

# MONKS CROSS RETAIL DEVELOPMENT PROPOSALS

## YORK ENVIRONMENT FORUM RESPONSE

These comments refer to the following applications: 11/02205/FUL; 11/02206/FUL; 11/02199/OUTM; 1/02581/OUTM. These applications propose in total an additional 356,000 sq.ft. of comparison retail space.

### SUMMARY

Approval of these applications would imply a radical policy change by the Council. The policies currently in place have been subject to extensive public consultation and have been agreed by the Council. They have been updated and incorporated into the Core Strategy Submission (Publication) which is shortly to be presented for public examination by a Government Inspector. Any significant changes would require the document to be resubmitted for public consultation, possibly involving a public enquiry, which would delay the process, could have undesirable political consequences, and in any case have an unpredictable outcome.

The Forum does not believe that an unarguable case for overall public benefit has been made by the applicants. It considers that the abandonment of well-established guidelines which are by now so embedded in Council policies would be a mistake, it would establish undesirable precedents which would be difficult to counter, and lead to lack of public confidence in the planning system.

This response describes in some detail the origins of these policies, how they came to be formulated, how consistent they have been over time, and explains why the applications should be refused .

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**1-** The **Draft Local Plan- 4th.set of changes 2005** (unadopted but in place for Development Control purposes), the **LDF City Centre Area Action Plan**, the **"YORK-New City Beautiful"** report and the **LDF Core Strategy Submission** documents underline the importance of the City centre as a focus for retail activity, where Castle-Piccadilly, Stonebow and York Central are the prioritised areas for retail expansion.

**2-** Para.10/1 of the Local Plan....."**seeks to direct new investment to the city centre to counter continual pressure from out-of-centre developments**". Para.10/11 states that ...."**The positive capacity residual in the comparison sector does not imply that there is scope for further out-of-centre development**". At that time Castle Piccadilly, George Hudson Street, and land at

Foss Island were identified as appropriate comparison shopping sites in the city centre. Para.10/23 envisaged that York Central could include an element of retail, and paras.15/1-15/11 expand on the site's potential, although at that time this was not quantified.

2/1- There was also concern that the growth of out-of-centre retail warehouses could affect both the city centre and district centres, expressed in paras. 10/24-10/27, where severe restrictions on types of goods to be sold and the size of units and their possible sub-division were incorporated. ***"The range of goods being sold from retail warehousing is an ever-increasing one. The potential of such units to compete with the City Centre could also increase unless conditions are imposed to restrict this."*** The imposition of a minimum unit floor area was to...***"...prevent occupation by smaller specialist comparison goods shops such as those normally to be found in the town centre"***.

2/2- The need to safeguard land for employment was recognised, particularly considering the restrictions on greenbelt land development. Para.8/15 states...***"It will be difficult to replace land designated for employment use if this is developed for other uses. Therefore applications for uses other than B1,B2 or B8 will be refused planning permission unless the applicant's proposal conforms to criterion (a) to (d) under policy E3b"***. The area south of Monks Cross was designated for employment as E1a.3. The Forum does not believe that these criteria could be met.

3- In Oct.2010 the LDF Working Group, updating the York Retail Study of 2008, recommended that ***...the Core Strategy Retail policies should no longer include an objective to increase York's market share to a set target of 34% and instead to be based on the need for York City Centre to remain vital and viable and to provide for local need rather than its relative performance against other centres. By focusing development and investment in the City Centre the market share will in turn increase as York becomes more competitive with competing retail destinations."***

3.1- It added the caveat that, having acknowledged the importance of the Castle-Piccadilly scheme to the future of the city centre...***"it is important to ensure that other retail commitments are not made that could undermine commercial confidence in executing the scheme and securing its full occupation and integration into the city centre"***.

3.2- The Retail Study noted that ***"..... Monks Cross and Clifton Moor are taking a growing proportion of spend from the full spectrum of comparison goods categories.....This has had a detrimental effect on the ability of York City Centre to retain its market share for these goods."***

3.3- It also pointed out that .....***"Longer- term expansion beyond the Central Shopping Area must also be sensitive to the fact that the city centre relies to a large extent on the success of its retail function to provide economic support to its historic buildings."***

4- The City Centre AAP Issues and Options report , feeding into the Core Strategy, had already expressed concerns over....***"....the success of competing "out-of-centre" retail destinations(e.g.Monks Cross and the Designer Outlet at Naburn) and the increase in internet shopping."*** It confirmed the Retail Study's emphasis on....***"....the importance of the city centre for comparison retailing ....and that the city centre should be the priority location for new retail development in order to retain its regional shopping position.....The strategy will also ensure that capacity is first directed to the existing retail core"***.

5-***"YORK- NEW CITY BEAUTIFUL- TOWARDS AN ECONOMIC VISION"***was published in 2010. Much of it was accepted by the Council and incorporated in the final Core Strategy Submission (Publication) document. From the outset it acknowledged that....***"York is competing with smart new city centre investments in places such as Hull, Leeds, and further afield.....It also faces competition from its own out-of-town locations"***. It notes that...***"Castle Piccadilly is a key development site in terms of implementing the vision and supporting the city's economic future.....Redevelopment should take place in a phased and planned manner with York Central. The priority should be to address the city centre first, to attract the maximum private sector investment to the city core, the city's most important economic driver"***.

5.1- Commenting on Monks Cross it emphasises that...***"While recent development at Monks Cross has been predominantly retail and office based this major development area must now focus on strategic employment opportunities. This will help ensure that development does not compete with the city centre offer and will further help to provide the city with a balanced portfolio of land"....."*** The city should seek to ensure that new retail and commercial development is focused on the city centre in the first instance, to support the long-term vision of strengthening the city centre as a location for private sector investment..... ***Monks Cross has an important role to play in providing the city's strategic employment location, for uses that are either too large or inappropriate to be sited in central areas"***.

6- The LDF Core Strategy is now to be subject to Public Examination under a Government Inspector. It has been prepared subject to an exhaustive evidence base which has included detailed examination of retail and employment issues.

6.1- In the background introduction it notes (para.1.26) that....**"It will be important to support employment in the City Centre and other key employment locations..."** of which Monks Cross south is one. These concerns are codified in Policy CS16 later in the document.....**"Proposals for non-employment uses which involve the loss of land and /or buildings which are either identified (etc).....will only be permitted where it can be demonstrated that the proposal would not have a detrimental effect on the future supply of employment land..."**. It also points out (para.1.35) that the performance of the district and smaller centres....**" has suffered as a result of the out-of centre food stores and developments at Monks Cross and Clifton Moor"**, referring here to the comparison as well as the convenience outlets.

6.2- There is no question that the applicants' proposals will generate more car-borne traffic. It warns that (para.1.51)....**"Even with all the reasonably practicable and deliverable transport investment in place , congestion delay across the network will double by 2026"**. The LDF will play a key role in addressing the City's transport issues ...**"Firstly, by reducing the need to travel....."**. The out-of-centre developments proposed would require the opposite approach if they were to be commercially successful.

6.3- It confirms previous policies on retail development ....**"This will include the development of the Castle Piccadilly Major Development Opportunity and the Stonebow area initially, and then the York Central Strategic Allocation...."** Further out-of centre comparison retailing is not to be considered. Under its "Spatial Principle 1" .....**"York City Centre is identified as the main focus for retail....."**. The three centres where retail, leisure and office development should be focused (para.3.5) are.... **"York's City Centre....Acomb District Centre....Haxby District Centre..."** Monks Cross is not identified as a priority.

6.4- In "Section 5:York City Centre" (paras.5.1-5.4) the Strategic Objectives, Targets and Policy CS2 reinforce the role of the centre's retail function, and it reiterates the views expressed in the "City Beautiful" report on the important role of the centre. (para.5.10).....**"York's main retail offer lies within the heart of the city and will be enhanced through additional new retail development...."**.That the Council is committed to the rejuvenation of the centre which is.....**"...the economic , social and cultural heart of York..."** is not in doubt (para.13/8).

6.5- York Central (para.6.9).....**".....is identified in the Retail Study as the next sequentially appropriate site for future retail development....."**. Policies CS15 and CS16 again emphasise the importance of the City Centre and the need to safeguard employment land.

6.6- In "Section 14:Retail" highly accessible retail locations will be considered provided that they...***"will not have an unacceptable impact on the City Centre"***.Policy CS17 prioritises areas for retail development , and notes the need for a sequential approach to other out-of-centre retail development. Paras.14.3-14.7 deal in greater detail with retail issues, the most important of which is para.14.6.....***"The amount of comparison floorspace in out-of-centre retail destinations will not be expanded....."***.

## CONCLUSION

This response does not deal with the detailed arguments put forward in support of the applications. The Environment Forum regards issues such as traffic generation, ease of access by non-car modes, increases in the city's carbon and ecological footprints, effects on biodiversity, the viability of the proposed stadium and the hypothetical ancillaries proposed as community benefits, not to mention any adverse effects on the city centre's economic welfare, as being of the highest importance, meriting detailed scrutiny.

Concerns over these aspects of the applications have been expressed elsewhere at some length, but in this instance they do not form part of the Forum's case.

The fact that the developer's proposals for Castle Piccadilly are not yet in the public domain makes it impossible to evaluate any impact assessment and undertake sequential testing of the proposals. Here we should point out that the Council, acting on behalf of York residents, has a direct interest in the land allocated for Castle Piccadilly, and has a vested interest in ensuring its success.

The Forum's objection to the applications is quite simply that they can have no justification under Council policies, which have been outlined in some detail in this submission, and which have been consistently applied over several years and under different administrations.

The applications should be refused.