

Kidderminster Central Area Plan

Wyre Forest District Council Statement of Supporting Information for the Deliverability of the Eastern Gateway Site

1.1 This background paper has been produced to provide supporting information in relation to the Kidderminster Central Area Action Plan, specifically in relation to the development within the Eastern Gateway and the following policies:

- Policy KCA.EG5 – Phase 1: Bromsgrove Street
- Policy KCA.EG6 – Phase 2: Worcester Street Development
- Policy KCA.EG7 – Phase 3: Lion Street

1.2 The Council has produced this paper to help address discussions held at the Examination in Public for the Kidderminster Central Area Action Plan on Friday 1st February 2013. During the hearing session a number of points were presented by both the Council and by Arrowcroft Limited. In addition a late submission has also been received from Dr King, on behalf of the CPRE.

1.3 The purpose of this paper is therefore to clarify and support the Council's position in relation to the Eastern Gateway policies included within the plan following the Hearing and Dr King's submission

. The commentary highlights key aspects from the submitted evidence base in support of the Kidderminster Central Area Plan and it is not therefore considered that it presents any new or additional evidence.

2. Introduction to the Eastern Gateway area

2.1 The Eastern Gateway area is a collection of interrelated sites that represent a series of significant development and investment opportunities to the eastern side of Kidderminster.

2.2 Individual development sites and phases are identified within the Eastern Gateway which reflects differing timescales for delivery and to allow for a flexible and positive approach to promoting development which is consistent with the NPPF's presumption in favour of sustainable development.

- 2.3 Reasons for separating Phases One and Two of the Eastern Gateway are based solely on securing regeneration of the Eastern Gateway in the most practical, viable and deliverable way. This has had particular regard to the complex nature of this town centre site.
- 2.4 This phased approach is considered to be wholly consistent with the National Planning Policy Framework which identifies that the challenge for planning authorities is to balance aspirational objectives with realistic and deliverable policies. (Paragraph 154)

3. Deliverability

- 3.1 The Bromsgrove Street Area represents Phase One of the Eastern Gateway (Policy KCA.EG5) and is considered to be the catalytic site for the regeneration of the wider area. WFDC has worked in partnership with major landowners to propose a viable design and feasibility study to deliver a 40,000sq ft net food store on the Bromsgrove Street site. This is in line with an operator who has a known food store requirement in Kidderminster.
- 3.2 The three main public sector land owners on the Bromsgrove Street site (WFDC, WCC and Worcestershire PCT) have been working together to deliver the Eastern Gateway regeneration plans set out in the KCAAP for some time and are actively working to vacate the site in order to facilitate early development in the short term. The Council is well advanced with plans to relocate the Leisure Centre and the Medical Practice too are advancing their plans for relocation.
- 3.3 This is in direct contrast to Phase Two of the Eastern Gateway, the Worcester Street area (Policy KCA.EG6) which the Respondent recognises has complex land ownership issues. Our initial research has identified at least 11 freehold/leasehold interests within the site area as well as 7 residential units whose tenancy type is currently not known.
- 3.4 Taking this situation into account, the delivery of the Worcester Street section of the Eastern Gateway is therefore more likely to happen in the latter part of the KCAAP period and requiring a more flexible approach, which is in line with the current expiry date of leases on key sites within the area and supports its inclusion within a later Phase of the Eastern Gateway development. This is considered to be an appropriate and realistic approach to town centre development, which is recognised as taking longer to implement given the constraints associated with this site.

4. Viability

- 4.1 The Bromsgrove Street Area (Phase One of the Eastern Gateway) has a number of physical site constraints that have, and will continue to prove a challenge to viability in the current economic climate. Whilst the Council is confident that site viability remains achievable (as determined in the Eastern Gateway Design and Feasibility Study 2011 (EB029) there are significant abnormal costs associated with site levels, demolition, sub-surface infrastructure and highways work which renders the opportunity to cross-subsidise the scheme with a wider development site unviable.
- 4.2 Delivery of Phase One will have major benefits for Phase Two making it a much more attractive proposition for investment, as will other regeneration plans being led by Wyre Forest District Council; The Council has commissioned Taylor Young to develop a Kidderminster Public Realm Design Framework, which has identified Worcester Street as a priority for upgrading. This includes proposals to potentially reopen Worcester Street to public transport, to increase footfall and reintroduce vitality to the street, combined with an upgrade to the appearance of the street itself.
- 4.3 These improvements will be of direct benefit to the Respondents site, the site will be located in a much more advantageous position between an improved Worcester Street and the redeveloped Phase One of Eastern Gateway; it will be in a prime position to for future development as a complimentary Phase Two Scheme at a later date in the Plan period when the site is ready.
- 4.4 The Council acknowledges that the improvement of connections between Phase One and Phase Two are important elements in the success of the Eastern Gateway and will ensure that the ability to improve existing links and create future links are fully considered in the delivery of Phase One – as outlined in the Policy framework of the KCAAP.

5. Eastern Gateway – Concept and Feasibility Study (EB029)

- 5.1 The District Council appointed a highly qualified and experienced specialist team to undertake a concept and feasibility study in relation to the Phase One development of Eastern Gateway, included in this team were:
- Chetwoods Architects – who are retained by Sainsburys on their store development framework

- Arup – An international leading company of engineers, having extensive experience of complex sites. Turner and Townsend – who are a leading global programme management and construction consultancy that provides cost consultancy advice for Morrisons.
- Phil Jones Associates – Specialist transport consultants and one of the key contributors for 'Manual for Streets' guidance

5.2 The team was assembled based on their specialist skills, knowledge and experience in delivering retail-led developments, in order to ensure that the background work was robust, realistic and credible.

6. Size of Proposed Store considered in the Feasibility Study

6.1 During discussions at the EIP, it was suggested that the size of the store considered in the concept and feasibility study was unrealistic. However, the objections were not supported by any evidence as to why this was the case and have no foundation other than pure speculation. Conversely, the Council's position is supported by a robust and credible evidence base; the feasibility study identified the potential for the phase one of the site to be developed for use by a supermarket, in response to a known retailer interest within the town. The study responds positively to the challenge of the site and presents a viable proposal for a 40,000sq.ft net (3,746m²) sales store that would meet the requirements of major operators.

6.2 It should be noted that the interest shown by Asda during a planning application at Churchfields was for a store of 3,600sq m net sales. Discussions undertaken with Asda also indicate that this is the size of store they would require at the Eastern Gateway site. Therefore, it is considered that there is known and clear interest for a store of this particular size and no evidence to suggest a larger store is either required or is suitable for development at all in Kidderminster. Furthermore, the most recent new supermarket development within Kidderminster was for a Morrisons store which has been developed with a 3,413 sq.m net sales area. This identifies that a development of an Asda store of approx 3,600sq metres of net sales, would be largely in line with the other competing retail interests already apparent within Kidderminster.

7. Conclusion

- 7.1, It is considered that combining both sites under one policy would seriously undermine the ability of the Council and partners to deliver Phase One in a timely manner.
- 7.2 The Council sees the delivery of the Phase 2 site as an integral part of delivering the overall regeneration plans for Eastern Gateway and Kidderminster Town Centre. However, given the issues highlighted above, this endorses the Council's decision to include Worcester Street in a later phase of development.
- 7.3 It is the view of the Council that the current policy structure and phasing of the Eastern Gateway provides a robust planning framework for delivery of all phases of development. Further, there has been no evidence provided to the contrary to suggest that this approach will undermine the ability of the Council to use Compulsory Purchase powers, if necessary, in the future.
- 7.4 One of the key tests of soundness in the NPPF refers to whether or not the plan is 'Justified' when considered against the reasonable alternatives, based on proportionate evidence. The evidence presented by the Council to the examination supports the early delivery of Phase One of the Eastern Gateway. Subsequent development in the Eastern Gateway has been phased for later in the plan period, which recognises the greater constraints and difficulties that exist in these areas and the catalytic nature of the Bromsgrove Street redevelopment for the wider Eastern Gateway. This approach recognises the challenging economic climate particularly relevant in town centres which is causing continuing uncertainty within the development industry. This approach provides a clear recognition of the viability issues surrounding the Eastern Gateway and will ensure the timely development of Phase 1, in line with the provisions of Paragraph 173 of the NPPF, *"plans should be deliverable and therefore the site and scale of development identified in the plan should not be subject to a scale of obligations and policy burdens that their ability to be developed viably is threatened."*
- 7.5 In summary, the current policy structure and phasing of the Eastern Gateway as set out in the KCAAP reflects the best possible opportunity to secure the redevelopment of the whole site within the plan period in the most practical way forward. It is the Council's opinion, based on a strong evidential background, that the additional complexity and uncertainty that combining policies would bring to Phase 1, will risk undermining the viability of both sites including a clear development opportunity at Phase 1. The Council considers that no evidence has been

put before the Examination that demonstrates that its proposals for a phased approach to the development of the Eastern Gateway are without robust foundation.

8. Proposed Modifications

8.1 Notwithstanding the points raised above, the Council are proposing a number of main modifications to increase the clarity of the plan and to help to alleviate some of the concerns raised by Arrowcroft in their representations. This includes providing a site plan within the document, encompassing the three phases to reinforce their interrelated nature.

8.2 The proposed modifications proposed for this part of the document can be seen in full in the 'main modifications table', submitted for consideration by the Inspector.