

Rt Hon John Denham MP
Secretary of State for Communities and Local Government
Eland House
Bressenden Place
London SW1E 5DU

4th November, 2009

Dear John

Re. Support for request to ‘call in’ out-of-town Tesco superstore development on the borders of Stoke-on-Trent and Newcastle-under-Lyme in the North Staffordshire regeneration area

Planning application no. SOT/48769, Tesco, Newcastle Road, Trent Vale, Stoke-on-Trent

I am writing to ask you to use your discretion to ‘call in’ the above application, which involves a near doubling of a huge, 24-hour, out-of-town Tesco superstore, for determination by the Secretary of State.

The application was approved by Stoke-on-Trent’s Development Control Committee on 16th September, 2009 and referred to the Government Office of the West Midlands for your attention last week on 26th October, as I understand.

The approval of this controversial scheme, which has a long-running history, was against advice from City Council officers and specialist retail consultants, against the views of the local North Staffordshire Regeneration Partnership and counter to representations by Newcastle-under-Lyme Borough Council.

Although I have previously appeared before planning inspectors and public enquiries, this is the first time in my eight years as Member of Parliament for Newcastle that I have had to write to request that a Secretary of State ‘call in’ a planning application.

I am doing so on this occasion as I believe the decision, ignoring all the evidence, to be perverse, irrational and unsound. I have seen quite a number of poor planning decisions locally in my time, but none which quite so blatantly inflicts such self-harm in a ‘beggar not just thy neighbour, but also beggar thyself’ sort of way such as this.

The decision runs counter to Stoke-on-Trent’s own planning policies to resist further harmful, out-of-town shopping developments of such a magnitude, the aims of regeneration in North Staffordshire and the local Core Spatial Strategy.

This irresponsible decision by a small number of planning committee members has also already threatened co-operation between local authorities and the whole basis of the North Staffordshire Regeneration Partnership, established by the Government.

If allowed to stand without further examination, the decision may also have further serious repercussions for partnership-working in the North Staffordshire area where it remains much-needed for effective regeneration.

From my discussions, the North Staffordshire Regeneration Partnership (NSRP) and its officers, namely, remain firmly of the view that the application should be resisted and 'called in'. In practice, however, the NSRP also encompasses the Planning and Regeneration functions of Stoke-on-Trent City Council.

This places the NSRP officers in an invidious and conflicted position and decisions like this, with significant cross-border impact, will call into question NSRP's status.

Briefly by way of background, Tesco first submitted an application to increase its store size by three quarters in August, 2008. It went to Stoke's planning committee on 11th March, 2009, with an officers' recommendation firmly to refuse.

Determination, however, was deferred until 1st April, again with a strong refusal recommendation, accompanied by an officer's presentation stressing its conflict with local and national planning policies. By 5-4, however, the committee narrowly voted that it was minded to permit, subject to conditions and certain planning obligations.

At the recent meeting on 16th September, the seven Stoke members voting at the committee did not revisit the April decision, but focussed rather on the conditions. Notwithstanding continued concerns, they resolved to permit, subject *inter alia*, to the Secretary's of State's approval under the Shopping Direction.

After each Stoke meeting, Newcastle Borough Council re-iterated its objections in writing. In April, it also wrote to the Government Office for the West Midlands (GOWM), requesting that the application be 'called in' under Section 77 of the Town and Country Planning Act 1990.

GOWM acknowledged the request on 1st May, but noted that any recommendation to refer would need to be made in view of all the facts. Following the City Council's letter to GOWM of last week, which includes – as I understand – the unilateral undertakings since entered into by Tesco, that position has now been reached.

It is noteworthy, too, that Tesco and Stoke-on-Trent's Planning Committee have recognised the potentially very harmful impact of the scheme on both Newcastle and Stoke town centres by asking for a £100,000 contribution from the supermarket chain to fund improvements in each of the two town centres.

Newcastle Borough Council has not been party to that undertaking and rejects its terms, as it continues to oppose the application on fundamental planning grounds. I entirely support that stance, owing to the harm that this development will inflict.

In reaction to this aberrational decision, at the end of October, Newcastle Borough Council also refused to sign off the local Core Spatial Strategy – which Stoke-on-Trent Council finally approved on 1st October, two weeks after giving Tesco the go-ahead, contrary to the principles underlying the strategy.

Given that the authorities and NSRP had spent four years collaborating on the strategy – including first submission to the Government in May, 2008 – Newcastle has since relented and adopted the document.

I fully understand the Borough's frustration in delaying, however, and this episode evidences the damage that can still be done to joint-working in the future.

I would therefore be grateful if you would use your discretion to 'call in' the Tesco application so that a wider, public examination can be made into all the concerns - and in particular on the following grounds:

(i) It is contrary to national retail planning policies

In their report to Stoke-on-Trent's Development Control Committee on 1st April, 2009 – a copy of which is enclosed - Stoke Council's planning officers concluded that the application would contravene PPS6 on each of the major tests.

That is that: there was no demonstrated need for the superstore expansion; it was of an inappropriate scale; it failed the sequential approach to site selection, as being out-of-town, when others closer were available; it would have an unacceptable impact on neighbouring town centres; and it did not promote accessibility.

They also considered it was in breach of PPS1 in terms of layout and design; of the Regional Spatial Strategy; and of Stoke-on-Trent's existing City Plan.

The officers' report was under-pinned by the views of a specialist retail consultancy – Martin Tonks Town Planning – which updated to December, 2008 a detailed report first undertaken in autumn, 2007, when Tesco first started to advance plans to nearly double the size of its store.

The Stoke-on-Trent officers' report also mirrored and firmly endorsed the views of Newcastle Council, urging refusal as contrary to all these planning policies.

(ii) It will have significant adverse effects on Newcastle and Stoke town centres

The likely adverse impact on Newcastle and Stoke town centres, in particular, is outlined in detail in the Stoke-on-Trent officers' report and the above retail study.

Newcastle is currently suffering, like many town centres, from a growing number of empty shops owing to the recession. It has consistently, however, opposed further out- and also edge-of-town development which would offer a big expansion of comparison goods with consequent impact on retailers in the town centre. One example is refusal of applications to expand the local Morrison's (formerly Safeway) supermarket.

Stoke town centre has also suffered from out-of-town development, including Tesco already at Trent Vale and the development of Festival Park near Hanley (while the old Victoria football ground in Stoke itself has remained fallow).

Stoke officers have concluded, rightly, that the proposed development – which will increase car parking at this 24-hour Tesco superstore from the existing 385 to 601 spaces – will drain further trade away from Stoke, as well as Newcastle.

Significantly, in their further report to Stoke's Planning Committee on 16th September, 2009, officers re-iterated this view, by concluding that the amount of money being offered by Tesco under the proposed S.106 agreement would not offset the harm from diversion of trade from Stoke town centre, and likewise Newcastle.

(iii) It is extremely controversial in undermining the regeneration work of the local Councils, in jeopardising the current status of the NSRP and being contrary to the joint Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy.

The dangers this decision presents to current and future partnership working, and to the standing of the NSRP, have already been outlined above.

Currently, Stoke-on-Trent City Council and the NSRP are working with Advantage West Midlands, our Regional Development Agency, to invest many millions of pounds of public money into regeneration of the various town centres in the City.

In Newcastle, too, the NSRP – and through it AWM – is working with the Borough Council on a Strategic Investment Framework (SIF) to develop a sound basis for retail and town centre development, on a collaborative, not competitive basis with the City.

Yet ad-hoc decisions, of which Tesco is just the latest example, continue to be made by small numbers of members on Stoke-on-Trent's planning committee, which undermine and may very well call into question such investment.

What is now the joint Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy is the result of four years collaboration with the City Council and NSRP as part of our statutory Local Development Framework.

As adopted - following an extensive public examination in front of a planning inspector earlier this year - it is materially the same as that formally submitted to the government in 2008. It has been found to be 'sound' by a Government inspector.

It is the first Core Spatial Strategy to achieve such status in Staffordshire and the second in the West Midlands. It is the first sound Core Strategy in the country, as I understand, to be produced jointly by two planning authorities.

Throughout this statutory document, the aims of targeting investment, including retail, into the strategic and major urban centres – Hanley and Newcastle; Longton, Tunstall, Burslem, Fenton and Stoke – are repeated and repeated.

After all this work, this decision on Tesco by Stoke-on-Trent's planning committee is therefore not only counter to the emerging and now adopted Core Spatial Strategy, it effectively undermines and makes a mockery of everyone's efforts.

Before I conclude, I also want to address one argument which seems to have played a major part in swaying certain planning committee members: namely Tesco's statement that 180 jobs, full- or part-time, would be created by this development.

Along with Stoke's officers and Newcastle Council, I find this argument self-serving, specious and short-sighted because of the impact this decision will have on existing retailers, on regeneration and on employment in the surrounding town centres.

I very much hope, therefore, that the Government Office of the West Midlands will join Newcastle Council, Stoke officers and the NSRP in recommending referral to you and that you will 'call in' the very unsound decision on this application,

With best regards and yours sincerely

Paul Farrelly
Member of Parliament for Newcastle-under-Lyme

