

SMBC4/2

**THE METROPOLITAN BOROUGH OF SOLIHULL
(SHIRLEY TOWN CENTRE REDEVELOPMENT)
COMPULSORY PURCHASE ORDER 2007**

PROOF OF EVIDENCE

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for

SOLIHULL METROPOLITAN BOROUGH COUNCIL

1. INTRODUCTION

- 1.1 I am Paul Richard Watson. I have a Bachelor of Arts degree with Honours from the Victoria University of Manchester and a postgraduate Diploma in Town Planning from the City of Birmingham Polytechnic, now Birmingham City University.
- 1.2 I was elected a corporate Member of the Royal Town Planning Institute in 1978 and have practised as a chartered town planner in the West Midlands since that date. My work has encompassed all aspects of professional practice from regional policy development, through local planning, urban design and development management, to project development and implementation.
- 1.3 I am currently employed by Solihull Metropolitan Borough Council as Strategic Director, Community and Economic Regeneration, a position I have held since March 2007. Immediately prior to then, I was the Council's Head of Planning Services, the post I held since joining Solihull in 2002.
- 1.4 I am also the Vice-President Emeritus of the Planning Officers Society, having served as President for the year 2004/5, and continue to work on its behalf. POS comprises of, and speaks for, the managers and heads of local government planning services. It lobbies and works with government on legislative and policy development and identifies and promotes good practice.
- 1.5 I have acted as an adviser to the Local Government Association, English Heritage and CABI. I am currently a member of the West Midlands Region's Design Review Panel established in 2007 by MADE, Midlands Architecture and Designed Environment.

2. PURPOSE OF THIS EVIDENCE

- 2.1 My evidence aims to set the scheme in a wider context and demonstrate how the Council is using its land and compulsory purchase powers to both facilitate the regeneration of Shirley and deliver regional policy and the corporate objectives of the Council.
- 2.2 My evidence also demonstrates how the Council uses its role as landowner in partnership with the private sector to develop, detail and deliver an economically viable scheme which achieves both commercial and public policy objectives.

3. THE PLAN LED APPROACH TO A TOWN IN DECLINE

- 3.1 Shirley town centre is the second largest shopping centre in the Borough of Solihull. Over the past decade the centre has been influenced by strong competition from Solihull Town Centre, which has grown over the period, and from out of centre retail parks and various other individual stores located on or near the A34 Stratford Road.
- 3.2 In the early 1990s, growing concern for the future of the Centre led to the inclusion in the development plan of the time of a proposal to undertake a study of the shopping centre to establish how its attraction to shoppers could be improved. The Shirley Study identified a general location for a development on land to the rear of premises on the west side of the A34 Stratford Road (near the Baptist Church).
- 3.3 In 1997, the Council refused planning permission for the redevelopment of the former Powergen site, located near the centre, to provide a foodstore. In dismissing the subsequent planning appeal, the Secretary of State considered that the proposal would harm the vitality and viability of the centre rather than enhance or sustain it and that the proposal would attract trade out of the centre.

3.4 At the Inquiry the Council mooted alternative proposals to the appeal scheme and although these were not particularly well developed at the time, the Inspector concluded that:

"...The Council's alternatives could provide the basis for effective competition with out-of-centre stores and so stand a reasonable prospect of making an important contribution to meeting Shirley's retail needs ...I think that it could provide a new focal point within the town and so help to address a recognised weakness of the place" (Core Document (CD)/J/4)

3.5 The Inspector also noted that:

"An imaginative scheme could open up the Park to Shirley residents, so increasing its 'legibility' and enhancing awareness of a pleasant local facility. A poor proposal would fail to realise such opportunities. "

3.6 The Council's proposals were developed as part of the Shirley Study and one of the key findings of the study was that there could be an alternative site for a foodstore within the heart of the centre that could strengthen and 'anchor' it by drawing in trade. It is against this background that proposal S4/1 - New Foodstore in the recently adopted Unitary Development Plan was formulated.

3.7 Policy S4 of the Solihull UDP (CD/H/5) adopted in 2006 states:

"Within the boundary indicated on the Proposals Map the Council will support proposals that will maintain or strengthen the function of Shirley Town Centre as an important centre providing a wide range of convenience and comparison goods, employment, leisure and other services. Such proposals could include mixed-use

developments. The Council will bring forward measures to improve the quality of its environment."

3.8 Policy S4/1 - New Foodstore states:

"The Council proposes to bring forward the development of a new foodstore to support Shirley Town Centre. The general location for the foodstore is land on the west of the A34 and to the south of Haslucks Green Road."

3.9 This proposal was subject to objections from Keep Shirley Alive that were considered during the UDP Public Local Inquiry. The Inspector who conducted the Inquiry found:

"Proposal S4/1 brings forward the development of a new foodstore on land to the west of the A34 and south of Haslucks Green Road. The precise site is not shown on the Proposals Map, but the area envisaged mainly falls within the defined town centre boundary, currently used for car parking, although it may need to encroach into the park."

This objective stems from local residents' previous objections to a proposal for a new Asda foodstore on the former Powergen site, on the opposite side of Haslucks Green Road, which was dismissed on appeal by the Secretary of State in 1998. KSA simply did not want another large supermarket in Shirley, pointing to the seven existing supermarkets and foodstores along this stretch of the Stratford Road, and expressing concern that the increased car borne trips and impact on their quality of life. I understand that Proposal S4/1 originated from an informal study of Shirley in the late 1990s, which concluded that Shirley needed a focal point to give it identity. A qualitative need was identified to anchor the centre with a new foodstore that would

attract shoppers and generate linked trips. Illustrative proposals for a new store were publicised in 1997, which received both support and objection. The inspector dealing with the Asda appeal concluded that the Council's proposal could provide a basis for effective competition with out-of-centre foodstores and provide a focal point for the centre.

Although the proposed foodstore could impact on the larger foodstores in the centre, there is no evidence that it would directly affect other existing stores and small traders or undermine the overall function, vitality and viability of the centre. In fact, by providing a new store and focal point for the centre, it could generate additional trade and linked shopping trips, helping Shirley to compete with nearby out-of-centre stores. In terms of the sequential search process set out in PPG6, this site is certainly preferable to the former Powergen site. No details about the size and operator of the store are yet available, but this would depend on several factors, such as retail capacity, operator's needs, viability, site configuration and highway/traffic issues. The scheme would also provide public car parking, but this would be balanced by the ready accessibility to the centre by public transport and the need for dual-purpose parking, rather than necessarily encouraging more car-borne journeys. I note that environmental and traffic improvements are being made in Shirley Centre under Proposal S4/3, which may help to address current problems. Any proposal would also have to be subject to a traffic assessment, which would address traffic generation issues. Further work on retail capacity would no doubt be needed, particularly since no recent retail impact analysis has been undertaken. Although the Town Centre boundary has been amended to incorporate the area of land envisaged, there is some concern about the possible encroachment into the adjoining park. However, SMBC has agreed to give further consideration to this matter, including any mitigation/compensation measures.

I recognise that Shirley is a community with a strong local identity, but even bearing in mind the possible increase in custom and traffic, I cannot see that this proposal would noticeably affect the quality of life of local residents. On the contrary, the provision of a new foodstore, focal point and public car parking could bring distinct benefits to them. In my view, the advantages of this proposal, in providing a new anchor foodstore, helping to draw back trade and generating multiple shopping trips, enhancing the vitality and viability of the centre and strengthening its function and competitive role, far outweigh any disadvantages. Proposal S4/1 also directly reflects national policy in PPG6, which urges a plan-led approach to new retail development, and accords with regional policy in RPG11 (Policy UR3)." (CD/H/3)

3.10 Policy S4/2 New Retail Units in Shirley Town Centre states:

"The Council will encourage proposals for the redevelopment and modernisation of premises within Shirley Town Centre where this will improve the attractiveness of the centre to shoppers and retailers and will strengthen the function of the centre within the boundary shown in the Proposals Map."

3.11 Therefore the adopted development plan provides the context and support for the detailed development of the Heart of Shirley scheme. It was against this background that the Council in its role as landowner issued a Development Brief which balanced the need for a scheme of a scale necessary to deliver the regeneration impact sought by planning policy, and which was commercially realistic, with the need to minimise impact on Shirley Park. The aim was to secure private sector capacity and skills to detail and implement a viable scheme which would deliver the Council's wider corporate objectives.

4. REGIONAL POLICY

- 4.1 A healthy economy is a fundamental objective of government policy and (with social and environmental concerns) one of the three key pillars that support sustainable development at the national, regional and local levels.
- 4.2 However *"the West Midlands underperforms relative to national and international competitors. In 2005 output per head was 89% of the UK average. When scaled across the whole of the economy, this equates to a £10bn output gap - in other words, the region's economy would be £10bn richer if our output per head were the same as the UK average"*. (West Midlands Economic Strategy, December 2007.)
(CD/G/3)
- 4.3 The West Midlands Economic Strategy (WMES) addresses this underperformance and the impact it has on the prosperity and vitality of the region under three themes - Business, People and Place.
- 4.4 Place focuses on Birmingham competing as a global city and related to it *"a network of high quality, sustainable urban and rural communities which attract and retain a diverse and thriving workforce, encourage enterprise, provide access to services and are designed to the highest quality... in a way that reduces transport demands and energy use, meets people's evolving residential needs and contributes to an environmentally efficient and well-designed physical environment"*.
- 4.5 Shirley and its future development needs to be seen in this context. As an important settlement in its own right but also as part of the conurbation's network of centres on a main radial route into and out of Birmingham city centre, it must thrive, and be seen to thrive, if it is to play locally and strategically in economic development of the West Midlands.

4.6 Such inter-dependencies and the vital role of centres are recognised in the West Midlands Regional Spatial Strategy (CD/G/1)

"Revitalising city and town centres is an essential element of attracting people back into urban areas. This is not just because of the services they provide but also because they play a key role in providing people with a sense of place."

4.7 Therefore Policy UR3 requires that *"City, town and district centres... should be enhanced to play a leading role in urban renaissance programmes in order to provide services for local communities, a sense of identity and as drivers of economic growth. This will be achieved through:*

- (i) maintaining and enhancing the pattern of urban centres according to their function and role in the Region;*
- (ii) developing strategies to maintain and enhance the underpinning role of all urban centres to serve their local communities in terms of retail provision, access to services and cultural/leisure activities;*
- (iii) developing strategies to promote a sense of identity and local distinctiveness;*
- (iv) identifying and creating opportunities for development, particularly for business, retail, leisure, tourism, cultural, educational and other services which are accessible to all;*
- (v) adopting strategies to encourage more people to live in or close to centres through the reuse of sites, development of mixed-use schemes, the conversion of property and initiatives such as "living over the shop";*
- (vi) ensuring the highest standards of design are adopted, building on the existing character and identity of centres; and*

(vii) *enhancing urban centres as the primary nodes of the public transport network."*

4.8 Policy PA11 continues that *"Local authorities should be proactive in encouraging appropriate development"* to maintain and enhance centres and, at par. 7.59, RSS states *"Local authorities should take a proactive approach through their own centre strategies to identifying potential sites and premises for development within these centres, including, where necessary and appropriate, the wider use of compulsory purchase powers"*.

4.9 The plan-led approach to the development of the Heart of Shirley scheme, the Council's use of its land and the compulsory purchase powers to promote, facilitate and ensure its implementation demonstrates effective local application of regional policy.

5. BENEFITS OF THE SCHEME AND DELIVERY OF THE COUNCIL'S CORPORATE AGENDA

5.1 In order to demonstrate how the implementation of the Heart of Shirley scheme will support and deliver the Council's corporate agenda, the following policy documents will be referred to:

- An Economic Development Strategy for Solihull 2008 – 2011 (CD/H/10): Although at present the production of this document is not a statutory requirement, it is produced in response to the Council's duty to promote the economic well-being of the area.
- Community Strategy for Solihull 2003 – 2013 (CD/H/9): Every local authority is obliged by the Local Government Act 2000 to develop and deliver a Community Strategy for promoting or improving the economic, social and environmental well-

being of their areas and contributing to the achievement of sustainable development in the UK.

- Council Plan 2007 – 2010 (CD/H/8): This document sets out a vision for the Borough and identifies a programme for how that vision will be achieved. The Council Plan is produced as a matter of good practice.
- Solihull Housing Strategy 2004 – 2008 (CD/H/11) – The document sets out the local authority's vision for housing in its area. It is a statutory document prepared under the requirements of the Local Government Act 2003.
- Solihull Crime and Disorder Reduction Strategy 2005 – 2008 (CD/H/7): The Crime and Disorder Act 1998, as amended by the Police Reform Act 2002 places a statutory duty on 'responsible authorities' to work in partnership with other agencies to carry out a crime and drugs audit of their area. The Crime and Disorder Reduction Partnership must then develop a three year strategy to tackle the problems identified.
- Solihull Green Spaces Strategy (CD/H/4): The Strategy satisfies the requirement of Planning Policy Guidance Note 17: Planning for Open Space, Sport and Recreation by setting local standards for provision for each different type of green space. These local standards relate to quantity, quality and accessibility of provision.

5.2 With regard to overall benefits, the scheme will provide a high quality, mixed use development which will secure economic growth, stimulate new activity and jobs, provide a mix of housing and a revitalised public realm. The development will also

enable other improvements to be secured which together will deliver the regeneration of Shirley town centre.

- 5.3 Delivering the regeneration of Shirley town centre is one of the key strategic objectives of the Council's Economic Development Strategy 2008 - 2011. Consistent with the WMES, the Council's Economic Development Strategy also focuses on the three main components of the economy - 'Business', 'People' and 'Place'. Both documents recognise that a successful economy and the achievement of sustainable development require a strong contribution from all three components.
- 5.4 The 'Place' component of the WMES focuses on *"the role of place in both attracting and enabling economic growth (i.e. high quality locations and environments which encourage businesses and a highly skilled workforce); but also in dissuading or constraining economic activity (poor quality environments can limit investment, reduce aspirations and lead to negative stereotyping)"*. With regard to 'Place' in the Council's Economic Development Strategy the focus is on how Solihull responds as a Borough to economic opportunities and challenges – providing infrastructure, housing, environment and facilities to businesses, residents and visitors.
- 5.5 One of the key 'Place' challenges identified in the Council's Economic Development Strategy includes the need to realise the economic potential of Shirley town centre.
- 5.6 The scheme will address this challenge by raising the profile of the town centre, particularly by adding to and complementing the existing retail structure through the provision of retail units commensurate with modern retail requirements. This will improve Shirley's competitiveness within the regional retail hierarchy and enhance the town's overall prosperity and attraction. The scheme will allow the economic potential of Shirley to be realised and it will help to revive the local economy by attracting investment and through the take up of employment opportunities provided

