P19-2330.009anc
8th February 2023

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By email RichardA.Gilbert@kirklees.gov.uk
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Dear Mr Gilbert,

Re: Application 2021/62/94029/W | Demolition of existing structures and erection of a foodstore (class E) with associated access, parking, servicing areas and landscaping | former Spotted Cow Pub, New Hey Road, Oakes, Huddersfield, HD3 4BU

we **object** to the above application for planning permission for a Lidl store at New Hey Road, Huddersfield.

We write further to reviewing the letter of Nexus Planning, dated 4th November 2022. The Nexus letter provided comment on our previous correspondence. We deal with the points raised in the Nexus letter under the following headings:

The Location of the Application Proposal and it Proximity to Salendine Nook Local Centre

The confirmation of agreement that the application store is in an out of centre location is noted and welcomed.

With regard to the relationship between the two sites, we do not accept the point made by Nexus that *"the proposed Lidl has a relatively narrow offer, and local residents would still have need to visit the centre to access other goods and services"*.

This is at odds with evidence in respect of the range of goods offered by Lidl. This matter was referenced in a recent article in the Grocer in June 2022:

https://www.thegrocer.co.uk/discounters/aldi-and-lidl-the-story-behind-the-rise-of-a-retail-empire/668146.article.

The article states:

> *"Aldi and Lidl are not only expanding their number of stores, though. Since the last*

recession, they've also been busy building their ranges.

When they arrived in the UK, Aldi and Lidl were LADs, says Shore Capital analyst Clive Black – or 'limited assortment discounters', which only stocked around 600 basic items. In the years since, the SKU count has grown to around 1,800 in Aldi and 2,300 in Lidl.

They've evolved in a very British way, into a mainstream shopping proposition, where one can do a much bigger proportion of the shop, whereas before, certainly for fresh food, people would have gone elsewhere."

This is supported by statements on Lidl's website, which currently states:

"*At Lidl, we're always Lidl on price. On everything from big brands to totally fresh fruit and veg. This means that you could pay less for more, whether you're popping in for essentials or* ***doing your weekly shop***." (our emphasis)

It is clear therefore that the store will provide a wide range of convenience and comparison goods which will impact directly on the trade of the in-centre retail at Salendine Nook and will not facilitate linked trips to the centre.

Where any customers do make a linked trip, it is acknowledged by Nexus that *"Such linked trips may be taken by car as part of the same single journey, particularly as Salendine Nook is close to the application site*". This is not a sustainable approach to planning retail development.

<u>The Sequential Assessment</u>

In regard to the sites noted in our earlier objection letter, the Local Plan designation of the sites as Urban Greenspace or Housing Allocations were noted by the applicant as considerations in respect of their availability and suitability for retail development. This has also been accepted by Nexus. For consistency the Council should take the same stance in regard to the suitability of development of the allocated housing site at the Former Spotted Cow.

<u>The Household Shopper Survey</u>

We do not accept the points made by Nexus and we retain our view that the Household Survey does not accurately reflect the trading position of the Salendine Nook Local Centre, which is suggested to be overtrading by the 2021 survey.

At the time of the survey in July 2021, the country was still affected by the implications of the pandemic. The re-opening of non-essential retail facilities did not occur until 12 April 2021, as Step 2 of the Government's staged roadmap to lifting the lockdown. In view of the emergence of Coronavirus variants, Step 4 of lifting the lockdown was delayed until 19 July, when all restrictions

were lifted.

It is likely therefore that amended shopping patterns as a result of the pandemic persisted beyond the date of the applicant's survey. Such changes included increased use of local shops and on-line shopping. We consider that the findings of the survey are not representative of "normal" shopping activity.

We would also question Nexus' reference to the similarity of the 2021 survey findings to the figures arising from the Council's 2016 Retail update, in regard to Salendine Nook. Looking at the figures in the two surveys reveals that the turnover of Salendine Nook derived from Zone 5 is 20% higher in the 2021 survey than it was seen in the Council's 2016 update. Applying this comparison to other stores covered by both surveys also suggests significant inconsistency between the two surveys. We illustrate the findings for Zone 5 below:

- Aldi Milnbridge – 2021 survey turnover **9% higher** than 2016
- Linley District Centre – 2021 survey turnover **212% higher** than 2016
- Aldi Ringway - 2021 survey turnover **45% lower** than 2016
- Lidl Castlegate - 2021 survey turnover **120% higher** than 2016
- Tesco Viaduct - 2021 survey turnover **65% lower** than 2016

We therefore retain our concerns regarding the reliability of the survey derived turnovers used in the applicant's assessment and re-state that we consider that the existing turnover of Salendine Nook is overstated in the assessment, with the consequence that the impact assessment under states the impact of projected trade diversion.

<u>The Turnover of Existing and Proposed Provision</u>

Nexus' point regarding the potential to restrict the store's net sales floorspace is noted, however the point remains that the gross size of the store is out of scale and provides an unusually low proportion of net sales area. The larger storage area would allow for the store to trade at a higher trade density than the company average.

This would underline the concerns we have expressed in our previous objections, that the new store would trade more efficiently than the company average, resulting in a greater impact on existing in-centre provision than suggested in the applicant's assessment..

<u>The Cumulative Impact Assessment</u>

Whilst Nexus state their expectation that the Castlegate Lidl store would be occupied by a comparison goods or leisure operator, we have stated previously that there is no restriction or planning agreement in place guaranteeing this. Accordingly, for robustness the planning assessment should have assumed that the store would be re-occupied as a convenience

foodstore.

With regard to the new store at the former Kirklees College site, we note that the new store will be nearer to Salendine Nook than the existing Lidl at Castlegate. The existing Castlegate store is seen from the applicant's retail study to be drawing some £1.7m in turnover from Zone 5. As a new modern foodstore, the Kirklees College store would prove to be more attractive than the existing Castlegate store to residents in the natural catchment area of the Salendine Nook Centre. We therefore do not accept Nexus' point that "*Very few shoppers in the Salendine Nook area will forego more convenient alternatives to shop instead at the Kirklees College Lidl"* and "*Kirklees College development will have a very limited impact upon Salendine Nook local centre"*.

The retail provision in the area is already being increased through the recently consented provision of the new Lidl at the College site and the new Aldi at New Hay Road. A further store at the application site would add further to the cumulative impact affecting the Salendine Nook Centre and, as we have identified in previous objections, the Council should be looking to protect the vitality and viability of existing retail centres from the impact of new out of centre provision.

<u>The Acceptability of Impacts</u>

We do not accept the view of Nexus on the acceptability of the level of impact. The suggested impact of circa 16% is underestimated for the reasons stated above – overestimation of the current turnover of the Salendine Nook Centre, underestimate of the turnover of the new Lidl Store and insufficient consideration of the College site and the Castlegate sites within the applicant's impact assessment.

We consider that the impact on the centre will be significantly adverse, and the Council should consider the proposal to be unacceptable, as a consequence of being contrary to with national and local planning policy.

Conclusions

We have reviewed the comments provided by Nexus on our previous letter and we maintain our view that the proposal will have a significant adverse impact on the Salendine Nook Local centre.

In regard to the sequential test, other site allocations in the local plan have been used to justify dismissing alternative sequential sites whereas the local plan allocation for housing development has been overlooked in regard to the suitability of the proposed site.

The proposal is clearly contrary to the allocation for development of the site included in the local plan.

Accordingly, we maintain our view that the application should be refused planning permission and we therefore object to the application. As we pointed out previously, the Council has refused the

previous planning application for sound reasons and the applicant has not provided a justification for coming to a different decision.

We trust these comments will be considered in determination of the planning application.

Yours sincerely