

Planning Appeal: Redevelopment of Existing Retail Store, 7 Gavin's Mill Road, Milngavie

Planning Application Ref: TP/ED/09/0638/Planning Appeal Ref: PPA-200-2008

Submission from We Like Milngavie Group (WLM)

This submission is from the We Like Milngavie (WLM) community group, which was set up to fight this proposal following a public meeting in January 2010. This is a collective submission - all the members of the WLM Committee have submitted objections to the planning application as individuals.

The response from local people to this proposal has been overwhelming objection. Around 700 objections were received by the Planning Authority, a very substantial number by any standard, and very few in favour.

The main concerns from objectors are the sheer size of the store, in being entirely inappropriate for Milngavie and not needed by the local community, the potential serious adverse impact on the local retailers and other businesses in the traditional town centre and the increased traffic congestion such a massive store will create. These objections are central to the 6 Reasons for Refusal.

Nevertheless we are surprised that Policy DQ3 in the Local Plan¹ was not cited within the Reasons for Refusal. This relates to "potentially larger scale developments which are likely to have a significant impact on the environment and which will need more in-depth assessment".

This proposal is the largest single building proposed for Milngavie for the last 100 years. It will radically change the character of Milngavie town centre, particularly on its south-eastern edge. For this development not to be required to be the subject of an Environmental Impact Assessment (EIA) is extraordinary. WLM has already approached the DPEA on this matter formally requesting that consideration be given to a Screening Direction for this purpose.

Such an EIA would have included undertaking a Landscape and Visual Impact Assessment (LVIA) to assess the visual impact of this proposal on the town centre and surrounding landscapes and the historical heritage of Milngavie. Consequently WLM decided to seek an independent view from specialists in this field, and employed Land use Consultants (LUC) to undertake an outline visual impact appraisal. This study has been funded by over 100 of the objectors to the proposal and the Milngavie Community Council.

We have structured our submission around the Council's six reasons for refusal. The study is attached as part of this submission and reference is made to the findings in making our case below under the first 3 Reasons for Refusal.

Reason for Refusal 1

This first Reason for Refusal focuses on the design quality of the proposal. The basis for this Reason relates to the Local Plan Policy DQ2 and specifically DQ2A set out below. Policy DQ2 has an overarching role in safeguarding the design standards to which a proposal should conform:

"The Council will expect high quality design in all developments, and all development should be compatible with the amenity and character of the area within which it is located. There will be a

¹ East Dunbartonshire Local Plan 2005 p51 & 52

presumption against development proposals which do not have regard to the factors set out in policies DQ 2A-E below.”

- A. “Scale, massing, materials, fenestration - especially on prominent frontages and at corner sites. Developments should generally take recognition of, and reinforce or complement the character of their surrounds.

Consequently within this policy framework there is a straightforward issue over the design quality but also as important the relationship of the development to its setting and the landscape and buildings within it.

A Massive Monolithic Building

To place the scale of this proposal in perspective in relation to Policy DQ2A, its total gross floorspace is well over half the total floorspace of all the shopping streets in the town centre² – comprising 68 shops within Main Street, Douglas Street, Station Road, Stewart Street and Mugdock Road. These shops are typically 2 storey buildings, while the new superstore is mainly 4 storeys – double the height.

The LUC Report expresses serious concern over the scale of the proposal and its visual impact: “The proposed new store is approximately 120m in length and has a footprint of 8500m²” (para 3.2) and “The high south-east elevation of the store is the equivalent of 4 storeys in height and is largely glazed and giving the potential for sunlight reflections and night time light pollution in addition to its visual impact due to the scale and form of the building, especially when viewed from high ground to the east.” (para 4.78).

“The proposed store would introduce a building which is incomparable in scale and character with existing buildings in the Conservation Area and town centre generally (LUC para 3.9).

The town centre redefined – a landscape setting becomes one of enclosure and a ‘pseudo’ street

The town centre on the banks of the Allander Water, is surrounded by hills except to the south-east, where it looks out over the lower valley of the Allander and its tributaries. The history of Milngavie is rooted in the Allander – from the original siting of Gavin’s Mill to the subsequent development of the flourishing textile industry and now as a source of leisure with Lennox Park and walking and cycling down the Allander Walkway.

Under this proposal this view across the Allander and Lennox Park from Woodburn Way will be replaced by the blank rear end of the proposed store. Below is the current view from Marks & Spencer, with the roof line of the new development shown in red taken from the LUC Report. Note that the 3.4M high funnels would project above this line.

The Report says that “This outline demonstrates that the large scale of the building would almost entirely close this view whereby the trees would be replaced by the north-west elevation of the proposed store. This would break the visual relationship between Milngavie Town Centre and the lower valley of the Allander Water, including Lennox Park.” (para 3.52)

² See below under Reason for Refusal 4

LUC Report: Selected View D: View from Marks & Spencer



It is notable that the existing Tesco store is hidden below the line of the road and trees. The shot below is the same view, but closer to Woodburn Way. The existing Tesco building is now just visible but not intrusive and, with its slate roof and height, integrates with the surrounding roofscape and landscape.

LUC Report: Viewpoint 2 Woodburn Way (Existing)



This view however would be replaced by the blank rear of the building as below.

LUC Report: Viewpoint 2 Woodburn Way (Tesco New Store)



In commenting on this Woodburn Way frontage, the LUC Report states:

“The proposed store will redefine the south-east edge of Woodburn Way adjacent to Milngavie town centre thereby removing the existing mature tree belt and closing views from the town centre to the lower Allander Water Valley. The replacement of trees with a 120m long building (equivalent of 2 storeys height) will remove the perception of a wooded valley below Milngavie.

The proposed store will be viewed by passing motorists, public transport users and pedestrians travelling on Woodburn Way, and will be overlooked from numerous properties on the higher ground to the north-west and east.

The Woodburn Way elevation, despite architectural articulation, represents the rear of the store and is consequently a lifeless façade with regard to access or shop front interest.” (para 4.78)

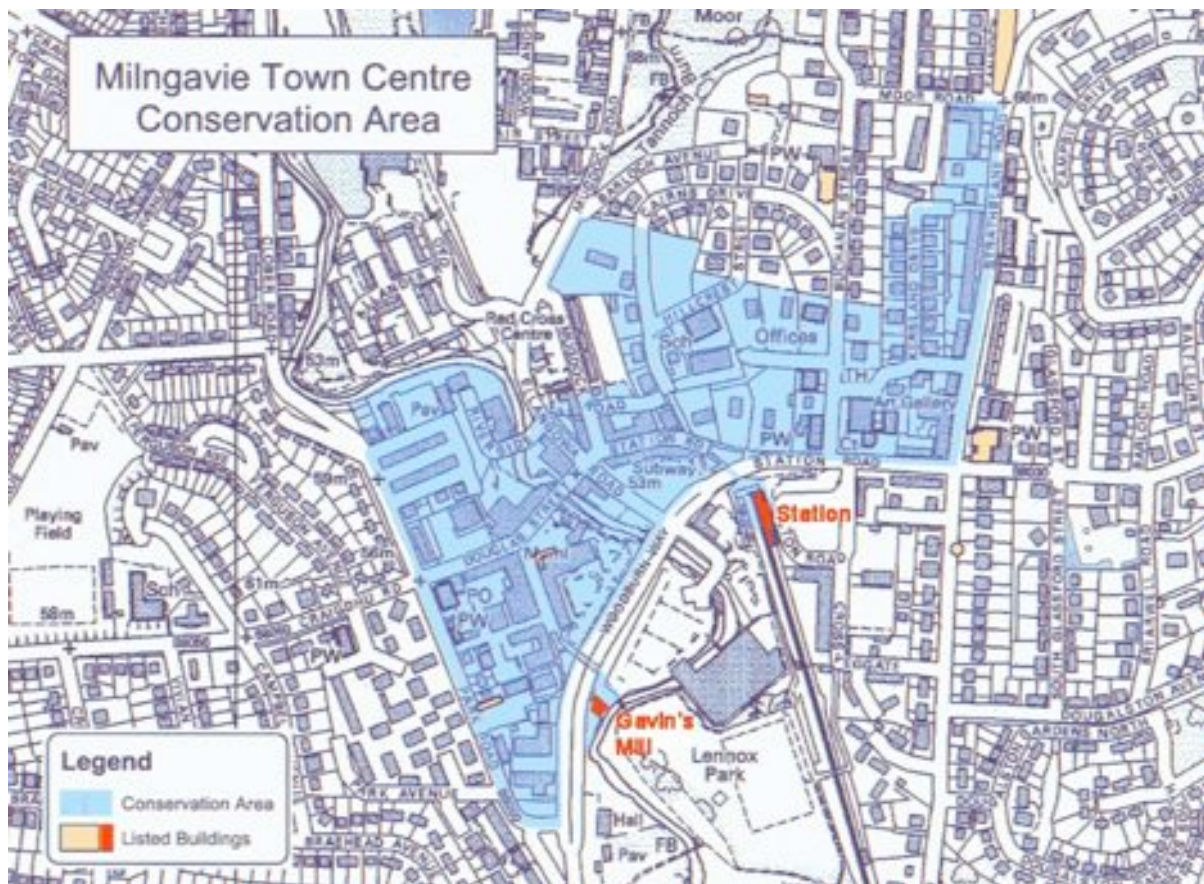
It should be noted that the 'architectural licence' in producing this view for the applicant includes people, but in reality there would be no reason for any people to be there – it would truly be a 'lifeless façade'.

The Woodburn Way elevation would redefine the character of the bypass "making it a pseudo-street rather than a tree lined road corridor" (LUC Report para 3.9), while "The loss of mature trees and the blocking of views over the valley of the Allander Water would be a loss of amenity and by altering the visual relationship between the town centre and the Allander Water valley, would change the character of the town centre." (para 3.19)

Consequently this proposal is contrary to Policy DQ2 and DQ2A on the grounds that the proposed building bears no relationship to the established character of buildings within the town centre in terms of scale, massing or fenestration and, in addition, would create a blank frontage onto Woodburn Way. This would have no townscape value while involving a considerable loss of amenity through the removal of the current pleasant open wooded outlook across to Lennox Park.

Reason for Refusal 2

This reason for refusal relates to the effects of the proposal on the setting of Milngavie Town Centre Conservation Area. The relevant Policy in this regard is HE7: "Developments outwith a Conservation Area, but which could affect its visual setting, must also be sympathetic to the special character of the area."



It will be seen from the map that the conservation area adjoins the site, curving around in an arc from its south west to its north east aspect. Developments at this site therefore have the potential to significantly affect the setting of the conservation area.

The effect on the town centre of the proposal's scale and massing, of its closure of the views looking out over the valley and of its replacing the Woodburn Way trees with a 'pseudo' street have all been described under the reason for refusal 1 above, with reference to the LUC report.

The setting of the conservation area would be significantly affected in all these ways. Equally important are the effects on views *towards* the conservation area from the surrounding area.

The LUC Report states that:

"With regard to impacts on Conservation Area, it is evident that the proposed store would be unsympathetic in scale to the character of typical buildings within the Conservation Area. The setting of the Conservation Area would be detrimentally affected by the loss of tree cover along Woodburn Way and the closure of views over the valley of the Allander Water and Lennox Park. From further afield, especially from the south and east, the massive scale of the proposed store would be visible in the foreground of the Conservation Area and would therefore affect its settings and perceptions of its character." (para 3.6)

This is illustrated in the view below from Lennox Park, with the roof line of the proposed building shown in red. Again the funnels would project above this roofline by a further 3.4m. It should be noted that, as with all the views taken in this Visual Impact Analysis by LUC, that the photographs were taken in mid-summer when the trees and other vegetation are at their most prolific. Such cover from the deciduous trees and most shrubs would be substantially less for the larger part of the year, from October to May, and consequently the building considerably more exposed and would be like a beacon, even at daytime, during much of this period.

Selected View A: View from Lennox Park Flagstaff



This proposal is contrary to the Policy HE7 because “the proposed store would be unsympathetic in scale to the character of typical buildings within the Conservation Area” “detrimentally affected by the Woodburn Way frontage” (para 3.6) and “the development would be seen in the foreground of the Conservation Area from vantage points to the south and east, thereby detracting from its setting and altering perceptions of the townscape character” (para 3.9)

Reason for Refusal 3

This reason relates to the impact of the proposed large-scale building on the setting of Gavin’s Mill. The relevant Policy for this Reason for Refusal is HE5: ‘The Council will protect Listed Buildings and their settings from inappropriate development.’

The two B listed buildings at the level of the Allander Water, Gavin’s Mill and the Railway Station, are the two buildings which best symbolise the town’s development. This was explained in a recent article in the local paper (below). Although the old grain mill has been altered, it remains as the town’s only symbol of its manufacturing past, based on a number of industries along the Allander Water.

The setting of the two listed buildings has been affected by the construction of the by-pass, Woodburn Way, which caused severance of this lower area from the town centre. The embankment is close to the old mill and higher than its roof ridge, and mitigation efforts at the time included tree planting and natural sandstone cladding to the embankment. Twenty years later the existing store was built on part of Lennox Park, and again attempts were made to minimise effects on the heritage by the location and design of the building, and further tree and shrub planting in the car park.

Securing the future of the town's history

THE history of Milngavie will be kept alive thanks to a new organisation which has been set up to create a heritage centre in the town.

An AGM will be held in Milngavie community centre at 7.30pm on Tuesday, May 25. Anyone who is interested will be made very welcome.

An explanation of the work of the group, so far, will be given.

Among other activities the group has started to review the history of Milngavie to establish the most appropriate themes to be represented in the heritage centre when it opens.

Neil Weir, one of the founders of the group, said: "It can fairly be claimed that the two buildings in Milngavie which best symbolise the town's development are the mill and the railway station.

"The mill symbolises the 'old order' of rural manufacturing industry and the station represents modern evolution as a com-

Report: LAURA STURROCK

muter dormitory of Glasgow.

"The enlargement and redevelopment of the station around 1900 can be seen as a watershed that heralded the establishment of a clear 'new order' alongside the old.

"The mill is such a key symbol of Milngavie's history, even of the community's name, that it is perhaps unfortunate there is no agreement on what it should be called.

"Should it be Davie's Mill, Guy's Mill or Gavin's Mill? Local people perhaps prefer Watt's Mill, in honour of the family of millers so long associated with the enterprise.

James Watt of the Mill was a significant member of the local business community. He served as Provost of Milngavie from 1876 until 1879."

Milngavie has had a long history as a small but energetic manufacturing town,

producing a varied range of goods. Over 200 ago there was already a whisky distillery, a calico printing works, a linen weaving factory, a cotton spinning mill and two bleachfields for the whitening of cloth.

One of these, at Clober, was operated by James McGrigor, whose son-in-law was the engineer James Watt. Watt took a keen interest in the development of bleaching processes at Clober, employing his special talents to the local benefit of Milngavie.

The other bleachfield, at Craigton, was later associated with one of Milngavie's best-known families, the Blackwoods.

Additional industries that came to Milngavie in the nineteenth century included the dyeing of cloth (at Burnbrae) and papermaking.

By the later Victorian years there was a strong business community, whose members were responsible for establishing Milngavie as a burgh, for purposes of local government, in 1875.



Currently there are long, open views across from all parts of the car park to Gavin's Mill. Guidance from Historic Scotland states that a listed building should remain the focus for its setting. The proposed store would however occupy most of the car park area so that the mill would be relegated to an insignificant corner. But it would be the height of the proposed store, completely discordant with the riverside environment, that would have the greatest impact. (Note that the store would be raised on concrete stilts so that both levels of sales floor would be above its roof ridge).

The LUC Report states "the proposed new store will introduce a large scale building extending to the equivalent of 4 storeys in proximity to these relatively small scale Listed Buildings. This juxtaposition of massive retail store in proximity to the listed buildings would potentially reduce their visual significance on the townscape, and make it more difficult to appreciate their heritage and architectural merit" (para 3.7).

Walkers on the Allander Way would be confronted by this juxtaposition of scale as they approach Gavin's Mill. Once within the site, the riverside setting would be compromised by understorey car parks on both sides of the river.

At paragraph 3.31 LUC comment: "This visualisation also illustrates that the opportunities represented by the Allander Water have not been optimised. Conversely, the watercourse has been strictly confined within an engineering channel, partially covered once again by cantilevered walkways. The visualisation indicates vegetation within the course of the river but it is unclear how this would be achieved".

Tesco claim that the section of the proposed building adjacent to the mill has been lowered. This is true, but it would still be around twice the height of the listed building, which is set at a lower level than the store would be.

Views from a listed building are also very important in defining its setting. While currently Gavin's Mill has an open outlook towards the east of Milngavie (see below), it would instead look into an understorey car park with the towering store above.



Turning to the Victorian railway station: while this listed building and its immediate vicinity would be less affected due to the intervening Kwik Fit building and trees, the approach to the station (and conservation area) by rail would be dominated by the massive building.

The proposal is contrary to Policy HE 5 as the development would encroach on and visually diminish Gavin's Mill Listed Building to the detriment of its setting.

Finally, conservation areas, listed buildings, wildlife corridors, long distance walkways and public parks are amongst the strategic environmental resources listed in Schedule 7 of the Structure Plan, to be protected under Strategic Policy 7. The safeguarding of these resources is one of the criteria in Strategic Policy 9 which must be satisfied in order for the proposal to accord with the Structure Plan. This proposal is thus a departure from the development plan, requiring to be justified against the criteria in Strategic Policy 10.

Reason for Refusal 4

Reason for Refusal 4 is based on the proposal being contrary to Policy RET2 in the East Dunbartonshire Local Plan 2005. WLM fully supports these grounds for refusal. The RET2 Policy is given below in full:

Policy RET 2 Development within Existing Shopping Centres

Shopping provision within East Dunbartonshire will be enhanced, by encouraging and supporting retail development within existing shopping centres (town, village and local) and other established retail locations, as long as it can be demonstrated to:

- a) Sustain or enhance the range or quality of shopping provision and the vitality and viability of the centres;
- b) Be in keeping with the scale and character of the centre;
- c) Not harm the amenity of the area;
- d) Be readily accessible by public transport, bicycle or on foot as well as by car; and
- e) Meet other relevant planning criteria.

Item c) has been dealt with previously in this submission. Under this Reason for Refusal we focus on a) and b), starting with b) below, namely:

- A. The proposal is not in keeping with the scale and character of Milngavie town centre
- B. The proposal will seriously threaten the vitality and viability of Milngavie town centre
- C. The proposal will not sustain or enhance the range or quality of shopping provision

A. The proposal is not in keeping with the scale and character of Milngavie town centre

Milngavie lies at the northern edge of the Glasgow conurbation. The heart of Milngavie town centre is the pedestrianised Precinct shopping area. It is a traditional centre with primarily independent retailers, some national chain stores, notably Marks & Spencer, Iceland and Boots and a range of cafes, restaurants, public houses and banks. It acts as a focal point for community activities throughout the year, such as the Milngavie Arts and Book Festival. It also has a tourism related role, being at the start of the West Highland Way, although this only generates minor retail activity.

Although we refer consistently in this submission to the town centre from a planning perspective, the use of the term 'village' is commonly used by local residents. This reflects the affection that the community holds for the centre as a place to shop, meet and carry out other community activities.

With regard to its role and function within the regional hierarchy, the Glasgow and Clyde Valley Structure Plan places the Bearsden and Milngavie town centres as serving the convenience needs of the Bearsden and Milngavie populations respectively. Within the East Dunbartonshire Retail Capacity Study (Dec. 2009) Milngavie is classified as a 'minor district centre' under the MHE shopping index³, which is consistent with this Structure Plan placing.

Milngavie as a shopping centre is, therefore, essentially a small suburban centre serving the local community of around 13000, and some rural areas to the north, for most convenience and some comparison shopping.

The Centre is bounded to the south east by Woodburn Way, a dual carriageway built in the early 1970's as a town centre bypass. The Tesco store lies beyond and considerably below this bypass, adjacent to the River Allander and connected to the town centre by two underpasses. The current supermarket was completed in 1992 by Wm Low.

Until 2005 it was designated an 'edge of centre' store with Woodburn Way as the town centre boundary. The 2005 Local Plan changed the town centre boundary to include the Tesco site. Consequently to describe the Tesco store as an 'anchor' within the town centre in the Tesco Appeal Statement (Introduction, para.1.1) is very questionable as in reality it is perceived as physically and psychologically on the outskirts of the centre.

Although included as part of Milngavie Town Centre in the adopted Local Plan, it must be said there is no record of specific public or Councillor debate over this fundamental change to the boundary.

This Retail Capacity Study also breaks down the floorspace areas within Milngavie town centre. In total it comprises 13,774 sq.m gross, with the current Tesco store having 5443 sq.m.⁴.

Consequently, in terms of balance, currently the Tesco store has 40% of the total floor space of the town centre as defined in the Local Plan. In terms of convenience shopping gross floor space, Tesco has 60% of the total – a level which the Competition Commission⁵ considers to be the ceiling for a single operator to pass its Competition Test. So the Centre is currently at the margin to be regarded as excessively dominated by Tesco.

With the new Tesco proposal this current 40% of total town centre floor space would jump to 55%. Such a massive increase arising from a retail development in excess of 10,000sq.m would lead to a severe imbalance of retail activity and a failure of the Competition Test.

³ East Dunbartonshire Retail Capacity Study para.4.2

⁴ Ibid Table 5.3. Note- the gross floorspace figure given in the Report for Tesco is 4763sqm, while that given in the Tesco Planning Statement is 5443 sqm. The latter has been adopted.

⁵ Under the test the Office of Fair Trading would provide advice to local planning authorities on whether a particular retailer would pass the competition test. Applications would pass the test if within the area bounded by a 10-minute drive-time of the development site; the grocery retailer that would operate the new store was a new entrant to that area; or the total number of fascias in that area was four or more; or the total number of fascias in that area was three or fewer and the relevant grocery retailer would operate less than 60 per cent of groceries sales area (including the new store).

In terms of the balance of retail provision within the town centre, this proposal is not in keeping with the scale and character of Milngavie. This scale of proposal is appropriate for a retail park not a small suburban centre.

B. The proposal will seriously threaten the vitality and viability of Milngavie Town Centre

Under this part of our submission we will first look at the retail capacity issue and the status of the proposal within the Structure Plan and then at the more specific impact of this proposal on Milngavie town centre.

It is not just the scale of the development which has caused such concern amongst so many residents, but also its likely impact on the businesses within the Precinct. This concern was shared by EDC Economic Development Unit during the consultation on the planning application. The Unit considered that “there is not the capacity to support a store of this size which would suggest neighbouring trading areas, i.e. Milngavie Precinct will be in direct competition for spend in the area”.

Our concern is not that local traders should be protected from fair competition. This can aid innovation and maintain and enhance the vitality we value in our town centre. Rather our objection is that there is no demonstrable need for this scale of development and it will provide unfair competition to local retailers leading to a decline in the quality of shopping within the Precinct and in its role as the focus for our community.

There is not the capacity for this scale of development

In terms of need, from the retail capacity studies carried out in preparing the Glasgow and the Clyde Valley Joint Structure Plan (2000 & 2006) it was concluded there was no convenience requirement for Milngavie Town Centre, but it did make a 6000sq.m gross floorspace allocation for comparison within the Milngavie/Bearsden catchment.

However, as explained in the Planning Authority's Development Quality Report, around ⅔ of this allocation has already been taken.

Consequently whereas Tesco propose an additional 4800sq.m gross floorspace, the Structure Plan identifies no convenience capacity and only 2000sq.m comparison.

The Proposal is a departure from the Structure Plan

Owing to its size, this is classified as a ‘significant’ proposal within the Structure Plan. In consequence the Structure Plan requires the proposal to be assessed by the appropriate criteria listed under Schedule 6(c)(i) ‘Assessment of Significant Retail Development Proposals’.

The appropriate criteria in this case are:

- (a) expenditure compared to turnover
This relates to, in effect, retail capacity requirements, which are described above.
- (b) impact, including direct and cumulative impact, on the town centres listed in Schedule

1(a)

Both Milngavie and Bearsden are on this list. Neither have been the subject of an impact assessment – see Reason for Refusal 5 below for Bearsden.

- (d) contribution to the improvement of the vitality or viability of town centres, particularly those in Schedule 1(a), and functional relationship with existing town centre facilities
This also accords with the Local Plan 2005 Policy RET2, which is central to the WLM objection to this proposal under this Reason for Refusal. However no assessment has been made by Tesco of the relationship of the proposal with the existing town centre facilities in Milngavie.

Consequently Tesco has not fulfilled all the necessary requirements under the Structure Plan for assessing the justification and impact of its proposal. Nor unfortunately, as far as we know, were they asked to do during the process of considering the planning application. However, the conclusion on criterion (a) alone regarding the lack of capacity represents a departure from the Structure Plan under Strategic Policy 9. This is also accepted in the Planning Authority's Development Quality Report.

This departure can only be justified under Strategic Policy 10 in terms of the contribution made to remedying any qualitative deficiencies in existing provision (A (iv)) or through the protection of existing jobs or the creation of a significant number of net additional permanent jobs (B(i)(b)).

There is no case for claiming a qualitative deficiency

A recent Scottish Government literature review Working Paper on Town Centre and Retailing Methodologies⁶ refers to the definition of qualitative deficiency by England (1999) as "Qualitative need is usually defined as a sectoral or geographical gap in the distribution of facilities".

However, the paper then goes on to make reference to the distinctive approach in Scotland; "However regard is frequently had, within applications and appeals within Scotland, to the *type* or *format* of shopping provision within geographical areas." It then specifies the 4 broad sectors of grocery retailers as examples of this – mainstream (e.g. Asda, Tesco), upmarket (e.g. M&S, Waitrose), smaller general/convenience stores (e.g. Co-op, Spa) and Limited Assortment Discounters (e.g. Lidl, Aldi).

On these grounds for grocery retailing Milngavie does not have any apparent qualitative deficiency across these sectors. It has both Asda and Tesco easily accessible; a M&S in the centre; four convenience stores within the residential areas of the town and a Lidl store a short distance away at Baljaffray as well as Iceland in the Precinct presuming this is also classed as a Limited Assortment Discounter.

Regarding comparison, it is to be expected that there will be leakage from a suburban centre but in any event this has been compensated for through the 6000sq m allocation within the Structure Plan. There are also retail warehouses within easy reach in Bishopbriggs and neighbouring Clydebank, while Homebase is on the outskirts of Milngavie.

Finally, the Structure Plan "identifies town centres where the creation of additional floorspace may be appropriate as part of their renewal to address potential qualitative shortfalls" (para 12.28). Milngavie is not one of those identified.

⁶ Town Centre and Retailing Methodologies Working Paper 1: Literature Review 2007: Scottish Government p8

In summary there is no case for claiming there is a qualitative deficiency within Milngavie and this does not present a sound basis to justify the departure from the Structure Plan.

This is not to suggest the Tesco store, as a building, would not benefit from updating. We would welcome Tesco redeveloping its store, but not on the massive scale proposed.

The increase in net jobs arising from this Proposal cannot be justified

In their evidence to the DPEA Tesco mention the creation of local jobs and state that around 250 additional jobs would be created:

“Creating Local Jobs - The new development will create a number of new jobs, through both the construction and operation stages there are opportunities at various levels of employment”⁷ and

“A new store in Milngavie would replace the existing store and allow Tesco to deliver greater choice in fresh food and a broader range of products as well as increased town centre car parking facilities and around 250 additional jobs for local people.”⁸

Supermarket claims of job creation figures normally quote prospective headcount figures, which are calculated on the number of people employed. However, this methodology does not take into account the sorts of jobs that are created and that a large percentage of that figure will refer to part time jobs, and, according to ACS, could possibly represent as little as 2-3 hours of work per week.⁹

Therefore, it is generally accepted that Full Time Equivalent (FTE) figures are more meaningful. In order to measure in this way, the total projected hours work of the supermarket labour force are calculated in order to establish how many full time jobs this would equate to, providing a much more representative view of the employment that will be created.

On 11th August 2010 WLM asked Tesco to provide the equivalent FTEs to their quoted figure of 250 additional jobs. Tesco asked for clarification of where their specific quote could be found and we directed them to the two quotes (noted above) made in Tesco’s submission to the DPEA. We sent a reminder for this information to Tesco on 19th August and, to date, have received no response.

Without this information, it is difficult to come to any conclusion on the benefits of this proposed development in relation to job creation in the local area.

Apart from assessing the claim made by Tesco regarding the initial job creation, another important factor is the net effect of the proposed development on employment in the local area. An assessment of the net employment impacts of supermarkets countered the figures claimed by supermarket planners in that developments actually generate an average net loss of 276 jobs (Porter and Raistrick 1998). In response, Tesco commissioned its own report that claimed an increase of 236 jobs (EDAW 1999).

⁷ Supporting Planning Information p47

⁸ Community Consultation June 2009 p12

⁹ Job Creation Claims in New Supermarket Retail Development: ACS July, 2010 p2

It is not surprising to note that the original report used the FTE methodology, whereas the Tesco report used head count figures, showing that the numbers can be skewed to produce any desired result. In this regard, the ACS report concludes “The assumption that job creation figures can be taken as an indicator of positive employment impact is fundamentally flawed”¹⁰. This is supported by a comparison of the Porter and Raistrick and EDAW studies (Leigh Sparks 2000) which concluded “What should be clear however is that it is not on for us to either promote superstores on the basis of job creation or to base planning decisions on such notions. We do not know the answers and indeed the answers should be of little decision-making consequence.”¹¹

There is no firm evidence to support Tesco’s claim that the proposed development will create an additional 250 local jobs nor can any net gain or loss be reliably estimated. Consequently this does not present a sound basis to justify the departure from the Structure Plan.

In consequence, the Proposal is a departure from the Structure Plan in being of a scale which exceeds the planned and available retail capacity. There is no reliable evidence that this departure can be justified on grounds that the proposal will benefit Milngavie through remedying qualitative deficiencies in existing retail provision nor through creating a significant number of net additional jobs.

Are we to have a repeat of the 1990’s Milngavie experience of town centre decline?

So we have shown the proposal is a threat to the vitality and viability of the town centre on the grounds of convenience and comparison capacity and in that it is contrary to the Structure Plan. However, in the absence of the impact assessment on Milngavie town centre that should have been undertaken, can we be more specific about impact?

The town centre has taken time to adjust to the main food store moving from the Precinct in 1992. The impact on the Precinct was substantial – it ceased to be the vibrant community centre and several other shops closed, the quality of shops fell and vacancies rose.

This experience will be familiar to people throughout the UK over the past 20 years, which has been highlighted in town/retailing studies. A study undertaken by the Department of Environment, Food and Rural Affairs (DETR) in 1998 on the Impact of Large Foodstores concluded that “In both our edge-of-centre case studies, there was a significant displacement of retailing activity from the town centres; principally as a result of the closure of the town’s main town centre foodstores.”¹²

Further, more recent, examples can be found in the 3 case studies of Scottish market towns undertaken in 2006 for the Federation of Small Business. These investigated the impact of

¹⁰ Ibid p5

¹¹ The employment effects of food superstores: Who is right and who cares? Leigh Sparks: Institute of Retail Studies 2000

DisclaimerThe Institue

¹² The Impact of Large Foodstores: Department of Environment, Food and Rural Affairs (DETR) 1998 para 50.

supermarket developments on the town centres of Alloa, Dingwall and Dumfries¹³. The overall conclusions were:

“The findings of this study offer support to the broad view that large supermarket developments impact adversely on the retail structure of the traditional town centre. Through the analysis of the three case studies undertaken, evidence has been uncovered that demonstrates the following trends post-supermarket development:

- A decrease in the number of convenience retailers operating in the town centre;
- An increase in the number of vacant units and corresponding floorspace;
- A broad shift in convenience expenditure away from the existing town centre retailers to those operating the new supermarket development;
- A significant decline in the level of business activities undertaken by existing retailers. This is attributable in the main to competition from the supermarket;
- and
- A general acknowledgment in respect of a decline in the overall number of shoppers frequenting the traditional town centre.”

This could describe Milngavie during the 1990's. There has been some improvement in recent years, notably since Marks & Spencer and Boots moved in to the heart of the town centre. However a legacy of this period has been the reduction of independent shops. These are important as it is the local owners who tend to provide the energy in feeding town centre vitality and leadership, rather than the managers of national or regional chain stores.

In consequence we have also undertaken a 'Clone Survey' of Milngavie. This is a methodology developed by the Nef¹⁴ which measures the proportion of independent traders within a shopping centre along with a measure of diversity of shop types. The high scores equate to a 'Home' town where there is a diverse range of shops and high proportion of independents, while a low score means the range is narrow and dominated by national/regional chains stores. These towns are called 'Clones' as they tend to offer the same wherever you are. In between are the 'Border' towns. Our survey showed Milngavie is a 'Border' town, which reinforces the concern on its vulnerability.

This is important because of the benefits that can flow to a local economy from such independent shops through local spend and the local multiplier rather than from the supermarket chains. Research by the Federation of Small Business¹⁵ shows that over 50% of the turnover of independent shops stays in the local community while according to the National Economic Foundation (Nef)¹⁶ only 8% of Tesco's spend does.

Although quality has improved and the Precinct has come to live with Tesco on the edge of the town centre, it is still vulnerable. This is illustrated in the EDC Retail Capacity Study which shows that Milngavie Precinct retailing is still currently under-trading (Table 7.6, p32).

So when Tesco extol the benefits of their proposals to the town centre there is natural disbelief, particularly as no evidence is given in support. For instance in their Planning Statement Tesco state that “This development will focus investment towards the town centre with the spin off benefits that this will bring” (3.3). These benefits are however not defined, even less detailed.

¹³ The Effect of Supermarkets on Existing Retailers: Roger Tym & Partners, December 2006 p46

¹⁴ Clone Town Britain: New Economics Foundation 2005

¹⁵ "Keep Trade Local" Federation of Small Businesses

¹⁶ The Money Trail: New Economics Foundation Appendix 5 p. 131

More specifically the Statement also says “This application proposal will help diversify and improve the range and quality of uses in a highly accessible location and will help to enhance the role of the town centre as a whole. Due to the scale of the development proposed it is also likely to provide some impetus to other existing occupiers and land owners to upgrade and update their premises in accordance with PAN 59”. (3.09)

Again a convenient presumption with no evidence. So it is accepted that Tesco will improve its own offering but why should it be any different for the Precinct from before? What has changed? Technically Tesco is no longer ‘edge of centre’, but the reality is the same. The Milngavie experience has been that the actions of the Wm Low/Tesco supermarkets historically led to a decline in the town centre. Now Tesco wish to repeat the process on a massive scale.

Is there a ‘spin off’ for Milngavie?

The only way any of these enhanced benefits will materialise is if the Proposal increases the footfall in the Precinct. Tesco will increase the level of competition, which will inevitably harm the Precinct businesses as it is difficult to compete with the Tesco buying power. So the only benefit to the long term development of the Town Centre is if expenditure increases within the Precinct through enhanced footfall. This would be the spin off. So is this likely to occur?

The DETR study referred to above set outs the main criteria for considering the likelihood of footfall increasing through a higher number of ‘linked trips’ with the new store - visits to Tesco that also result in a visit to the Precinct. These can then be considered in relation to the Milngavie case.¹⁷

1. The extent to which the store complements the town centre/district centre

The proposed store will be very large with a wide range of both food and non-food goods as well as other services such as perhaps opticians, pharmacy and travel agent. As such it will be competitive rather than complementary with many shops within the remainder of the town centre. Consequently there will less reason or incentive for customers to take the trouble of walking to the Precinct.

This will provide a disincentive to visit the Precinct

2. The distance and physical linkages between the two

The only links currently are by underpasses down/up a steep slope (2 direct and one indirect via the station). These underpasses provide a psychological and physical barrier which adds to the distance issue. The shortest distance from the Clock at the heart of the Precinct to the current Tesco entrance is through the Main Street underpass and this distance is about 250 metres. This is considered to be consistent with an edge of centre location.

The new development will be very similar in distance terms but the new entrance will also be at the first floor, which could provide a time disadvantage. There will be an ‘at grade’ pedestrian crossing on Woodburn Way so avoiding the underpass, but using the same entrance, so will still entail walking round the building on a sloping ramp to gain the entrance. It will probably involve waiting for traffic to stop and so is unlikely to give a time advantage.

No difference from the current position for visiting the Precinct

¹⁷ DETR study para 46

3. The relative size of the centre as compared with the store

The proposal is for a massive building exceeding 10,000sq m. It will have a very wide range of goods and services as previously described. This will tend to 'capture' customers who will be tempted to meet all their needs under one comfortable roof. It will also take longer to navigate round to do the shopping and so it will be less convenient for busy people to visit the Precinct.

This will provide a disincentive to visit the Precinct

4. Accessibility, parking and orientation of the store.

Currently the best place to park in the Tesco car park to access the Precinct via the underpasses is in the far northern and southern parts of the Tesco car park. Fortunately these are also the least attractive for those purely shopping at Tesco.

Unfortunately, however, the new proposal will not give these advantages. The northern car parking spaces will be the service entrance and the southern will have the covered car park area, but will likely be the most sought after for Tesco shoppers.

Consequently the use of the car park for linked trips is more likely to be the new car park on the site of the existing Tesco building. This will extend the distance to walk up to the Precinct by at least a further 100 metres than currently.

This will provide a disincentive to visit the Precinct.

It can be concluded that the Proposal will provide a disincentive for linked trips and the associated footfall is likely to decrease from current levels. Consequently the claimed benefits to the town centre by Tesco are unlikely to materialise and this proposal is therefore contrary to Local Plan Policy RET2 in being a threat to the vitality and viability of Milngavie town centre.

C. This Proposal will not sustain or enhance the range or quality of shopping provision within the Precinct

As well as the likelihood of a decrease in total footfall, there is also the threat of reduced expenditure within specific shops arising from increased competition from the enlarged store.

Tesco decline to provide any specific idea of the range of goods the new store will provide except in the most general of terms. All we know is that there will be an enhanced range of food stuffs and comparison goods. These may include a substantially wider range of books, bakery provisions, meat, fish, hardware, kitchen goods and clothing. In addition, in common with Tesco Extra stores elsewhere, it can be assumed that a range of franchised services will be provided. In other parts of Scotland they include a bank, pharmacy, bureau de change, phone shop and optician.

All these are mentioned specifically because there are specialised shops in the Precinct providing these goods and services. A proposal in recent years for the Post Office to move to Tesco fortunately did not materialise, but this is always a fear as it is so widely used and so important as a community resource.

At present these shops co-exist with the existing Tesco operation. There has been recent growth in certain services – notably a fish shop has recently returned, a traditional confectionary

shop opened and a new clothing shop as well. There has also been a welcome growth on cafes in recent years which enhances the Precinct as a meeting place for the community. On the other hand the turnover continues with many surviving on a knife edge - notably the Co-op in Milngavie, of around 100 years standing has just closed leaving a substantial unit vacant.

There has been no assessment of the likely impact of the proposed redevelopment on Milngavie traders. It is recognised there is a balance to be struck between the value of competition and protecting the town centre as a community resource. However this Proposal is of scale that will seriously threaten the range and quality of what the town centre offers.

Conclusions under Reason for Refusal 4

The Tesco Planning Statement states “ as the site lies within the town centre of Milngavie it will have a positive effect on this town centre”. (para 3.13) Under this Reason for Refusal it has been shown that this is presumptive rhetoric. Tesco has not justified this, or the other similar statements, and unfortunately has not been asked to do so as part of the planning application process. It has not demonstrated that its proposal will sustain or enhance the range or quality of shopping provision and the vitality and viability of the centre and nor will it be in keeping with the scale and character of the centre.

However WLM has shown:

- **This scale of proposal is appropriate for a retail park rather than a small suburban centre**
- **It represents a departure from the Structure Plan because there is no convenience capacity and insufficient comparison capacity**
- **As a departure there is no reliable evidence to justify the proposal through remedying qualitative deficiencies or providing additional net jobs**
- **The Proposal is of a scale which will seriously threaten the vitality and viability of the town centre and range and quality of what the town centre offers and as such is contrary to Local plan Policy RET2..**

Reason for Refusal 5

This Reason for Refusal relates to the potential impact of this proposal on Bearsden town centre. Bearsden is, along with Milngavie, one of the centres listed in the Structure Plan under Schedule 1(a) as a centre to be safeguarded.

Due to the size of this proposal it falls under the category of a ‘significant retail development’ within the Structure Plan. As mentioned above under Reason for Refusal 4, such developments require to be assessed against the results of analysis of number of criteria listed under Schedule 6(c)(i). The criterion (b) in this list is “Impact, including direct and cumulative impact, on the town centres listed in Schedule 1(a).

The proposal has not been assessed for its potential impact on Bearsden town centre, as is required under Schedule 6(c)(i)(b) of the Structure Plan. WLM is concerned that the centre could be adversely affected by the proposal to the detriment of its vitality and viability.

Reason for Refusal 6

The Reason for Refusal 6 relates to increase in traffic congestion that the Proposal would generate. The Local Plan under Policy Trans 1 Accessibility indicates “a presumption against new developments which have significant adverse impacts” on the transport network.

This is of serious concern to the local community. Traffic congestion is a major problem. The A81 is said to be operating near to its capacity and there is serious congestion within the town centre area, with there already being long queues at morning and evening rush hours. The Park Road/Woodburn Way and the Station Road/Glasgow Road junctions are particularly congested.

Whilst Woodburn Way is a dual carriageway, the roads leading into and out of it are single carriageway roads and these were clearly not designed for modern day traffic levels. Therefore any increase in traffic to Tesco, which it is assumed is the intention, could have a far reaching effect on the entire road system within the area.

The proposed introduction of a Pedestrian crossing on Woodburn Way would also serve to affect traffic flow and we would question whether this has been adequately considered in traffic modelling.

In consequence we were concerned at the comments of the EDC Transportation Department in the Development Quality Report (P22), namely:

“EDC Transportation has assessed the proposal in terms of the surrounding network. It is very important to note that no account has been taken of the two Kilmardinny developments within the analysis given that no permission has been finalised. Nonetheless EDC Transportation acknowledges that the accumulative impact of these developments would have a detrimental effect on the considered traffic network that may prove in operation to be highly significant. EDC Transportation advise that there would need to be some significant improvements to the road network that would need to be undertaken”.

That this proposal has been assessed on an assumption that the 550 proposed houses at Kilmardinny Westpark will not be built is most disturbing. It confirms the worst fears of those who have to live locally with the increasing traffic congestion year on year. Not only are we concerned about the Kilmardinny development being excluded but also the other developments in Milngavie and Bearsden that are currently going through the approval process – all are agreed in principle and are set out in the table below:

Housing and Other Development	Planning Application Reference	No. Houses (approx.)
Marchfield	TP/ED/07/0040	45
Fire Station Field	TP/ED/09/0680	50
Douglas Academy	TP/ED/08/0801	20
St. Andrews College	TP/ED/09/0222	126 (mixed use)
Bearsden Academy	TP/ED/06/0385	149
Kilmardinny Westpark	TP/ED/04/1279	550 (mixed use)
Auchenhowie Sports Complex	TP/ED/08/1390	
Total Houses		940

The north Bearsden sites are included as the traffic diverts into Milngavie from Bearsden to avoid the congested Bearsden Cross junction.

This underlines the overall objection to this proposal – this scale of proposal is unnecessary to serve the small Milngavie community and, as with the town centre, the road system has not been designed to cope with such a retail park type of development

Summary

In the light of the above submission the objections of WLM can be summarised as:

Reason for Refusal 1: This proposal is contrary to Policy DQ2 and DQ2A on the grounds that the proposed building bears no relationship to the established character of buildings within the town centre in terms of scale, massing or fenestration and, in addition, would create a blank frontage onto Woodburn Way. This would have no townscape value while involving a considerable loss of amenity through the removal of the current pleasant open wooded outlook across to Lennox Park.

Reason for Refusal 2: This proposal is contrary to the Policy HE7 because the proposed store would be unsympathetic in scale to the character of typical buildings within the Conservation Area and detrimentally affected by the Woodburn Way frontage. The development would be seen in the foreground of the Conservation Area from vantage points to the south and east, thereby detracting from its setting and altering perceptions of the townscape character.

Reason for Refusal 3: The proposal is contrary to Policy HE 5 as the development would encroach on and visually diminish Gavin's Mill Listed Building to the detriment of its setting.

Reason for Refusal 4:

- This scale of proposal is appropriate for a retail park rather than a small suburban centre
- It represents a departure from the Structure Plan because there is no convenience capacity and insufficient comparison capacity
- As a departure there is no reliable evidence to justify the proposal through remedying qualitative deficiencies or providing additional net jobs
- The Proposal is of a scale which will seriously threaten the vitality and viability of the town centre and range and quality of what the town centre offers and as such is contrary to Local plan Policy RET2.

Reason for Refusal 5: The proposal has not been assessed for its potential impact on Bearsden town centre, as is required under Schedule 6(c)(i)(b) of the Structure Plan. WLM is concerned that the centre could be adversely affected by the proposal to the detriment of its vitality and viability.

Reason for Refusal 6: This scale of proposal is unnecessary to serve the small Milngavie community and, as with the town centre, the road system has not been designed to cope with such a retail park type of development