

18th April 2024

West Lancashire Borough Council,
Planning and Development Services,
52 Derby Street,
Ormskirk,
L39 2DF

Dear Sir,

**TESCO, STATION APPROACH, BURSCOUGH, L40 0RZ
S73 PLANNING APPLICATION TO AMEND CAR PARK CONTROL TMES**

On behalf of Tesco Stores Ltd we hereby submit a planning application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary condition 16 attached to planning permission ref. 8/2001/0880 to introduce a maximum stay parking restriction at their store on in Burscough.

The Tesco store was granted planning permission (ref. 8/2001/0880) on 29th January 2003. Condition 16 attached to this permission required that '*Unless otherwise agreed in writing with the Local Planning Authority there shall be unrestricted access into the 'proposed shoppers car park.'* This reason given for this condition was '*To safeguard the safety and interests of the users of the highway and to ensure that the development complies with the provisions of Policy T.2 in the West Lancashire Local Plan.'*

Tesco are finding that the approved shoppers car park is coming under considerable pressure, and is being used by non-Tesco customers. This is particularly relevant as the store is in close proximity to Burscough Bridge train station, where Northern Rail recently introduced charges to use the associated parking facilities (charging £2 per day). This paid for rail parking facility makes the free parking at the Tesco car park more attractive to rail users. As a result, the store manager has observed an increase in use of their car park by non-Tesco shoppers, with the Tesco car park becoming a de-facto-park and ride facility. This is to the detriment of shoppers at both the Tesco store and wider town centre.

In order to address this issue, and to ensure that there is sufficient parking for Tesco and other shoppers, it is proposed to introduce a maximum stay of up to three hours at the store. Parking during this time will remain free for all users, with fines levied for overstaying. This arrangement is considered sufficient for local residents to park at the Tesco store, undertake a shopping trip elsewhere within the town centre or even take a short rail journey. The proposed maximum stay will therefore reduce the attractiveness of the Tesco car park to longer stay commuters.

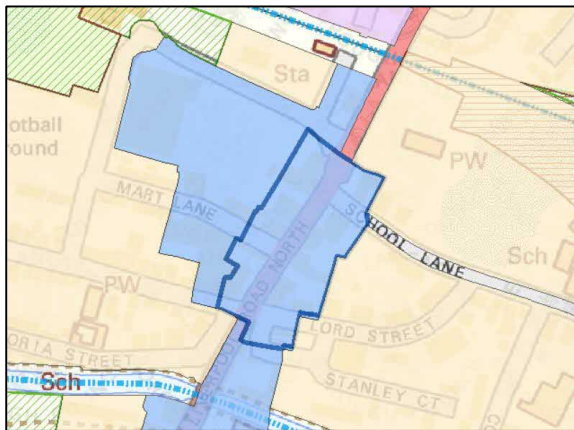
Tesco therefore request that condition 16 of permission ref. 8/2001/0880 is reworded to read: "*Unless otherwise agreed in writing with the Local Planning Authority parking at the 'proposed shoppers car park' shall be restricted to a maximum stay of up to 3 hours.*"

The introduction of this maximum stay will increase the turnover of parking spaces available in Burscough town centre and intensify its use. This is in compliance with the provisions of the Burscough Neighbourhood Plan and other policy provisions.

Planning Policy Assessment

The National Planning Policy Framework (NPPF) was updated in December 2023. It sets out the Government's planning policies and how these are expected to be applied. With regard to retail development, paragraph 90 of the NPPF sets out that "*Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.*"

The West Lancashire Local Plan was adopted in October 2013 and is the current policy document against which this planning application should be assessed. The Proposals Map for this Local Plan identifies that the Tesco store in Burscough is located within Burscough Town Centre (see extract below).



Policy IF1 of the Local Plan has regard to Maintaining Vibrant Town and Local Centres. This policy seeks to focus retail development in town centre locations, and sets out various criteria for the consideration of proposals for new retail development and the change of use in order to maintain their vitality and viability. While these criteria are not directly relevant to the proposed imposition of a maximum stay period at the Tesco store, it is nevertheless relevant to the proposals that the use of the car park by rail users otherwise limits the availability of parking for shoppers and has an adverse effect on the operation of the store, and therefore also negatively impacts on the vitality and viability of the town centre. On this basis, we contend that the proposed maximum stay limit will make more parking spaces available to shoppers, helping to improve the vitality and viability of the town centre in compliance with the policy position.

Policy IF2 of the Local Plan is also relevant to the proposals insofar as sets out the Council policy in relation to enhancing sustainable transport choice. While the policy criteria in relation to parking relates to standards associated with new build development, it is relevant that the supporting text to this policy at paragraph 8.44 establishes that *“The Council believes that providing the right parking facilities in the right place can have major impacts upon an area. Some of the benefits include helping to promote the vitality and viability of town centres, attracting businesses to an area and reducing congestion.”* The supporting text also acknowledges that *“the limiting of (free) parking spaces can be used as a means to encourage a shift towards more sustainable forms of transport.”* The proposed 3 hour maximum stay proposals will therefore potentially also help encourage a modal shift towards sustainable forms of transport for those long stay users of the Tesco car park, in compliance with the policy position.

In addition to the Local Plan, we are aware that the Burscough Parish Neighbourhood Plan was made in 2019. This forms part of the development plan for West Lancashire and must be taken into consideration when making decisions on planning applications in Burscough Parish. This Neighbourhood Plan again identifies that the Tesco store is located within Burscough town centre, will associated policy BPR1 establishing that support for new retail and other uses will be supported where they meet various criteria. Included in this is the requirement that proposals *“should not lead to a reduction in the number of car park spaces within the centre”*. The supporting text for this policy sets out that the *“existing car parks within an adjacent to the centre are considered an important asset for the settlement, as is the rail station. The car parks should be protected from development in line with policy BPT3 3 car parking”*.

Policy BPT3 relates to car parking in Burscough Centre. Part C of this policy establishes that proposals to increase the amount of parking within the centre will be supported. The supporting text to this policy establishes that *“Burscough Centre benefits from the provision of free parking, some with time restrictions at Tesco supermarket smithy walk, Mill Lane and Bobby Langton way. There are also other car parks with more restricted access. The general consensus is that the parking provision is important to the vitality and viability of the centre. The loss of car parking would therefore harm the health of the centre. Additional parking would be to the benefit of the centre and also to the visitor economy of the NPA.”* It is also relevant that paragraph 6.6.9 of the Neighbourhood Plan states that *“The parish council therefore will investigate additional car park facilities through the provision of new car parks should land become available or intensify the use of existing car parks to increase provision.”*

While the Neighbourhood Plan incorrectly identifies that the Tesco car park has time restrictions, it is clearly recognised as important in supporting the vitality and viability of the centre. Long term parking by rail and other users diminishes the space available for town centre shoppers, resulting in the loss of available parking provision. The proposed introduction of a 3 hour maximum stay (with no parking charges during this time) will therefore increase the parking available to the benefit of the town centre in accordance with policy BPT3.

Concluding Remarks

Tesco Stores Ltd seek permission to vary condition 16 attached to planning permission ref. 8/2001/0880. This will introduce a maximum stay of 3 hours to be implemented at their store in Burscough, freeing up spaces available for users of both the Tesco store and town centre and intensifying its use. Tesco propose to continue to allow free parking at their store during this time, with no parking charges during the proposed 3 hour stay period (fines will be issued for overstaying). We consider that these proposals comply with the terms of NPPF, policies IF1 and IF2 of the West Lancashire Local Plan and policies BPR1 and BPT3 of the Burscough Neighbourhood Plan.

We trust that the application is satisfactory, and look forward to receiving confirmation from you when it has been registered. Please do not hesitate to get in touch should you require any further information.

Yours sincerely,



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