

ASSESSMENT OF THE NETTO/ASDA PLANNING PROPOSAL FOR TODMORDEN
A report prepared for the Todmorden Business Association (Dec 2010)

Executive Summary

The Netto/ASDA proposal is to enlarge the present building, by extending into the existing car park, to a size comparable with the other Todmorden supermarkets, Morrisons and Lidl. Accordingly, the proposal is to demolish the Abraham Ormerod building and to provide a new car park on the site.

We believe that granting this proposal:

1. would be counter to national and local policies,
2. would be detrimental to the local economy,
3. would cause traffic congestion;
4. would have a negative impact on the character of Todmorden and its Conservation Area

These concerns are summarised below:

1. Granting the proposal is counter to POLICY GUIDANCE

National Policy

The key Government objective for town centres is set out in **Planning Policy Statement 4 (PPS4) "Planning for Sustainable Economic Growth"**. This policy statement supports the promotion of the vitality and viability of existing centres by planning appropriate growth and development. An underlying concern of PPS4 is to reverse the decline of town centres caused by past development of out-of-centre superstores.

The Netto/ASDA proposal would not **"build a prosperous community"** nor would it **"deliver a more sustainable pattern of development"** or **"promote the vitality and viability of the town centre"** or **"provide innovative shopping facilities"** or **"conserve the historic and architectural heritage"**, all of which are Government objectives stated in PPS4.

The proposal is counter to no less than eleven policies in PPS4; namely, EC2.1b, EC3e, EC3biii, EC4.1b, EC4.1c, EC4.1e, EC4.1f, EC5.1d, EC5.1e, EC10.2 and EC13.1b.

Local Policy

The **Unitary Development Plan** underpins Calderdale Council's corporate priorities to deliver the **Vision for Calderdale**. Including **"the promotion of sustainable economic growth, respecting local heritage and improving our towns villages and neighbourhoods"**. The proposed development contravenes three key policies of the UDP, including;

- ▶ **Policy GS1**, which seeks to **"safeguard the vitality, viability and attractiveness of [town] centres."**
- ▶ **Policy S2**, which aims to stop developments that **"create... unacceptable environmental, amenity ... or other problems."**
- ▶ **Policy GP1** pledges the Council to encourage **"sustainable development which incorporates employment opportunities."**

2. Granting the proposal will be DETRIMENTAL TO THE LOCAL ECONOMY

The impact on the local economy of Todmorden from a third large supermarket is **real** and **damaging**. Evidence from many towns across the UK, and also from the **WYG Retail Report (2009)**, commissioned by Calderdale MBC, shows that inappropriate supermarket development is a direct cause of:

- ▶ a loss of small independent retailers with consequent
- ▶ net loss in employment,
- ▶ reduced consumer choice;
- ▶ a reduction in the local identity of a rural market town

3. Granting the proposal will cause TRAFFIC CONGESTION

A large supermarket on this site would cause traffic problems as a result of both customer vehicles and delivery vehicles, both of which are grossly underestimated in the application.

The proposed entrance is poorly sited as it is:

- ▶ close to the mini-roundabout intersection of the A6033 with the A646, which is a busy, major through route carrying all traffic to and from Burnley to Rochdale and Halifax,
- ▶ close to the busy outdoor market with its foot traffic and deliveries,
- ▶ directly opposite the bus station,
- ▶ opposite the Stansfield Road intersection where the ambulance and fire station are situated;
- ▶ with poor sight lines to oncoming traffic and a pelican crossing caused by a bend and the substantial railway viaduct.

Experience with road works in this stretch of road, has shown that congestion at this point on the A646 increases traffic on a residential “rat-run” used to avoid delays in the town centre.

It is clear that granting this application will increase traffic congestion, negatively affect public transport, hamper movement on foot around the town centre and create hazard to both vehicles and pedestrians.

4. Granting the proposal would damage TODMORDEN’S CONSERVATION AREA

The proposed development lies within Todmorden Conservation Area*, which is already on English Heritage’s “Conservation Areas at Risk” register. The Conservation Area is so designated by Calderdale to preserve that which is “**special and distinctive**” about the town by handing down our “**local heritage**” to future generations. The Conservation Area preserves our “**sense of place**” and so underpins “**community cohesion**.”

The current application raises two key conservation issues:

- ▶ The impact from the demolition proposals for the two affected buildings.
- ▶ The impact from the character and materials of the proposed supermarket.

Impact from demolition

Both the former medical centre and the former cinema are individual and distinctive and of particular historical interest. Furthermore, they and the site provide the setting for the Grade II listed railway viaduct. Conservation is as much about the character of “**the spaces between buildings**” as the structures themselves. Complete demolition of the one building and reduction of the other to a meaningless facade on the side wall of the proposed supermarket contravenes both national and UDP conservation planning policy. For example, the proposal does not comply with

- ▶ Section 72 of **Planning (Listed Building and Conservation Areas) Act 1990**,
- ▶ Policy HE7 of **PPS5 “Planning for the Historic Environment”**,
- ▶ Policy EC4 of **PPS4 “Planning for Sustainable Economic Growth”**
- ▶ Policies BE15, BE18, BE19, and T18 of the **Calderdale UDP**.

Character and materials impact

The proposed supermarket will be constructed of low-quality, cheap, artificial materials without local reference, which will weather poorly and look shabby very quickly. Since it doesn’t respect local architectural character in scale, form, design or materials, it fails to comply with **Calderdale’s UDP** Policies GBE1, BE1 and S2.

Detailed Report

1) POLICY GUIDANCE

a) National Policy

The Netto/ASDA proposal fails to satisfy six elements of government policy in planning for sustainable growth specified in PPS4.

1. Plans should promote vitality and viability and plan for growth

The key Government objective for town centres is to promote their vitality and viability. An underlying concern is to reverse the decline of town centres caused by past development of out-of-centre superstores. With regard to town centre development,

Policy EC4.1b states:

“There should be a strong retail mix where the range and quality of retailers meets local needs” and “The importance of smaller shops and markets to the overall character and vibrancy of centre should be recognised”.

The character and spirit of Todmorden is heavily reliant on its small shops and market, the viability of which will be undermined by more supermarkets in the town.

2. Existing centres should be retained and enhanced

There are a further six PPS4 policies that rule against permitting this development.

Policy EC4.1c states: ***“LPAs should support shops in local centres”***,

Policy EC4.1e says: ***“Existing markets should be retained and enhanced”***

Policy EC4.1f requires ***“measures to be taken to conserve and enhance the established character and diversity of their town centres”***.

Policy EC2.1b requires that LPAs ***“should ensure that their development plan supports existing business centres”***,

Policy EC3e development should ***“define any locally important impacts on centres”*** and

Policy EC3biii states: ***“where existing centres are in decline, consider the scope for strengthening these centres”***.

3. **Plans that affect shops & fail to protect existing facilities should be refused.**

Policy **EC13.1b** recommends:

“refusal of planning permission on applications that affect shops and fail to protect existing facilities”.

The evidence is that Todmorden’s small retail units are struggling to survive. The number of vacancies has increased markedly since 2000 from 22 to 32 units in 2009 (WYG Report para. 5.21)¹. We identify one of the reasons for this is competition from the relatively large supermarket provision (3,750 sq m) within and in close proximity to Todmorden centre serving a population of 11,520. Compare this with Hebden Bridge where a supermarket of 1,040 sq m suffices for the same size of population (11,527), (WYG Report para.8.98)¹. Todmorden is not alone. Small towns in the UK as a whole are suffering damage to traditional retail trade from supermarket competition. A 2002 study showed the food market retail share by independents had been reduced to 6% while the supermarkets’ share increased to 88%.²

4. **The real job losses need to be considered**

Policy **EC5.1d** specifies that, Local Planning Authorities must not only:

“assess the impact on existing centres”, but

Policy **EC5.1e**

“consider employment opportunities”.

The superficial view is that the current proposal would create jobs locally, but this fails to take into account job losses incurred by independent retailer closures. The National Retail Planning Forum, actually financed by the supermarkets themselves, found that despite the job gains when a large supermarket opens, on average there is a net loss of 276 full time jobs within a 15km zone around the store, through closure of smaller specialist food retailers and other small businesses that previously serviced the small shops³. Also, most supermarket employees are low paid. Figures from the National Earnings Survey 2001 show that check-out operators and shelf stackers are eighth and tenth worst paid jobs respectively.⁴

5. **Sustainability is a key consideration**

Another of the Government objectives embodied in PPS4 is to deliver more sustainable patterns of development and to respond to climate change.

Policy **EC10.2** recommends:

“limitation of carbon emissions”.

Supermarkets score poorly on sustainability. They have very long supply chains, the vast majority being serviced by road freight with associated fuel-generated carbon dioxide emissions.⁵ Also, the size and cheap construction of supermarkets means they are wasteful of energy.

A Sheffield Hallam University study found that superstores are the most energy inefficient buildings in the retail sector.⁶ It would take more than 60 corner shops and greengrocers to match the carbon dioxide emissions from one average sized superstore.⁷ Of course, this proposed supermarket is smaller than average, so the inefficiency margin will be less, but, even so, the principle still holds.

6. **Size matters** (out-of-centre /edge-of centre/in centre development)

The implementation of Government guidelines with regard to out-of-centre /edge-of centre/in centre development must be considered in context. While highly relevant to a major town, they are far less relevant to a centre the size of Todmorden. You can walk across Todmorden Town Centre in less than 5 minutes, so a supermarket technically at edge-of-centre is essentially central, whereas an edge-of-centre store in, say, Halifax would be relatively inaccessible, (see fig 1). Consequently, the WYG classification of Morrisons supermarket in Todmorden (50 metres from the UDP town centre boundary) as an out-of-centre store is inappropriate. Shoppers regularly walk to and from the Morrisons store, (see Fig 2).

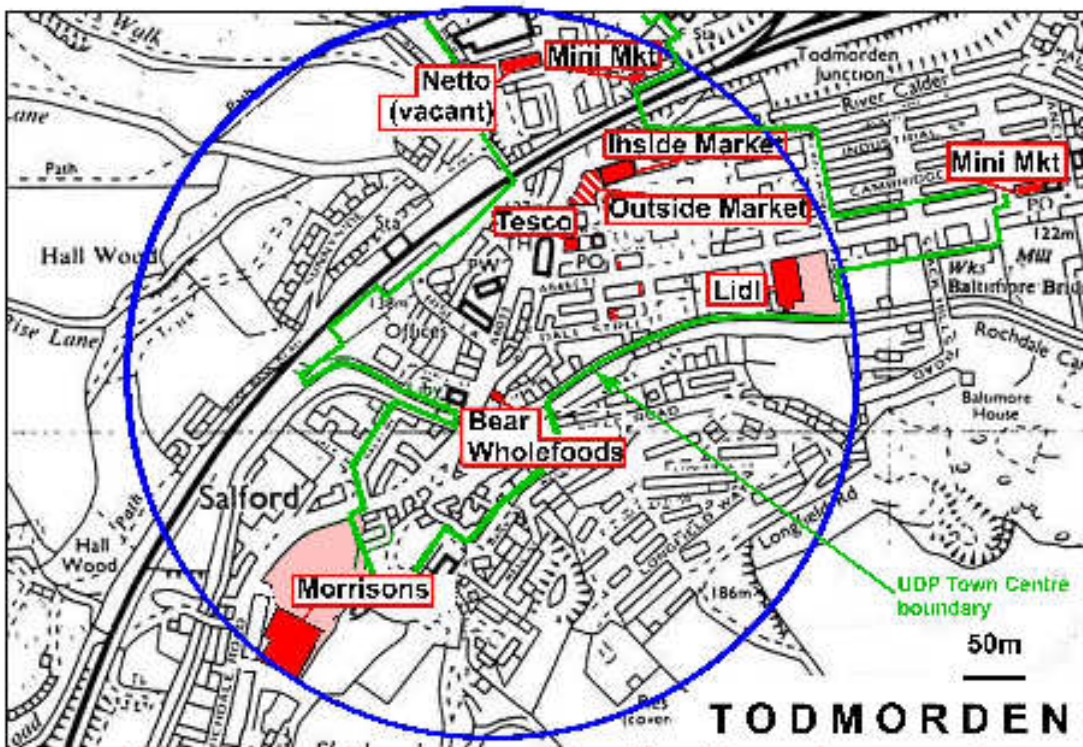


Fig 1. "The amount of convenience floorspace in the town centre is well above national average", (WYG Report 2009).

There are four supermarkets, one vacant since 2008, and five independent convenience retailers within a radius of 350m. There are also seven such retailers operating from the market.

NOTE: Part of the car park of the so called "out-of-centre" Morrisons is within the town centre boundary

Similarly, it is inappropriate for WYG to classify the Lidl supermarket, 50 metres inside the boundary, as an edge-of-centre store. The Morrisons and Lidl stores in Todmorden are only 500 metres apart. Todmorden is the second smallest town centre in Calderdale (WYG Report para 5.20)¹ and its small size is a critical context in applying these particular Government guidelines. Taking its size into consideration, Todmorden currently has two large supermarkets. It surely does not need a third. There is further supermarket style convenience store provision in the form of a Tesco “One-Stop” convenience store.



Fig 2. Todmorden Morrisons; Easily accessible on foot.

b) Calderdale’s Local Development Framework/UDP Policies

Another key issue is that the plans do not satisfy Calderdale’s Retail Strategy and will fail to achieve the council’s aims for a “**Vision for Calderdale**”. Calderdale’s policies iterate the same concerns as national policies. Many of these will be undermined by increasing supermarket development in Todmorden,

The Council’s priorities for delivery of the Vision for Calderdale include:

“the promotion of sustainable economic growth, respecting local heritage and improving our towns villages and neighbourhoods”.

The key Calderdale policies are:

Policy **GS1**, which seeks to:

“safeguard the vitality, viability and attractiveness of [town] centres.”

Policy **S2** the development must:

“create no unacceptable environmental, amenity or other problems.”

Policy **GP1** looks to

“encouraging sustainable development which incorporates employment opportunities.”

All the evidence from small market towns elsewhere in the UK (e.g. the Matlock Survey (2008) ⁸, Hulme, (2009),⁹ demonstrates that further supermarket development will not uphold these policies.

2) ECONOMIC IMPACT

Introduction of supermarkets in small towns reduces the number of customers of independent retailers, reduces footfall, causes closure of businesses, the laying-off of staff and reduced staff working hours. Town centres also lose individual identity that has been acquired over time through heritage and diversity and become clones of other town centres as a result of the identikit facades of national store chains.

a) Diversion of customers from the High Street

Small-scale retailing entrepreneurs are particularly damaged by supermarket “loss leaders”; the promotion of goods cheaper than an independent retailer can buy from a wholesaler.¹⁰ In 2000, ASDA/Wal-Mart was found guilty of breaking German law by selling a range of grocery items at below their cost price. Although other European countries have legislation to prohibit this practice, it is still legal in the UK. Retail analysts believe that the decline of the High Street cannot be reduced without introducing such measures into the UK.

b) Revenue leaves the local area

On average, 80% of money spent in a supermarket leaves the local economy, whereas 80% of the money spent in a local business stays local.¹¹ As local businesses are far more likely to re-spend locally the money has a “local multiplier” effect; the more money that circulates around a local economy the more that money is worth and the local economy strengthened.¹² This is well recognised by Calderdale’s award-winning “Totally Locally” campaign, which aims to get more people into town centres and to spend their money in local shops.

c) Reduction in footfall

Most high streets have experienced a loss in the number of shoppers and many ascribe this to development of new supermarkets. For example, when a new Tesco employing 188 staff opened in Stalham, Norfolk, some areas of the town centre suffered an 87% reduction in footfall.¹³ Local retailers suffer the consequences and the problem is exacerbated by shoppers discouraged by the resulting decline in the shopping environment.

d) Shop closures

The adverse effect of supermarket competition causing the closing of independent shops in town centres, is well documented^{3, 11} and the consequent impact on community cohesion and the vitality of the centre^{10, 19}. Some towns are seeing shop closures of 20% or more.¹⁴ Between 1997 and 2002 more than 13,000 specialist stores around the UK closed. Now the small independents' share of the grocery market has fallen to just 6 percent, while the multiples' share has increased to 88 percent.² A report from Manchester Metropolitan University suggests that at the current rate of demise, there will be no independent retailers left anywhere by 2050.¹⁵

The All-Party Parliamentary Small Shops Group investigated the future of small shops in the UK. Its report "High Street Britain: 2015", released in January 2006, predicted a bleak future for independent shops.¹⁶ The report predicted that independent convenience stores were unlikely to survive by 2015 and independent newsagents were very unlikely to survive. The report argued that the social and economic benefits of diverse forms of retail should be protected.

The WYG Retail Report (2009)¹, commissioned by Calderdale repeatedly identifies the threat to independent stores from supermarket competition. This is a recurring theme in the SWOT analysis for each town centre, (paras. 5.10 – 5.26).

For example:

Todmorden: *“Lidl may dominate the retail market leading to closure of independent stores”.*

Elland: *“Co-op and Somerfield may dominate the retail market leading to closure of independent stores”.*

Brighouse: *“continued expansion of goods sold at large format supermarkets is a threat”.*

Sowerby Bridge: *“Increased competition from supermarkets selling a wider range of non-food goods is a threat”.*

The 50% shop vacancy increase in Todmorden since 2000 referred to above (WYG Report, p.5) can largely be ascribed to competition from Morrisons and Lidl. The SWOT analysis for Todmorden only considers the effect of the Lidl supermarket on independent stores and omits Morrisons on the grounds that it is “out of centre” (but see above). However the cause of the damage to the independent convenience stores from Morrisons is clearly shown in para. 6.10 of the WYG report: **“Todmorden only retains 4% of shopping trips”** while the **“... Morrisons store attracts 64% of shopping trips”**.

This is reinforced by para.6.22 of the report: **“Todmorden attracts the majority of its top-up-shopping from its zone..... with all of these trips being linked to the local shops. The main attractor outside Tod town centre is Morrisons (33%).”** Para 8.131 states **“The Household Survey identifies the existing facilities in Todmorden achieve a convenience goods market share of 5.9%. Most of this expenditure is directed to Morrisons (74%).”**

It is hardly surprising that Morrisons attracts convenience shopping away from independent traders. It has a large, free car park, is within easy walking distance of the centre and it provides a bus service to its door from outlying housing estates.

The consequence to the local economy is severe and Todmorden residents can vouch for a decline in the town’s prosperity in recent years. It is significant that WYG Report para. 5.20, states:

“Management Horizons Europe 2008 shows that Todmorden centre ranks 1,950th nationally, which represents a decline of 602 places since 2004”.

Permission for the Netto/ASDA development would cause a further decline in independent retailers in Todmorden, many of which are nearing breaking point.

e) Employment losses

There are many reports of misleading job creation claims by supermarkets despite the definitive survey showing average net job losses of 276 jobs within 15 km of a new supermarket development² (referred to on p5). For example, a local trader in Stalham, Norfolk stated **“When the supermarket arrived near the town they claimed they would create 188 jobs but the net employment loss to Stalham town centre has been far greater. The knock on effect to my staffing structure was massive, I had to let 25 percent of the staff go to keep the business profitable.”**¹⁷

The impact of development of a third large supermarket in Todmorden would be very damaging – **“The straw that breaks the camel’s back”**, as one trader puts it.

The usual number of employees for a supermarket of the size of the Netto/ASDA application is about 130, many part time employees.

On the other hand, Todmorden could lose 70 jobs on the indoor market, 60 jobs on the outdoor market, a comparable number of jobs in small shops and other retail establishments and perhaps 30 jobs in local cafes and restaurants. The knock-on effect would be further job losses with local suppliers as local traders disappear and still more in local accounting and law companies that service local traders. The total job losses could exceed 350.

f) Loss of town's individual identity

The interest and diversity of Todmorden town centre is crucial to its vitality and viability, both for the benefit of those who live here and for those who visit. That diversity comes largely from the presence of independent retailers. The visitors who come to Todmorden because it is interesting and different - the tourists - make an important contribution to the local economy. This type of visitor is unlikely to come for yet another ASDA store.

If this supermarket development is permitted, it will be the tipping point for inviability for many of the independent retail shops and market traders. Todmorden will cease to be unique and will be like everywhere else. Loss of identity in small market towns as a result of supermarket intrusion has become a UK wide phenomenon. A report by the New Economics Foundation (NEF) from 2005, "Clone Town Britain" ¹⁸, found that chain retailers are damaging to the local economy, social inclusion and local identity. This report says:

"In the place of real local shops has come a near-identical package of chain stores replicating on the nation's high streets. As a result, the individual character of many of our town centres is evaporating. Retail spaces once filled with independent butchers, newsagents, tobacconists, pubs, bookshops, greengrocers and family-owned general stores are becoming filled with supermarket retailers..... Between 1997 and 2002 specialist stores like butchers, bakers and fishmongers shut at the rate of 50 per week."

The response of the independent retailers must be to ***"up their game"*** with goods and services not provided by supermarkets. The WYG report (para 2.37) states:

"...retailers which combine a strong high street offer with a well-represented and closely related e-tailing offer will have a positive outlook."

This is beginning to happen. Some Todmorden market traders now use whiteboards on which to display information on locally produced food and this is reinforced by the publicity of the "Incredible Edible" campaign. Some traders are now planning to develop an internet presence and offer a home delivery service. This demonstrates that Todmorden's independent retailers are fulfilling an objective in PPS4 in ***"provision of innovative shopping services in town centres"***. It is such developments as this and campaigns such as "Totally Locally", rather than the introduction of yet another supermarket that will retain and enhance the town centre's "viability and vitality".

3) TRAFFIC

The A646 is the major through route in Todmorden, providing a direct link along the valley from Halifax to Burnley (and then on to Rochdale via the A6033). It is a busy and significant road and carries a wide mix of traffic. The entrance to the proposed Netto/ASDA supermarket is sited on this road close to the hub of the town centre.

A far larger number of vehicles will be using this entrance than traffic generated by the previous supermarket. Based on real figures of current activity at the "Morrisons" store, of comparable size to that proposed, the number of vehicles using and servicing the Netto/ASDA store has been considerably underestimated in the application. At peak times Morrisons have in the region of 350 customer vehicles per hour, whereas the application estimates between 78 and 115 per hour.

The number of delivery vehicles has also been underestimated by some 30%. Since ASDA stores carry a larger number of lines than existing supermarkets in Todmorden the number of delivery vehicles will be nearer the current Morrisons average of 27 per week rather than the proposed 20.

Given this level of vehicle movements, we identify five problems with the siting of this entrance, which is:

- a) close to the mini-roundabout intersection of the A6003 with the A646.
- b) close to the busy outdoor market with its foot traffic and deliveries.
- c) opposite the Stansfield Road intersection where buses exit from the bus station.
The ambulance and fire stations are also situated on Stansfield Road, so emergency vehicles will have to jostle with the congestion created by the supermarket.
- d) The entrance has poor sight lines to oncoming traffic and a pelican crossing due to the location of a bend and the substantial railway viaduct.
- e) The resultant traffic congestion will intensify the use of a "rat-run" on residential side streets to by-pass the town centre.
- f) In addition, customer numbers have been underestimated so the proposed car parking facilities are inadequate.

a) The mini-roundabout by the Town Hall at the junction with the A6033

This junction is only 180 m from the proposed entrance and, at busy times, congestion at the roundabout brings traffic to a standstill for some 200-250 m back along the Burnley Road well past the Stansfield Road junction and the proposed supermarket entrance. Vehicles exiting the supermarket will have to merge with existing traffic, the difficulty increasing at peak times and exacerbating existing congestion. The traffic problems at the new Tesco store in Sowerby Bridge are testament to the consequences of underestimating the difficulty of co-ordinating the volume of traffic flow generated by a supermarket located on a major road.

The difficulty is recognised in the application and the provision of a junction controlled by traffic lights is supposed to solve it. However, the resultant interruption of traffic flow generated along the major road will periodically bring traffic to a standstill, not just on the A646 Burnley Road, but also extending to the A646 Halifax Road and on to the A6033 Rochdale Road. The town has already had the experience of precisely similar traffic light control at this location with gas main renewal in Jan- Feb 2010, which was profoundly disruptive.

b) The outdoor market

The busy outdoor market is 75 m away from the proposed entrance. Twice daily delivery vans restrict the width of the A646 at this point adding further impedance to traffic flow. The associated pelican crossing carries a large volume of foot traffic generated by the market, which will add to intermittent interruption of vehicle movement on the A646. If the pedestrian crossing is moved to a less convenient point in order to accommodate the traffic control at the new supermarket entrance, shoppers will jay walk across the main road.

Consequently, the positioning of the new entrance to the store will not only cause traffic congestion but also danger to pedestrians. Two of the supposed benefits claimed in the application are false. If pedestrian access is difficult and there is increased traffic congestion people will not be able to “make linked trips” and “pedestrian facilities in the vicinity” (application paragraph 3.1.5) will not be improved, but rather will be detracted from – inflicting further damage on customer numbers for the market.

c) The Stansfield Road junction

The bus station is directly opposite the proposed supermarket, with both ambulance and fire stations located on Stansfield Road within 50 metres. The emergency vehicles and 15 buses per hour will all enter the A646 via the proposed cross roads and have to jostle with the congestion caused by the supermarket.

d) Poor sight lines

The proposed entrance to the site is very near to a bend in the road, which is also obscured by a substantial railway viaduct only 40 metres away. Beyond this, and also partially obscured, is a pelican crossing (65m). There is clearly potential for accidents when traffic is moving at speed during periods of low traffic density.

e) Car parking

Presumably ASDA would hope to be as or more successful than Morrisons in attracting customers. Based on the number of customers at Morrisons at peak times, the proposed car park is too small. This will cause overspill into the town and will add extra pressure to the local car parking facilities. The applicants' assertion is clearly untenable that the development has the **“potential to mitigate the parking problems that exist within the town centre and the vicinity of the site”**. (Application para 3.1.5).

f) Impact on residential side streets

There is a “rat-run” route, currently used to avoid the Town Centre, which will be used more frequently if this development goes ahead. The route goes from Hallroyd Road via Woodlands Avenue and Stansfield Hall Road to Victoria Avenue. These are residential roads, dimly lit in parts, with cars parked on both sides of the road. The route includes a number of 90-degree bends, steep inclines, and a narrow railway bridge. Furthermore, on-road parking by residents reduces some parts of the usable width of the road to a single carriageway of as little as 3.5m. Rat-run cars can currently be observed driving along the route at speed. When local residents were polled 90% raised concerns about the impact of the Netto/ASDA proposal on their residential amenity, citing the increased use of their streets as a rat-run when, for example, traffic congestion in the town centre is caused by road works.(see a) above)

4) CONSERVATION

a) Impact on the Conservation Area from demolition

The proposed development lies within Todmorden Conservation Area which is already on English Heritage’s “Conservation Areas at Risk” register. The conservation area is characterised by a number of individually designed civic / public buildings set among a background context of high density 19th and 20th century development.

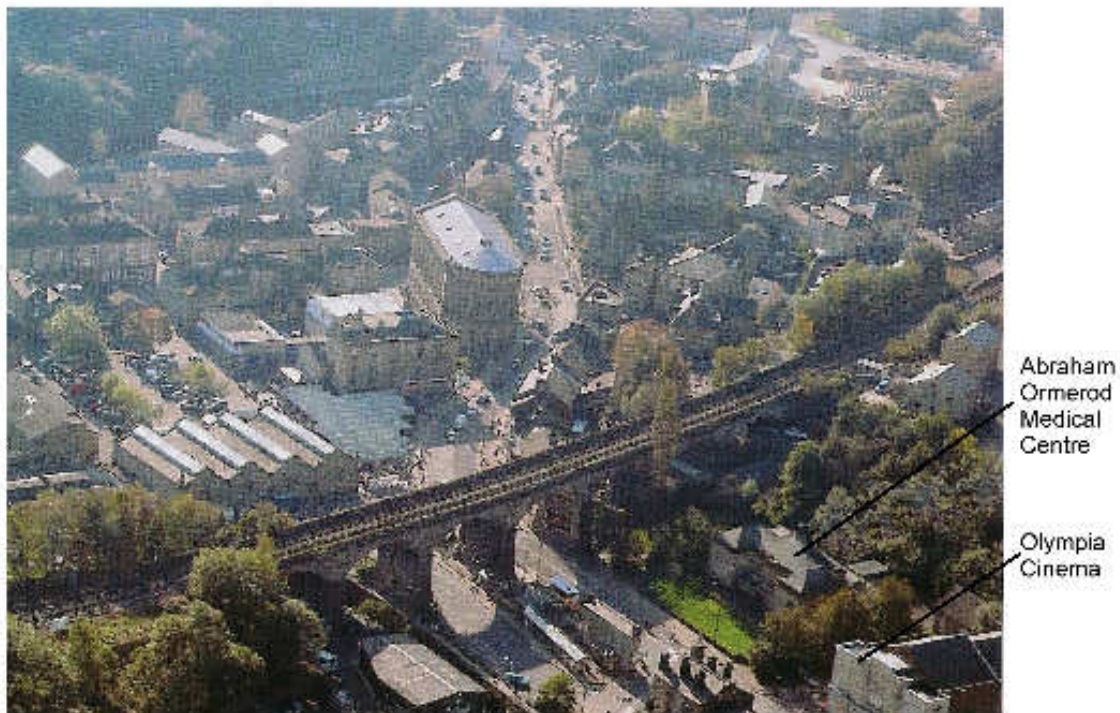


Fig 3 Todmorden Conservation Area; aerial view from the East.

NATIONAL POLICIES

The Design and Access statement of the application has failed to identify and assess the particular significance of these heritage assets that are elements of the historic environment as required by **Policy HE7 of PPS5 - Planning for the Historic Environment**.

Moreover, the proposal ignores:

1. **Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990**, which requires:

“With respect to any buildings or other land in a conservation area..... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

This part of Todmorden’s conservation area provides the setting for the historic railway viaduct, itself a Grade II listed building. The former Abraham Ormerod medical centre, in addition to its own historic and architectural merits, is a key element in that setting. Demolition would neither preserve nor enhance the character or appearance of this part of the conservation area.

2. **PPS4**, to promote the vitality and viability of town centres requires:

“[the] historic... and architectural heritage of centres to be preserved”.

3. Furthermore, **PPS4 Policy EC4** requires LPAs to:

“[take] measures to conserve... and enhance the established character and diversity of the town centre”.

The proposal to demolish the Abraham Ormerod Centre and the reduction of the New Olympia cinema to a meaningless façade on the side wall of the proposed supermarket are both counter to this essential government objective.

4. Demolition also fails to address a key criterion of the **Todmorden Conservation Area Character Appraisal**, which states:

“It is important to remember that the character and appearance of a conservation area is not only defined by its buildings but also by the spaces between buildings, its trees and open areas.”

The current proposal is for a building which is out of character with the town, its buildings and spaces.

5. The former Abraham Ormerod Medical centre is an integral part of Todmorden’s character and heritage - both architecturally and historically and for these reasons should be protected. It is special because:

- It is defined in the Conservation Area Character Appraisal (2008) as a key building.
- **English Heritage** (Site visit, Sept. 2010) state that it is:
“one of a rare building type and thus has an intrinsic degree of interest.” And
“a significant structure within a Conservation Area and its proximity to the listed railway viaduct is also significant.”
- It is one of only two public buildings in Todmorden dating from the 1930s.
- It contributes to our social history as a landmark in the limited free medical provision that predated the National Health Service.
- It is an early example of the implementation of a reinforced concrete raft foundation
- It still retains many of its original decorative features.

The Abraham Ormerod Medical Centre is one of a very small number of civic buildings of this type in the Calderdale area. The present condition of this building does not justify demolition, simply to make way for a car park.

6. Although the building has been left derelict and open to vandalism for a long period, **Policy HE7.6 of PPS4** states:

“Where there is evidence of deliberate neglect of or damage to a heritage asset in the hope of obtaining consent, the resultant deteriorated state of the heritage asset should not be a factor taken into account in any decision.”

It is arguable that deliberate neglect of the building has taken place, but this cannot provide any justification for its demolition.

7. There is further protection under **Planning Policy Statement 5 - Planning for the Historic Environment**, which advises that:

“...in considering the impact of a proposal on any heritage asset, the particular nature of the significance of the asset and the value that it holds for this and future generations should be taken into account”.

CALDERDALE POLICIES

With respect to the issue of demolition, the development not only fails to comply with the above national policies but also Calderdale policies **BE15**, **BE18** and **BE19**

Policy BE15 states:

“Development will not be permitted, where through its siting, scale, design or nature it would harm the setting of a Listed Building.”

The railway viaduct is a Grade II listed structure and the site and existing buildings provide its setting as viewed when approaching from the Burnley direction, (see Fig 3). Demolition of the former medical centre, replacement of its gardens with a car park will destroy the present setting, and the proposed construction will be alien to it.

Policy BE18, states that for development within conservation areas:

“The character or appearance of Conservation Areas [must] be preserved or enhanced. New development and proposals involving the alteration or extension of a building in or within the setting of a Conservation Area will only be permitted if all the following are met:-”

- Criterion I** ***“The form, design, scale, methods of construction and materials respect the characteristics of the buildings in the area, the townscape and landscape setting;***
- Criterion II** ***the siting of proposals respects existing open spaces, trees and townscape features***
- Criterion III** ***it does not result in the loss of any open space which makes an important contribution to the character of the Conservation Area or features of historic value***
- Criterion IV** ***important views within, into and out of the area are preserved or enhanced.”***

The proposed development fails to meet these four criteria.

Policy BE19 states that:

“Development involving the demolition of an unlisted building within a Conservation Area will only be permitted if: - ”

- Criterion I** ***“the structure makes no material contribution to the character or appearance of the area;***
- Criterion II** ***“no other reasonable beneficial uses can be found for a building”***
- Criterion III** ***“detailed proposals for the reuse of the site have been approved, where appropriate.”***

There is a willing purchaser for the Abraham Ormerod Building, but Netto offered a higher price. If Netto is denied planning permission, the building may possibly be sold to a developer willing to restore the building for use as a museum, art and music centre and youth club, all of which would be beneficial additions to the town’s attraction. It is significant that the WYG street survey results (p87) showed that visitors:

“when asked about the types of leisure facilities they would like to see more of in the centre, popular responses were a cinema (26%), and a bowling alley (11%).”

This site clearly has the potential for development on these lines.

Character and materials impact

With respect to the character and materials for the proposed development, it fails to comply with the following Calderdale policies:

Policy **GBE1: *The contribution of design to the quality of the built environment.***
The development fails to satisfy criteria VI and VII of this policy.

Policy **BE1: *General Design Criteria.*** The development fails to satisfy criteria i),ii),iii) and iv) of this policy.

Policy **S2: *Criteria for Assessing Retail Developments.*** The development fails to satisfy all the criteria of this policy namely i),ii) and iii)

Policy GBE1 states:

“All new development will be required to achieve high standards of design that makes a positive contribution to the quality of the local environment. In particular, development should:-”

Criterion VI ***“Protect and enhance the district’s architectural and historic heritage, landscape and amenity, and contribute to its special character”***

Criterion VII ***“not harm the character or quality of the wider environment and encourage further greening of the environment and improve local biodiversity.”***

Policy BE1 states:

“Development proposals should make a positive contribution to the quality of the existing environment or, at the very least, maintain that quality by means of high standards of design. Where feasible development should:-”

Criterion i) ***“respect or enhance the established character and appearance of existing buildings and the surroundings in terms of layout, scale, height, density, form, massing, siting, design, materials, boundary treatment and landscaping”***

Criterion ii) ***“retain, enhance or create any natural and built features, landmarks or views that contribute to the amenity of the area”***

Criterion iii) ***“be visually attractive and create or retain a sense of local identity”***

Criterion iv) ***“not intrude on key views or vistas”***

Policy S2 states:

“Applications for all retail developments will be assessed on the basis of the following criteria:-”

Criterion i) *“the proposals relate to the role, scale and character of the centre the catchment the development is intended to serve;*

Criterion ii) *the development creates no unacceptable environmental, amenity, traffic, safety, or other problems;*

Criterion iii) *the development preserves or enhances Conservation Areas and does not adversely affect Listed Buildings or their settings.”*

Clearly, the proposed supermarket fails to meet nine of the criteria of these three policies, since it is to be built in an artificial stone material and plastic coated metal sheeting, which will weather poorly and look shabby very quickly. This is out of character, not only with other buildings in the conservation area, but also most of the construction of the rest of the town. Its character is entirely that of an ASDA supermarket with no concessions to the appearance of a ***“rural market town”*** (WYG Todmorden Health Check p82).

Conclusion

The retail aspect of the Netto/ASDA proposal fails to meet the requirements of:

- **Eleven policies** in **PPS4 - “Planning for Sustainable Growth”**,
- Calderdale policies **GS1, S2 and GP1** which together safeguard the viability and sustainability of town centres and associated employment, and
- Approval would ignore key contra-indications from data in the **WYG Retail Report 2009** commissioned by Calderdale Council.

The conservation impact of the proposal contravenes:

- Policy **HE7** in **PPS5** “Planning for the Historic Environment”
- **Section 72** of the Planning (Listed Building and Conservation Areas) Act 1990, and
- **Six policies** in Calderdale Council’s Local Development Framework/UDP.

The proposal contravenes so many national and local authority policies that it is inconceivable that councillors could approve the application. Moreover, it would seem that council officers would be remiss if they were to recommend approval.

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