this feature with " the extent and density of tree cover increases the intimacy of the town and creates spatial containment in in many areas.

- 8 **A highly sensitive site:** The designated Town Centre is within the Milngavie Town Centre Conservation Area (CA), apart from the Tesco site itself, which was added to the Town Centre only in 2005. The CA wraps round three sides of the Tesco site, overlooking it from the higher level. At each end of the site, at the lower level, the CA includes the listed buildings which are of greatest significance to the history of Milngavie.
- 9 These listed buildings are the fine Victorian Railway Station to the north east and Gavin's Mill adjoining its south west edge. The latter is an ancient corn mill and an iconic structure within Milngavie as it marks the reason why Milngavie exists ('Guy's Mill'), along with the Allander Water that flows through the site. Lennox Park, which was gifted to the people of Milngavie, adjoins the southern border and south of the river the site was previously part of this parkland. This historic and parkland context, along with it being overlooked by residential properties on three sides, make the site exceptionally sensitive.
- 10 The site is also bisected by a *major* wildlife corridor along the Allander Water, and protected species are found within the site. However we understand that natural heritage issues will be dealt with by written submissions and will not address these within this statement. Furthermore the Allander Walkway, a strategic off road route, runs through the site alongside the river.
- 11 All the above are included as Strategic Environmental Resources in Schedule 7 of the Structure Plan, to be safeguarded and enhanced under Strategic Policy 7.
- 12 **Discrete existing store design and siting:** The design of the existing Tesco store responded to the sensitivity of the site. It was originally a Wm Low supermarket, built in 1992 to enable the move from what is now the Iceland store. Although substantial it has been skilfully designed into the side of the hill on the edge of the Park and broken into sections, with small scale detailing. It is largely single storey with a low profile below the level of Woodburn Way, an understated design and the building materials blend with the general character of the town centre. It is also is well sited so as not to overpower Gavin's Mill.
- 13 **The proposal for the redevelopment of the Tesco Store:** In assessing the design issues for this proposal we are following the 8 headings and related questions Architecture + DesignScotland (A+DS) recommended in its guide for assessing retail developments. This was sent to the Planning Authority for their guidance in considering this planning application after it was lodged. At the Appeal stage, A+DS again recommended that the proposal be reviewed in the light of their guidance note, highlighting in particular the first three headings below.
- 14 In arriving at our conclusions we have also drawn extensively on the findings of the LUC Report previously mentioned. WLM commissioned this Report which was funded through the contributions of around 150 objectors.

Design Assessment based on the A+DS Guidance on Retail Development

Response to Wider Context

- 15 The proposed building is simply too big. It will be a massive monolithic building not in keeping with the scale of the village and too big for Milngavie as a local shopping centre. This is central to most of the 700 written objections from individuals and community groups. There is no objection to Tesco refurbishing or redeveloping the existing building, but we will argue that the proposed building will overpower everything within the village and its surroundings and has been designed with little consideration of its wider setting.
- 16 This is clearly demonstrated by the following facts:
- Milngavie has 68 shops. The new store will constitute 55% of the total floorspace of Milngavie Town centre. We will have 'Tesco town'.
 - The Superstore is equivalent to 4 storeys, which is double the height of the prevailing 2 storeys within the town centre
 - The building is 1½ times the length and around five times the depth of the south terrace in Station Road, so that its footprint is 7½ times the longest terrace in the town centre.
- 17 This proposal is not 'in keeping with the scale and character of the centre' (Local Plan Policy RET 2 (b))
- 18 The Milngavie Town Centre has been designated a Conservation Area since 1977 and for good reason, with its pleasing mix of building styles and interesting townscape. This new building is totally unsympathetic to this character with its massive scale and a design suited to a city environment or retail park.
- 19 This is contrary to the requirement under Local Plan Policy HE7: "Developments outwith a Conservation Area, but which could affect its visual setting, must also be sympathetic to the special character of the area".
- 20 The Design Statement from the Appellant does not give any explanation of how the proposed building is intended to complement the Town Centre. Indeed, the building faces away from the Town Centre, with a facade onto the by-pass as the lifeless back of the building and thereby creating a 'pseudo street'.
- 21 This facade, or 'pseudo' street, onto the by-pass also breaks the visual relationship between Milngavie Town Centre and the lower valley of the Allander Water, including Lennox Park. Currently there is a green corridor of trees, some 15m high, which allows filtered views of Lennox Park while screening the existing store. This will be removed in favour of developing a prominent lifeless, urban frontage while further trees in Gavin's Mill Road will probably be removed to accommodate an additional lane. Ironically, it is noted that planning condition 2 for the recent approval of a comparison store at the Halley's garage site insists on just such a green corridor being created alongside the A81.
- 22 The proposed building will also radically affect the view from the south and east looking towards the town. Whereas currently this is uninterrupted from Lennox Park across the rooftops to the old church spire, now we will have the intrusion of the new building as well as the constant light pollution, 24 hours a day, from the substantial glass frontage,

particularly marked for 7 months of the year in Scotland. In addition, these huge Tesco Extra stores also have matching huge brightly lit signs, which, if approved, would further add to the light pollution from the building and perhaps from the Woodburn Way facade as well.

- 23 This is a massive building which cannot be 'hidden' nor merged in the landscape, as the current building quite successfully does. Due to its central location in the Allander basin, it will fundamentally change the character of the eastern part of the centre of Milngavie from having an open outlook across the valley to being enclosed by an offensive 7m high wall.
- 24 As such this proposal is contrary to Local Plan Policy DQ1a, which states: 'Development should enhance, and certainly not reduce the amenity and character of the surrounding area, in particular residential amenity will be strongly protected.'
- 25 Nor can it be said to be 'compatible with the amenity and character of the area within which it is located' (Local Plan Policy DQ2A(a)).
- 26 And it is also contrary to Local Plan Policy RET 2 (c) which favours retail development within town centres as long as it can be demonstrated they will "not harm the amenity of the area".

Response to Immediate Context

- 27 Adjacent to the site are three key features – two listed buildings and the fish ladder. The fish ladder is referred to below under pedestrian access, but with regard to the listed buildings, the proposal describes the attempts to treat them with the respect they deserve. In this the Appellant has failed.
- 28 In being only around 30m from Gavin's Mill, the massive store completely overpowers the listed building. The improvements to the paving in the vicinity are welcome, but this iconic building for Milngavie will forever be in the shadow of the Tesco Extra superstore. The appellant has misrepresented the relationship of the proposed store to the listed mill by raising the latter some 3m in the elevations. In fact the mill's roof ridge would be at the level of the floor of the store's main sales area and the current open outlook of the Mill will become a view of an understorey car park.
- 29 And the view from the railway station, as visitors, tourists as well as residents come into Milngavie, will be of an enormous glass-fronted box totally out of keeping to the small town atmosphere people value about Milngavie.
- 30 This is clearly a case of 'inappropriate development' in such close juxtaposition to these Listed Buildings, in contravention of Local Plan Policy HE5 and Local Plan Policy RET 2 (b), (c) and (e).
- 31 What is required is a development that complements the listed buildings, ideally with a building which in its own right merits inclusion in the Milngavie Town Centre Conservation Area.

Building Design/Massing

- 32 It is recognised that an attempt has been made to vary the standard 'box' design of a Tesco Extra store. Nevertheless, as A+DS indicated in their comments "the full potential of this location does not seem to have been realised". The EDC Retail Capacity Study recommends that, should the Council wish to support new development, additional floorspace 'should be of High Street format'. The design submitted however is attempting to put a 'palace on a postage stamp'. An enormous box of a building squashed onto a restricted site. Component features of the building are large in scale, contrasting with the fine-grained texture of the established town centre, including the existing Tesco building.
- 33 It is notable how this is being replicated across the country. In its recent Report on supermarket design, the Commission for Architecture and the Built Environment (CABE) says "Supermarkets ... keep repeating the model designed for out-of-town sites, with rectangular buildings, large car parks and constant delivery. In our discussions with them, it is clear that variation is seen as the enemy of economy. This leads to big standard blocks being built in small, irregularly shaped sites, and design which bears no relationship to the neighbourhood."
- 34 While the existing store is discretely sited below the by-pass, the new huge building will be very prominent and act as a 'beacon' when dull and dark, from near and far, being overlooked by residential properties at the town centre level, notably from Station Road; Main Street, Fairview Court, Crossveggate and the numerous properties on higher ground to the north-west and east. And residential amenity will be further compromised by the long, high wall, which will reflect the traffic noise.
- 35 Again, Local Plan Policy DQ1a is contravened.

Site Layout/Pedestrian Access

- 36 We were disappointed to find no reference to a Design and Access Statement. As a service provider, Tesco are bound by the provisions of the Disability Discrimination Act 2005 and as a responsible developer, we would have expected Tesco to have commissioned such a Statement, even in advance of a statutory deadline.
- 37 We also believe that East Dunbartonshire Council is in default of its statutory duties under the Disability Discrimination Act 2005 by not requiring the developer to submit an Access Statement. Under the statutory code of practice issued by the former Disability Rights Commission the Council was and is duty bound to take specific account of the needs of disabled people in the delivery of its functions.
- 38 The submission of an Access Statement would have been a positive indication that both Tesco and the Council recognised their obligations under the Act. Had an Access statement formed part of the Design Statement, many of the issues which we subsequently outline would have been unlikely to arise.
- 39 In the Design Statement, Section 3.3 Transport and Pedestrian Linkages, we read that: "The existing pedestrian routes will be maintained and where possible enhanced". As will become clear from our later comments, some pedestrian routes will be far from enhanced and the existing desirable split between servicing traffic and customer traffic

would be replaced by one where service traffic would have to cross over existing customer traffic.

- 40 There is no reference to the needs of disabled customers and there has been no enhancement of the pedestrian access routes for this important group. The steep slope from Main Street remains, as do the steps down from the Fraser Centre on the Allander Walkway. Even the new ramp from the by-pass to the new entrance, with its unbroken slope, is not designed with the disabled, wheel chair users and the elderly in mind.

Vehicular Access/Parking/Transport

- 41 With regard to parking provision, there is no reference to the role of the parking in servicing more general town centre needs. This is a major omission as all the town centre car parks perform such a wider role in one form or another and car parking is such an issue for the town and this is the largest car park by far. It underlines the concern over the narrowness of the design brief from the Appellant.

- 42 On specific issues:

- There is no provision for a taxi waiting area nor for a drop off/pick up area for the on-demand bus services which regularly accesses the present store.
- The transport interests of disabled people in this case largely centre on disabled customers but there are also those who would wish to access Lennox Park. For the customers, consideration has to be given to access on foot, by bus, by taxi and by private car. There is reference to pedestrian linkages but, as indicated above, there is no reference to provision for taxis or dial-a-bus, both of which are critical for the mobility of disabled people.
- The parking provision for Blue Badge holders is to be split between two separate areas. Neither of the areas is at the same level of the store and the split would mean indecision for customers. Similar considerations apply to the parent and toddler spaces which are also split.
- There is no indication of how vehicle drivers are expected to use the recycling area and cars seeking to enter or leave the lay-by seem likely to interfere with the general circulation of traffic to the detriment of safety and capacity
- With the proposed store, servicing traffic entering the store has to cut across exiting customer traffic. It would have to overrun the centre of the mini roundabout in Gavin's Mill Road that has also been proposed by the Appellants.
- Meanwhile Gavin's Mill service traffic would have another hurdle to negotiate in that while vehicles may be able to turn round in the turning area at the Mill, the only way they can leave the site would require them to travel on the wrong side of the carriageway at the entry/exit to the under store car park.
- With 3 separate car parking areas, users will not know where there are spaces at busy times. This will likely result in congestion and frustration by customers – an outcome of an over-developed site.

- The Design Statement indicates half the parking would be under the store. In practice it would appear that almost two thirds of the new parking would be in the remote multi-storey structure on the other side of the river from the store.
 - It is difficult to reconcile the various layout drawings. For instance there seems to be a substantial level difference between the level of the top floor of the car park and the footbridge linking the carpark to the store. This has serious implications for the headroom under the footbridge and the cantilevered walkway for traffic (including emergency vehicles) seeking to access Gavins Mill.
- 43 The Design Statement that was submitted indicates that it is “broadly following the structure as described within PAN 68 Design Statements.” Had Appellants consultants actually followed the guidance in PAN 68, then some of the shortcomings cited could have been avoided.
- 44 Many of these issues arise from an over-restricted site for the size of building proposed. It leads to compromises on design and more importantly compromises on the potential health and safety risks of those using the site.

Public Realm/Placemaking

- 40 Chapter 4 of the CABE Report (above) highlights the importance of enhancing the public realm in developer led retail developments. This emphasis on civic pride is also a significant theme within the current preparation of the forthcoming Local Plan by the Council. The Guidance Notes state: “Civic pride relates to the way we value our public spaces and our community. It is a pride in place, a feeling of self-respect or personal worth and a pride and sense of belonging to the community. Developers and occupants of new developments are as much a part of the community as anybody else and, as such, are expected to contribute to achieving Council civic pride objectives.”
- 41 Consequently the expectation is that the new store should give rise to an improvement in the public realm. Unfortunately the opposite will be the case.
- 42 According to the CABE Report, “A good masterplan will generate a series of logical routes and generous, broad links that people would want to use, day and night.” The position with the pedestrian routes relating to this development are as follows:
- The Allander Walkway (a strategic leisure route) will have a 4m high wall and the enormous building on its south west edge, so it will mainly be in shadow. The presently enjoyed fish ladder area will become dark and forbidding. PAN 77, Designing Safer Places, states “pedestrian routes should have an open aspect, be well lit and give a good level of surveillance.” This part of the Walkway will now become even more vulnerable to vandalism and anti-social behaviour. The proposed fish ladder viewing point off the by-pass is a ‘sop’ – there is very little pedestrian traffic on this busy road, and with trees replaced by contrived hard landscaping, the viewpoint will be of minimal public value.
 - The underpass from Main Street will emerge under the oppressive shadow of a 4 storey building and beside an understorey carpark.

- The pedestrian access via Station Road and from the Station will have now to cross the main vehicular access road to gain access to the store.
 - The pedestrian access across Woodburn Way will entail crossing two roads (with presumably an alteration to the Marks and Spencer car park as at present the access is far too narrow, being the cycle path).
- 43 So there will be no improvement in the public realm regarding pedestrian access and indeed the present relationship between the store and the town centre will worsen.
- 44 The Scottish Government's 'Designing Places' (and the recent Designing Streets) expect successful places to be distinctive, safe, pleasant, easy to move around and welcoming. The Gavin's Mill site is likely to lose several of these qualities, including its distinctive identity. It will become an urban site, with a massive building raised on concrete stilts adjoining a concrete multi-storey car park. Such places are likely to have a sense of hostility and claustrophobia. Places you want to rush through rather than linger.
- 45 We agree with A+DS that the proposal represents a lost opportunity to make more of 'the attractive park and riverside setting, and the proximity to the listed mill building'. The LUC Report also comments that 'the opportunities represented by the Allander Water have not been optimized. Conversely, the watercourse has been strictly confined within an engineering channel, partially covered once again by cantilevered walkways.'
- 46 None of this is an improvement in the public realm. The current sense of place will be irrevocably changed for the worse. All of which comes back to the over-development of the site. Milngavie Town Centre is not a city or retail park, but a local shopping centre within a distinctive high quality environment.

Sustainability

- 47 We acknowledge that the new building pays more attention to sustainability in its design than the old. However, care should be taken in not claiming too much in this respect. We would have welcomed real innovation – other operators in this sector are far more adventurous and more could have been done to realise the 'full potential' of this site.
- 48 The Design Statement states: "Car parking will be provided at a level that will reduce the store's reliance on the private car while the excellent public transport, pedestrian and cycle linkage and facilities will allow customers and staff to access the store by means other than private car." We dispute this assertion as no attempt has been made to encourage any such change in the modes of transport of customers. On the contrary, the degrading of the pedestrian routes and the lamentable lack of provision for public transport within the site threatens the opposite.
- 49 This is in contravention of Local Plan Policy RET 2 (d) which favours retail developments in town centres as long as it can be demonstrated they will "Be readily accessible by public transport, bicycle or on foot as well as by car".
- 50 The following can hardly be considered sustainable:
- Removing over 100 mature trees, which absorb CO₂ from the atmosphere, and planting only about 25.

- The store faces south, but the proposal does not capitalise on the opportunity to use solar panels or photovoltaic tiles.
 - Although there are large south-facing glazed areas, no shading devices are proposed to mitigate the significant heat loads.
- 51 Finally, the draft Local Plan Guidance Note on Urban Design states “The purpose of SPP is to avoid poor design, which has an adverse effect on the quality of life for residents and the erosion of sense of place, loss of identity and the fragmentation of community. It is recognised that poorly designed development, and the long-term consequences of such development, is unsustainable”.

Aspiration/Vision

- 52 Lack of both summarises the objections to this scheme on design grounds. The sole aspiration and vision is economic – a determination to have an ‘Extra’ sized store whether or not the site can accommodate it. Neither the brief nor the Design Statement mentions how this building should relate to the Town Centre – it is entirely centred on the site. This is reflected in the pedestrian accesses and in its massive scale, which is totally inappropriate for Milngavie.

List of Documents

Glasgow and Clyde Valley Joint Structure Plan 2006
East Dunbartonshire Local Plan 2005
Designing Places 2002
Designing Streets 2010
Scottish Historic Environment Policy (SHEP) 2009
Managing Change in the Historic Environment: Setting
Assessment of Impact on the Setting of the Historic Environment Resource, Historic Scotland, 2009

A+DS Notes on Issues in Retail-Led Developments, November 2009
Commission for Architecture and the Built Environment Report ‘Supermarket-led development: asset or liability’ 2010
‘Proposed Replacement Tesco Store: Preliminary Appraisal of Townscape and Visual Aspects’ : Land Use Consultants 2010
WLM Submission to the Planning Appeal: August 2010
Photographs and other visuals for PowerPoint presentation
3D Virtual Model (DVD)

Representing WLM/MCC

1. **Peter Swinson** BSc MSc MRTPI. His two degrees cover Geography and Economics and Urban and Regional Planning respectively. He has been a resident of Milngavie for 30 years. He worked as a town planner in his early career and then for 23 years as a social and economic development professional for the Scottish Development Agency and Scottish Enterprise, rising to Senior Director. For the past 12 years he has run his own economic development consultancy business, primarily in Eastern Europe,
2. **Margaret Dunn** has lived in Milngavie all her life, both her parents are at least 3rd generation Milngavie residents. She has been an Office Bearer of Milngavie Community Council for the past 14 years and has been involved in many campaigns/consultations attempting to ensure the viability, integrity, scale and community benefit of proposed developments within the built and natural environment in the Milngavie area. Before retirement Margaret taught in the Department of Environmental Planning at Strathclyde University.
3. **Grahame Lawson** has 36 years local authority experience in the field of transportation and is a Fellow of the Chartered Institution of Highways and Transportation. From 1996 to 2004, he was Head of Planning, Transportation and Building Standards in North Lanarkshire Council. Prior to this, he was with Strathclyde Regional Council for 21 years, latterly as Chief Engineer in charge of transport planning and all transport modelling. He was intimately involved in the development of the use of the Transyt computer program in the early 1970s and used Transyt throughout his professional career. For the last 14 years he has been an adviser to Government on transport issues as they relate to the interests of disabled people. He has been a resident of Milngavie since 1975.
4. **Don Martin** is a local historian and author of several books on the area. Formerly Assistant Manager, Information & Archives, East Dunbartonshire Council, he is Chairman of the Local Studies Group of the Chartered Institute of Library and Information Professionals, Vice Chairman of the Scottish Local History Forum and a Committee Member of Milngavie Heritage Centre group.
5. **Martin Tabor** BA(Hons) CMLI is a chartered landscape architect and Principal of LUC in Scotland. Martin currently leads the Design Business Unit within LUC and has been responsible for a broad range of environmental consultancy and design work across the UK.

Over the last 20 years he has led LUC's work in Urban Regeneration which has involved urban design, masterplanning, streetscape and public realm, urban parks, townscape conservation and land reclamation. Recent projects include the £5m Inverness City Centre Streetscape, the £6m public realm project for Glasgow's International Financial Services District, the £4m Bellshill Town Centre public realm project and the £2m Mansfield Park which created a new park and town square in Partick.

Martin recently led LUC's international shortlist competition entries for a new 300ha park for Navi Mumbai and in 2008 for Preston's 'Flag Market' Square. He has also acted as Senior Monitor for HLF.