

**SMBC3/1**

**Town and Country Planning Act 1990  
Acquisition of Land Act 1981  
Local Government (Miscellaneous Provisions) Act 1976**

**Inquiry into:**

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

**Summary Proof of Evidence  
of  
Robert Barnes BA (Hons) MA MRTPI  
On matters relating to Retail Planning**

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# 1. Summary

## Personal Profile and Scope of Evidence

- 1.1 I am a Director and Chartered Town Planner in Planning Prospects Limited (PPL), an independent planning and development consultancy. Prior to joining PPL in September 2006, I was an Associate Director in the Professional and Consultancy Services group of CB Richard Ellis, an international practice of surveyors and real estate advisors.
- 1.2 I am familiar with retailing in and around Shirley, having provided Shirley Advance with retail planning advice in relation to their original planning application for the Parkgate development ("the Scheme"). I also live in this part of the conurbation.
- 1.3 My evidence addresses retail planning issues in relation to the Scheme. My evidence demonstrates that there is a compelling need for the Scheme, and that through their positive, plan-led support of the Scheme the council's approach has been consistent with that advocated at the national level. It also reviews the trading implications and scale of the Scheme; both are found to be acceptable.

## Positive Planning for Shirley

- 1.4 The central commitment of national planning policy on town centres is towards the support of existing centres, consistent with themes of accessibility, choice, sustainability, inclusion and good design. There is support for positive planning by local authorities for the growth of centres in appropriate circumstances. The Scheme is consistent with these principles.
- 1.5 In this way, the approach taken by the council in relation to Shirley is entirely consistent with the Government's objectives and expectations in relation to positive planning for the growth and development of centres. The council have defined a hierarchy and network of centres headed by town centres including Shirley, and developed a strategy through the development plan process that seeks to promote its advancement. They have considered the need to improve the centre, identified the most appropriate location to accommodate these improvements and are now supporting a development consistent with this planned approach. The formulation of their policy for Shirley town centre, whilst predating the publication of PPS6, is therefore essentially consistent with it.
- 1.6 Adopted and emerging policy at the regional level similarly supports retail investment and development within existing centres of the type that will be provided by the Scheme.
- 1.7 The Scheme responds to issues highlighted in consultancy advice provided to the council over ten years ago, but which remain unresolved. It will enable Shirley to compete more effectively with substantial out of centre provision in the area. It will create a clearly identifiable core and focal point for the centre, and realise the only major, well located, opportunity to enhance provision there. This consultancy

advice was used to inform the assessment submitted as part of the planning application for the Scheme, which in turn provides a strong endorsement for it

### **The Need for the Scheme**

- 1.8 The council were advised more than ten years ago of the potential benefits of retail development on the Scheme site in addressing weaknesses in Shirley. This position was endorsed by a subsequent appeal decision, which considered that capacity for a food superstore would emerge by 2006, that the provision of such a store on the Scheme site would bring benefits to Shirley, and would make an important contribution to meeting Shirley's retail needs. The 1997 Solihull UDP supported the modernisation and redevelopment of retail premises in Shirley, particularly where this would create deeper shopping units, thereby meeting the requirements of retailers.
- 1.9 These themes were carried forward into the adopted UDP which refers to threats to Shirley and the need to improve it, and sets out a series of mechanisms in this context, including the provision of a food store on the Scheme site, and new retail units in the centre. Moreover, the issue of need was considered carefully in material supporting the planning application for the Scheme, which was accepted by officers in recommending approval for it.
- 1.10 More recently, an appeal decision relating to major retail development on a site close to Shirley saw the Secretary of State agree with her Inspector that a quantitative need existed for the appeal proposals, in addition to the Scheme. Read as a whole, this provides the framework within which the need for the Scheme should be understood.
- 1.11 The retail space to be acquired is limited in scale and quality, and is necessary to integrate the Scheme with the rest of the centre. The retail to be developed as part of the Scheme addresses a number of the shortcomings evident within Shirley as a whole. The food store element will help to anchor the centre, and draw shoppers away from out of centre provision. The unit retail element will present the opportunity for Shirley to provide a more extensive, broader and deeper retail offer and enhanced shopping experience, better to meet the requirements of its catchment population.
- 1.12 In quantitative terms, the updated exercise shows that there is a clear need for the convenience and comparison elements of the Scheme.
- 1.13 Similarly, a clear qualitative need for the Scheme exists in terms of achieving an appropriate distribution of locations, and delivering the required scale of provision, to draw shoppers back to Shirley in the face of strong and growing competition elsewhere. The Scheme will meet the needs of the core shopping population and indeed the wider community in an accessible location, consistent with themes of social inclusion.

## **Retail Assessment**

- 1.14 At present, Shirley has a number of strengths as a trading location. However, it also suffers from a number of important weaknesses, which have been evident over a period of years. The Scheme represents a positive response to the opportunity presented by the policies and proposals of the UDP which will address these weaknesses, and bring forward a significant improvement to the shopping provision in the centre. The Scheme will create a broader appeal for the town centre, enable new entrants to gain a presence, and enhance Shirley's credentials as an attractive, sustainable and inclusive shopping location.
- 1.15 The trading implications of the Scheme for existing retailers in Shirley will be limited, and the highest levels of trade diversion will be from the out of centre supermarkets and superstores. The comparatively modest levels of trade diversion from Shirley associated with the Scheme should not give rise to concern. Equally, whilst there will be some trade diversion from Solihull town centre, it is an extremely healthy trading location and well placed to continue to trade well.
- 1.16 The Scheme will complement the existing offer in the centre by providing a type of provision that is currently lacking in Shirley, and will attract operators to broaden the offer. It will also be closely integrated with Shirley, linking directly into the primary retail frontage in the heart of the shopping area. In line with policy, it is therefore well connected to the centre and capable of generating a significant number of linked trips, spin off benefits, and claw back expenditure.
- 1.17 The Scheme is fully consistent with and supportive of the development plan retail strategy. It is difficult to see how these strategic aspirations could be achieved in a timely manner if the Scheme were not to proceed. The Scheme represents an important component of the development plan retail strategy, and should be supported as such. Furthermore, the Scheme will have a very beneficial impact in terms of the climate for investment within the Shirley area. Investment in Shirley of the type that the Scheme would bring is important if the centre is to remain strong, be competitive, and achieve growth. The Scheme represents an efficient and innovative mechanism through which this investment can be made in the centre.
- 1.18 The Scheme will be of an appropriate scale. It can be supported in economic terms. It is consistent with reinforcing Shirley's existing role within the local retail hierarchy, which would remain at a level markedly beneath that of Solihull. Equally, it is consistent with reinforcing the function of the centre. Shirley is currently lacking in terms of its ability to provide a wide range of convenience and comparison goods shopping, and the Scheme would address this.
- 1.19 In the event that the scheme is not developed, or if retail of a more limited scale were to be brought forward, the weaknesses in the centre would not be addressed, and it would remain at risk from a number of threats – particularly from pressure for further development in competing destinations and out of centre locations. This would represent a backward step in terms of the ability to realise important UDP proposals within the plan period. It would similarly represent a failure to capitalise on the other improvements made to the centre in recent years.

## **Response to Objectors**

- 1.20 Objections to the CPO are considered in detail in section 5 of my main proof. I conclude that there is no force to the retail planning objections to the Order.

## **Conclusions**

- 1.21 My key conclusions include that:
- 1.21.1 The Scheme is consistent with important retail planning policy principles at the national and regional level. The council's approach to positive planning for the future of Shirley is consistent with that advocated at the national level. The Scheme will realise key proposals set out in the adopted UDP.
  - 1.21.2 The Scheme represents a positive response to threats to Shirley and address longstanding weaknesses in the centre.
  - 1.21.3 The retail space to be acquired is limited in scale and quality, and is necessary to integrate the Scheme with the rest of the centre. The retail to be developed will address shortcomings within Shirley.
  - 1.21.4 There is a clear quantitative and qualitative need for the Scheme.
  - 1.21.5 The trading implications of the Scheme for existing retailers in Shirley will be limited; rather, it is well connected to the centre and capable of generating a significant number of linked trips, spin off benefits, and claw back spending.
  - 1.21.6 The Scheme is of an appropriate scale in terms of the amount of floor space, the role of Shirley within the hierarchy, and the function of the town centre.
  - 1.21.7 The Scheme is fully consistent with and forms an important component of the development plan retail strategy.
  - 1.21.8 The Scheme represents an efficient and innovative mechanism through which important investment can be made in the centre.
  - 1.21.9 In the event that the scheme is not developed, or if retail of a more limited scale were to be brought forward, the weaknesses in Shirley would not be addressed, and it would remain at risk from a number of threats.
- 1.22 On this basis I conclude that the Scheme would make an important contribution to the economic, social and environmental well being of Shirley.
- 1.23 I have fully considered the objections to the CPO that raise retail planning issues. I conclude that there is no force to these objections, and certainly not to the extent that would amount to a good reason to modify or reject the CPO.

**Robert Barnes**

**Director, Planning Prospects Ltd  
14 April 2007**

