

# Retail Assessment for Section 73 Application to vary conditions in connection with Proposed Development (14/O2121/OUT).

**Himley Development, land north of Middleton Stoney Road, Bicester, Oxfordshire.**

On behalf of CALA Homes (Cotswolds) Ltd..

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# 1. Introduction

- 1.1. This Retail Assessment has been prepared on behalf of CALA Homes (Cotswolds) Ltd. in support of a Section 73 Application to vary conditions in connection with the proposed development of up to 1,700 residential dwellings, a retirement village, flexible commercial floorspace, social and community facilities, land to accommodate an energy centre and land to accommodate a primary school at land north of Middleton Stoney Road, Bicester, Oxfordshire (14/O2121/OUT)
- 1.2. This Assessment deals with matters relating to the retail impact and sequential tests only.

## Proposed Development

- 1.3. This application seeks to vary conditions 44 and 45 attached to the original outline permission to allow amendments to the approved scale and mix of uses that are to be delivered through the area identified for commercial uses. Condition 44 currently restricts the commercial area to a total of 8,000sqm of floorspace and the following maximum floorspace restrictions:
  - Hotel (Class C1) – 2,600sqm
  - Veterinary Surgery (E(e)) – 2,000sqm
  - Pub/Community (Sui Generis/F2) – 400sqm
  - Retail, Restaurants and Cafés, Financial and Professional Services, Drinking Establishments and Hot Food Takeaways (former use class A1–A5 now Classes E(a)(b)(c) and Sui Generis) – 700sqm
  - Office (Class E(g)(i)) – 1,000sqm
  - Health Facility (Class E(e)) – 1,500sqm
  - Nursery (Class E(f)) – 100sqm
  - Energy Centre (Sui Generis) – 375sqm
  - Water Treatment Plant (Sui Generis) – 450sqm
- 1.4. In addition to this, condition 45 goes on to restrict the maximum retail (Class E(a) – formerly Class A1) unit size to 150sqm with the exception of one single unit which shall have a maximum unit size of 300sqm.
- 1.5. This mix and scale of uses are not suited to current market conditions and marketing advice received has confirmed that:
  - A larger anchor retail store is expected to be the market's preferred option.
  - There is unlikely to be a demand for a large 2,000sqm veterinary surgery.

16. In order to respond to market requirements, the applicant is seeking to amend conditions 44 and 45 to allow an alternative mix and scale of uses to be delivered including the potential for a discount foodstore to anchor the commercial centre. The following mix of uses is now proposed:

*Table 1 – Proposed Mix of Uses*

Use	Maximum GIA (m <sup>2</sup> )
Hotel	2,000
Veterinary Surgery	300
Pub/ Community	500
Retail, Restaurants and Cafés, Financial and Professional Services, Drinking Establishments and Hot Food Takeaways	300
Office	1,000
Health Facility	500
Nursery	500
Discount Food Store	2,500
Energy Centre	375
Water Treatment Plant	450

17. At this stage, an operator has not been confirmed for the proposed foodstore. However, given the proposed; it is expected that a national multiple discount foodstore operator would occupy the unit.

## Structure of Report

18. The report is split into the following sections:
- Retail Planning Policy;
  - Sequential Assessment Methodology;
  - Sequential Assessment;
  - Impact Assessment Methodology;
  - Health Check;
  - Impact Assessment; and
  - Conclusions.

## 2. Retail Planning Policy

- 2.1. This subsection briefly summarises the key policy considerations in respect of the retail impact and sequential tests of relevance to the proposed variation of condition.

### NPPF

- 2.2. Chapter 7 of the NPPF sets out policies relating to town centres and main town centre uses. The glossary at Annex 2 confirms that main town centre uses include retail development, leisure, entertainment and more intensive sport and recreation uses (including restaurants and health and fitness centres), offices and arts, culture, and tourism development.
- 2.3. Paragraph 91 requires proposals for main town centre uses to demonstrate accordance with the sequential test where they are not located in a town centre location and are not in accordance with an up-to-date plan (i.e., not allocated for such uses). In applying the sequential test, Para. 91 confirms that main town centre uses should be located in town centres, then in edge of centre locations, and only if suitable sites are not available (or not expected to become available within a 'reasonable period') should out of centre locations be considered.
- 2.4. Paragraph 92 goes on to confirm that when considering edge and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Para. 92 also requires applicants to demonstrate flexibility on issues such as format and scale through the application of the test.
- 2.5. Paragraph 94 requires the preparation of an impact assessment when assessing applications for retail and leisure development outside town centres where they are not in accordance with an up-to-date plan, considering the impact of the proposal on planned public and private investment in centres and on town centre vitality and viability. An impact assessment is only required where the proposals exceed a locally set threshold or, in the absence of any such threshold, for proposals over 2,500sq.m of gross floorspace.
- 2.6. Paragraph 95 confirms that where an application fails the sequential test or is likely to have a significant adverse impact on one or more of the impact considerations set out at paragraph 94, it should be refused.
- 2.7. In terms of what is meant as town centres within Paragraphs 90–95, the NPPF Glossary at Annex 2 confirms that town centres are:

*'Area defined on the local authority's policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in the development plan, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres.'*

- 2.8. Whilst a definition of what is meant as 'in-centre' or 'within a town centre' is not provided in the glossary, it does provide definitions of both edge-of-centre and out-of-centre. This clarifies that for the purposes of Class E retail uses, in-centre relates to sites located within

the designated Primary Shopping Area or, where no Primary Shopping Area is identified, within the centre boundary.

## Planning Practice Guidance (PPG)

- 2.9. The PPG provides guidance relating to the application of the sequential test highlighting the need for any assessments to be proportionate and appropriate to the proposed development and reiterating the need to demonstrate flexibility in the format and scale of the proposed development.
- 2.10. The PPG confirms that the impact test only applies to proposals exceeding 2,500 square metres of gross floorspace unless a different locally set threshold is set by the local planning authority. In considering the application of the impact test, the PPG confirms that:
- Impact should be tested over an appropriate period of up to 5 years from application submission (or up to 10 years for major/complex schemes);
  - The impact test should be undertaken in a proportionate and locally appropriate way; and,
  - Provides details on the general approach/methodology for the application of the impact test.

## Local Plan

- 2.11. The development plan comprises The Cherwell Local Plan 2011–2031 (Part 1) and The Cherwell Local Plan 2011 – 2031 (Part 1) Partial Review – Oxford’s Unmet Housing Need and the saved policies of the Adopted Cherwell Local Plan 1996.
- 2.12. Cherwell Local Plan Part 1 Policy SLE 2 identifies three defined centres within the district; namely Banbury town centre, Bicester town centre and Kidlington village centre, seeking to direct retail and other main town centre uses to these locations. The policy goes on to confirm the application of the sequential test and impact test as set out in the NPPF and supports the delivery of new local centres within the strategic housing allocations identified in the plan.
- 2.13. Policy SLE 2 confirms that an impact assessment is required for proposals over 1,500m<sup>2</sup> (gross) in Bicester and 350m<sup>2</sup> elsewhere in the District (except Banbury where a threshold of 2,000m<sup>2</sup> is relied upon). The policy does not confirm the extent of ‘Bicester’ in determining whether an impact assessment is required for sites located on the edge of the current urban area. The Cherwell Retail Study (2012), which recommended these thresholds, highlighted that this should be applied to the ‘area around Bicester town centre’ and confirmed that the lower threshold of 350m<sup>2</sup> is applied to other areas noting the vulnerability of Kidlington village centre, and other centres, all of which are located a considerable distance from Bicester. As such, at best the wording is unclear as to when an impact assessment is required in locations on the edge of Bicester such as Himley Village.
- 2.14. The application site is allocated for a residential led mixed use development through Policy Bicester 1 and this confirms that the site allocation includes new local centre hubs including former use classes B1(a), A1, A2, A3, A4, A5, C1, D1 and D2. There is no policy restriction on the scale of these uses contained either within the policy itself or its explanatory text.



- 2.15. There are no relevant saved policies within the saved policies of the Cherwell Local Plan 1996.

## Emerging Local Plan

- 2.16. Cherwell are in the process of seeking to adopt a new Local Plan (Cherwell Local Plan Review 2042) with a regulation 19 submission draft being published for consultation between December 2024 and February 2025. Given that the plan has not yet been submitted for examination, no weight can be afforded to those retail/town centre policies contained within the submission draft.
- 2.17. Regardless of this, draft Policy LEC 10 and its accompanying explanatory text largely replicates what is contained within adopted Local Plan Policy SLE 2 identifying Bicester, Banbury and Kidlington as town centres and applying the same impact assessment threshold.

## Policy Requirement Conclusions

- 2.18. As the proposals seek an amended mix and scale of 'main town centre uses' and the site is not included as a defined town centre within the Cherwell Local Plan, it must be considered as an out of centre location.
- 2.19. However, the site is allocated to deliver a range of main town centre uses through Policy Bicester 1 which confirms the allocation includes new local centre hubs including a range of main town centre uses which are not restricted by scale. This is important as paragraphs 91 and 95 of the NPPF confirm that the sequential and impact tests should only be applied where the sites are located in out of centre locations or where they are in accordance with an up-to-date plan with the relevant exerts set out below:

*'91. Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan...*

*'94. When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold...'*

- 2.20. Given the above, there is no strict policy requirement to consider the proposed development against the impact and sequential tests due to the policy support for the uses that amendments are sought for through the application.
- 2.21. In considering this further, it is important to note that reasoning for condition 45 attached to the original permission, which restricts the scale of the largest retail units, stated that this was to ensure; *'the scheme meets local retail needs in accordance with Policy Bicester 1... and Government guidance'*, however there is no such restriction or requirement contained in Policy Bicester 1. In addition, the reason for the condition does not reference the need to protect the vitality and viability of any existing town centre.
- 2.22. The final paragraph of Local Plan Part 1 Policy SLE 2 states that the council will support; *'the provision of new local centres containing a small number of shops of a limited size within*

the strategic housing allocations on strategic sites set out in this Local Plan.' Whilst this does not expressly suggest that proposals for 'larger' shops will not be supported, it does point towards the suggestion of the need for this to meet local needs as suggested within the reasoning for condition 45.

- 2.23. Having regard to this, as well as the fact that the introduction of a discount foodstore exceeds the impact thresholds set out in Policy SLE 2, the application is supported by this impact and sequential test assessment for robustness and to provide certainty to the local planning authority. Given that the main change to the main town centre uses is through the introduction of a foodstore, it is proposed that the assessment focuses on this use.

### 3. Sequential Assessment Methodology

- 3.1. As highlighted in the previous section, the proposed development includes main town centre uses in an out of centre location and therefore we have undertaken a sequential assessment. This section sets out the methodology used for the assessment.

#### **The Application of the Sequential Test – Relevant Decisions and Case Law**

- 3.2. Before moving on to consider the specific methodology for the sequential assessment, it is important to understand the significant and pertinent case law and Secretary of State decisions related to such assessments. These provide guidance and clarification on how the sequential test should be applied in respect of the need to demonstrate flexibility, the consideration of availability, and the requirement to consider the disaggregation of a proposed development. A note considering these matters and providing a brief summary of relevant decisions is provided at Appendix 1.
- 3.3. Taking the decisions identified in Appendix 1 into account, whilst these provide useful guidance in terms of the application of the sequential test, it is clear that the matter of flexibility and suitability is primarily a matter of planning judgement for the local planning authority that should be considered in the context of the relevant circumstances relating to the development site and the development proposals.
- 3.4. In respect of the specific point on the need to consider disaggregation, the identified decisions clearly highlight that in determining whether this is required, it is important that careful consideration is given to the specific circumstance of the development site and development proposal. However, what is clear is that there is no de facto policy requirement to consider the disaggregation of schemes within the NPPF or PPG and this should only be considered where there are specific circumstances which require it through the consideration of flexibility.
- 3.5. In terms of availability, whether a site can be considered to be available, or available within a reasonable period, is a matter of planning judgement based upon the specifics of the proposed development and the complexities of the scheme.

#### **Methodology**

- 3.6. The following sets out the methodology and approach used in the application of the sequential test for the proposed development having regard to the requirements of the NPPF, Local Plan Policy SLE 2 and the various case law and decisions referred to. The following matters are considered in turn;
- Locational Requirements and Area of Search;
  - Identification of Sites;
  - The Proposed Development – Site Requirements & Flexibility; and,
  - Availability.

## Locational Requirements and Area of Search

- 3.7. As already highlighted, the NPPF requires the consideration of ‘suitability’ through the sequential test. The consideration of whether or not a site is suitable relates, in part, to whether or not a sequentially preferable site would be able to meet and serve the same market as the application proposals. This will therefore influence the area of search for any sequential assessment. Put simply, if a site or location would fail to serve the same market as the application proposals/site, then it cannot be considered suitable and therefore can be discounted as a sequentially preferable site through the sequential test. It is therefore necessary to consider the market that the proposed development will serve.
- 3.8. There are a number of relevant considerations to take into account when determining the market that the proposed development will serve including the local geography, existing retail provision and the attraction of the proposed development. In the case of the application proposals, the commercial centre, including the proposed discount foodstore will focus on serving those living and working within the Himley Village site. In addition, noting the scale of the discount foodstore it will inevitably attract some trade from elsewhere in Bicester with discount foodstores such as that proposed generally having a primary catchment of around a 5-minute drivetime.
- 3.9. A useful starting point in identifying an area of search is a review of existing shopping patterns of nearby and comparable facilities. The household survey associated with the Cherwell Town Centre & Retail Study (2021) (‘the Retail Study’) and Cherwell Town Centre & Retail Study – Supplementary 2023 (‘the Retail Study Update’) provides shopping pattern data for existing destinations within Bicester. This data is presented in full at Tables 4a-4c at Appendix 3.
- 3.10. Given that the proposals include a new discount foodstore, with that use being the main change to the approved permission, the following Table 2 provides a breakdown of where the main foodstores in the town draw their trade from, with the figures presented as a proportion of the total convenience goods turnover of each store/destination. This table focuses on those main foodstore destinations within Zone 4 (Bicester zone) and is derived from the data at Table 4a at Appendix 3.

*Table 2 – Source of main food shopping trip turnover by zone*

	Zone 1	Zone 2	Zone 3	Zone 4
Sainsbury's, Pioneer Square	0%	3%	0%	97%
Lakeview Drive – Tesco Superstore	1%	0%	1%	98%
Launton Road – Aldi	0%	0%	3%	97%
Launton Road – Lidl	0%	0%	12%	88%
Average	0%	1%	3%	96%

- 3.11. As can be seen in Table 2, the existing foodstores in Bicester overwhelmingly draw the majority of their trade from Zone 4, which is made up of the Bicester urban area stretching as far east as Witney. However, because of the very large size of the zones used in the Retail Study, it is difficult to provide further information on where customers that visit these stores within Zone 4 actually live.
- 3.12. Nevertheless, with convenience goods shopping, it is important to note that consumers typically shop at a location which is easily accessible to their home or place of work, and whilst the brand or offer of a store does form a consideration as to where people shop,

customers are generally unwilling to travel significant distances to undertake dedicated convenience goods trips.

- 3.13. Given the relatively limited scale of the proposed discount foodstore and having regard to existing shopping patterns and trade draw; it is clear that the proposed development as a whole will principally serve those residents living within the Himley Village site and wider Bicester town and the immediate surrounding rural area. As such, the sequential assessment focuses on sites within and on the edge of Bicester town centre as the closest centre to the application site.
- 3.14. No other centres are included within the sequential assessment site search. Other defined centres beyond Bicester are all located a significant distance from the application site meaning that they would serve a markedly different catchment area with the closest being Kidlington village centre located around 10 miles driving distance from the application site. Locating the site within Kidlington village centre would require residents of Himley village and Bicester to travel past numerous other foodstores to undertake a food shopping trip. Customers would not be willing to undertake such a trip and as such sites within Kidlington would clearly serve a markedly different catchment area and must be excluded from consideration through the sequential test.
- 3.15. Taking into account guidance in respect of the sequential test set out within the NPPF (para 91/92) and the associated glossary (Annex 2) and noting the lack of any defined primary shopping area (PSA) for Bicester town centre, the search focuses on sites located within the town centre boundary. The search then considers those that are located on the edge of (up to 300m from) and well connected to the town centre. The assessment also considers whether there are any out-of-centre sites (i.e. beyond 300m of the town centre) that are accessible and well connected to the town centre.

## Identification of Sites

- 3.16. Sites requiring detailed consideration have been identified through site visits, a review of the Brownfield Land Register, map-based searches, requests for known sites from the planning authority, a review of the Local Plan adopted, and emerging policy maps and review of properties/sites being actively marketed.

## The Proposed Development – Site Requirements and Flexibility

- 3.17. Case law and Secretary of State decisions have confirmed that there is no specific requirement to consider the disaggregation of any of the floorspace from the proposed development unless there are specific circumstances relating to the development that require it.
- 3.18. The proposed variation of condition relates to the commercial centre of the wider development that will provide a foodstore, hotel, health facilities, offices, food and drink uses, a nursery and other mixed retail/commercial units. The intention of this commercial centre is to provide a focus of interrelated uses within the development which have the potential to generate linked trips between the uses. The intention is for the discount foodstore to act as an anchor for the other commercial uses.

- 3.19. Although the commercial centre is to support and provide facilities for the wider residential development, and therefore needs to be on site, there is no specific policy requirement to consider the disaggregation of the commercial centre uses from the wider residential development as approved. However, in order to demonstrate flexibility in accordance with the NPPF requirements, the assessment considers sites that could just accommodate the proposed commercial uses disaggregated from the wider residential development.
- 3.20. In addition, and in order to further demonstrate flexibility, the assessment also considers the disaggregation of the foodstore use only from the development site. Whilst the foodstore will anchor many of the other commercial centre uses, its delivery as a foodstore does not strictly require the delivery of those other uses to allow it to trade. Therefore, in order to demonstrate a significant amount of flexibility, sites are also considered that could accommodate just the foodstore and its associated car parking.
- 3.21. In terms of the car parking, this is a vital element to the proposed foodstore offer allowing those customers who choose to travel by car to unload trolleys directly into their car. As such, the car parking must be provided adjacent to the unit and cannot be disaggregated from the proposed development.
- 3.22. The sequential site search is therefore focused on those sites which could accommodate the commercial centre as a whole as well as considering the potential to accommodate just the proposed foodstore and associated car parking.
- 3.23. As highlighted through the submission, the commercial centre occupies a site area of around 6.2ha with the potential to deliver up to 7,600 sqm of gross floorspace. The proposed discount foodstore would provide up to 2,500 sqm of gross floorspace with a proportionately sized car park. This would require a site of around 0.8ha to accommodate just the foodstore and its associated car parking.
- 3.24. In considering the need to demonstrate flexibility, having regard to the various case law and appeal/Secretary of State decisions and the scale of the proposed development, the sequential site search has considered the sites which are capable of accommodating the development 20% larger and 20% smaller than that proposed with the car parking provision provided on a pro-rata basis.
- 3.25. As such, the sequential site search considers sites of between 5.0 and 7.4 hectares for the whole commercial area providing between 6,080 sqm and 9,120 sqm of gross floorspace. The assessment also considers sites for the foodstore of between 0.64 hectares and 0.96 hectares that can deliver a foodstore of between 2,000 sqm and 3,000 sqm of gross floorspace with sufficient onsite car parking spaces.
- 3.26. In considering flexibility of format, the foodstore is to be delivered on a single floor which is extremely important for the operation of the store owing to the trading difficulties of operating split-level foodstores which would require customers to take trolleys between different floors, as well as for staff restocking shelves. As such, only sites which could accommodate the proposed floorspace across a single floor would be considered as suitable. However, and again to demonstrate flexibility, sites will be considered where a small area of back of house floorspace could be delivered on a separate or mezzanine floor. In terms of the wider commercial centre, given the mix of uses proposed, some of these could be delivered across multiple floors, particularly the hotel and office uses.
- 3.27. Comment on these matters is provided through the site assessments where necessary.

## Availability

- 3.28. In considering whether a site is available, the sequential assessment considers this on a site-by-site basis taking into account whether the site is in active use, whether it is being actively marketed and whether planning permission exists on the site for alternative uses/redevelopment.
- 3.29. In considering whether sites will become available within a 'reasonable period', again this is considered on a site-by-site basis having regard to the fact that the application site is available for development now and outline permission already exists for the commercial centre. As such, subject to future reserved matters approvals, the site could come forward and be trading within 24 months. However, for robustness and to ensure that flexibility is taken account, the sequential assessment considers a period of up to 30 months. Any site that would not become available for development and would not be trading within or around the same period cannot be considered to be available within a 'reasonable period'.

## Conclusions

- 3.30. This methodology ensures a robust and detailed sequential assessment is prepared that accords with all relevant guidance and takes into account further guidance provided by key case law and Secretary of State/appeal decisions on the application of the test.

## 4. Sequential Assessment

- 4.1. This section considers the proposed development against the requirements of the sequential test as set out at NPPF Paras. 90-95 and Cherwell Local Plan Part 1 Policy SLE 2 based on the methodology set out at Section 3.
- 4.2. An extensive site search has been carried out and considered sites within and around Bicester town centre. Sites or existing units that were far too small to accommodate the proposed development have been considered but are not assessed in any further detail as a site or unit providing well under 50% of the required site area/floorspace for the foodstore alone cannot be considered suitable to accommodate the proposed development. This includes the following sites:
- Land Adjacent 83 And 85 Part Of Car Park Sheep Street – this in-centre site currently benefits from planning permission for the redevelopment to create new retail units with residential properties above<sup>1</sup>. Despite this, at just 0.1ha it is far too small to accommodate even the foodstore element of the proposed commercial centre.
  - Former Iceland store, 12 Sheep Street – this in-centre site is the former Iceland store which is currently being actively marketed for rent. The unit provides a gross floorspace of just 660sqm on ground floor level and is therefore far too small to even accommodate the foodstore element of the proposed commercial centre, with no opportunities to provide on-site parking.
  - Former Bicester Magistrates Court, Waverley House, Queens Avenue – this site is located in an out of centre location just over 300m walking distance from the town centre. Whilst the site is currently being promoted for development for residential uses, and is subject to a live planning appeal<sup>2</sup>, therefore making it unavailable. In addition, as the site is just 0.33Ha it would be far too small to accommodate the commercial centre or even just the foodstore.
- 4.3. Given this, and based on a detailed site search exercise, the following sites require further consideration:
- 'Site 1' – 1-3 Sheep Street and 1-5 London Road and Claremont car park.
  - Cattle Market car park, Victoria Road.
  - Mckay Trading Estate, Station Approach.
  - Former St Edburg's School and playing fields.

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<sup>1</sup> Planning permission ref. 23/03427/F.

<sup>2</sup> Planning application ref. 23/02355/F and appeal ref. APP/C3105/W/24/3351778



## **Site 1 – 1-3 Sheep Street, 1-5 London Road and Claremont car park**

- 4.4. This site relates to the site identified through the Cherwell Retail Study and referred to as 'Site 1'. The site is currently occupied by the Claremont pay and display car park, Deans Court shopping court and the Poundland store (formerly Wilko) along with other units fronting on London Road and Sheep Street occupying a total site area of around 1.3 hectares. The site is located within the town centre and is therefore considered as an in-centre site.
- 4.5. The Cherwell Retail Study suggests that the site would lend itself to residential use assuming that existing retailers could be relocated elsewhere in the town centre and highlight a need to undertake a comprehensive review of car parking provision in the town centre before allocating this site for development. In this respect it is noted that the site has not been included as a draft allocation in the Regulation 19 consultation draft of the Cherwell Local Plan Review 2042.
- 4.6. Dealing first with the suitability of the site, at 1.3ha in size it is clearly far too small to accommodate the whole of the proposed commercial centre. However, it could potentially be of a suitable scale to accommodate the foodstore disaggregated from the use. However, this would require the demolition of existing buildings and existing uses noting that none of the existing floorspace would be of a sufficient size or layout to accommodate a foodstore use. This would also require the provision of replacement car parking on site to mitigate the loss of the existing parking provision which would significantly reduce the area available to accommodate the foodstore and likely to make the site unsuitable.
- 4.7. In terms of availability, the site is currently under a range of different freehold landownerships with multiple leaseholds over individual units/buildings which are predominantly occupied. The car park is owned by Cherwell District Council and operated as a pay and display car park for the wider town centre which appears to be well used and performs an important function for those visiting the town centre. We have been unable to find any evidence of any part of the site being actively marketed.
- 4.8. Given the multiple landownerships and existing uses on the site, the site clearly cannot be considered to be available within a reasonable period to accommodate even the foodstore use. This conclusion is supported by the decision to not allocate the site for development in the emerging Cherwell Local Plan Review 2042.
- 4.9. Given this, it is clear that the site cannot be considered to be suitable or available to accommodate the proposed development and can be discounted for the purposes of the sequential test.

## **Cattle Market car park**

- 4.10. This site relates to the existing Cattle Market pay and display car park which is currently a large surface level car park owned and operated by Cherwell District Council occupying a site of around 0.79 hectares. The site is located outside of the town centre and approximately 35m from the town centre boundary. As such, the site is considered as an edge of centre site.

Figure 1 – Cattle Market Car Park



- 4.11. In terms of suitability, at just 0.79ha the site is far too small to accommodate the entire commercial centre however, it could potentially be of a sufficient scale to accommodate the proposed foodstore. However, given the existing use as a car park, any redevelopment would need to provide replacement parking provision which would significantly reduce the available site area to accommodate the foodstore, even if the replacement parking could be provided across multiple floors.
- 4.12. Given the location of the car park off Victoria Road, with a lack of visibility from any main road and the only access being from a relatively narrow road it is unlikely to be suitable for any foodstore operator noting the difficulties these constraints would pose on customer access and service/delivery vehicle access. In addition to this, given the location of the site, it falls beyond the typical 5-minute drivetime that the foodstore would principally serve and importantly would fail to easily serve the wider development and act as an anchor to the rest of the commercial centre.
- 4.13. In terms of availability, the site is currently used as a pay and display car park serving those visiting the wider town centre. The site is not being actively marketed for development by the district council. Permission was recently secured (July 2024) to retain the car park use on a permanent basis<sup>3</sup> following a number of previous temporary consents. Given the existing use as a car park and recent permanent permission it is clear that the site cannot be considered available to accommodate the proposed development.

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<sup>3</sup> Planning permission reference 24/00172/CDC

- 4.14. It is clear that the site cannot be considered to be suitable or available to accommodate the proposed development and can be discounted for the purposes of the sequential test.

## Mckay Trading Estate, Station Approach

- 4.15. This site is known as the Mckay Trading Estate located off Station Approach that is currently occupied by vacant industrial units (Units 2-7) with associated hardstanding/parking areas. The site extends to around 1.15ha and is located around 250m from the town centre boundary. As such, the site is considered as an edge of centre location.

*Figure 2 – Former McKay Trading Estate*



- 4.16. In terms of its suitability, at around 1.1ha, the site is far too small to accommodate the entire commercial centre however, it could potentially be of a sufficient scale to accommodate the proposed foodstore. However, given the location of the site, it falls beyond the typical 5-minute drivetime that the foodstore would principally serve and importantly would fail to easily serve the wider development and act as an anchor to the rest of the commercial centre.
- 4.17. In terms of availability, it is understood that the existing hardstanding around the units is used for parking associated with Bicester Village. Vehicular access is provided through the existing Bicester Village parking area to the rear of the industrial buildings via Loverose Way and pedestrian access provided to Bicester Village through a gate. The site is understood to be owned by the owners of Bicester Village.

- 4.18. An application seeking confirmation on whether prior approval was required for the demolition of units 2-7 on the site was submitted in February 2024<sup>4</sup>. The local planning authority confirmed that prior approval was not required in March 2024. The proposed demolition works included retaining the concrete slabs associated with the buildings, but no details were provided over the future use of the site. Our site visit in December 2024 confirmed that demolition works had not yet commenced although the car parking areas were in use.
- 4.19. In December 2024 an application<sup>5</sup> was submitted for the temporary use of the site for car parking associated with Bicester Village following the demolition of the existing buildings. Temporary consent is sought for a period of 5 years with the supporting application documents confirming the intention of this is to provide replacement car parking to avoid a significant net loss in car parking serving the Bicester Village development that would otherwise occur upon commencement of the approved 'western terrace' development<sup>6</sup>. This application is awaiting determination.
- 4.20. Given the current use of the site, and the planned extended use of the site for car parking associated with the Bicester Village development for a period of at least 5 years, it is clear that the site cannot be considered to be available to accommodate even the proposed foodstore element of the scheme within a reasonable period.
- 4.21. It is clear that the site must be considered both unsuitable and unavailable to accommodate the proposed development even when allowing for a significant level of flexibility.

## **Former St Edburg's School**

- 4.22. The former St Edburg's school site is located off Cemetery Lane and comprises of the former school and its associated playground and playing fields which is understood to have closed and relocated in 2015. The site occupies a site area of around 0.73ha and is located around 260m (walking distance) from the town centre boundary and is therefore considered as an edge of centre site. The site was most recently occupied by a charity until December 2023 and is understood to be vacant.
- 4.23. Dealing first with the suitability of the site, at just 0.73ha the site is far too small to accommodate the entire commercial centre however, it could potentially be of a sufficient scale to accommodate the proposed foodstore allowing for flexibility. However, the site has no main road frontage and access into the site is severely restricted with potential vehicular accesses via Cemetery Road, Piggy Lane or via the access to the former sports ground to the site. All of these options are single carriageway and would clearly be unsuitable to accommodate the level of trips generated by the proposed foodstore and, importantly, would not provide suitable access for service/delivery vehicles required to serve the store. Given this it is clear that the site is unsuitable to accommodate even the proposed foodstore element of the development. In addition to this, given the location of the site, it falls beyond the typical 5-minute drivetime that the foodstore would principally

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<sup>4</sup> Reference 24/00450/DEM

<sup>5</sup> Application reference 24/O3361/F.

<sup>6</sup> Planning permission reference 22/O3513/F.

serve and importantly would fail to easily serve the wider development and act as an anchor to the rest of the commercial centre.

4.24. In terms of availability, the site is understood to be vacant and whilst it is believed to be owned by the owners of Bicester Village it is assumed that the site could be considered available.

4.25. Despite the potential availability of the site, it is clear that the site is unsuitable to accommodate the proposed development even when allowing for a significant level of flexibility.

## **Conclusions**

4.26. A detailed sequential site search and assessment has been carried out considering sites within, on the edge of and well related to Bicester town centre as the closest defined centre to the application site. A number of sites have been assessed and it is clearly demonstrated that none are both suitable and available to accommodate the proposed development even when allowing for a significant degree of flexibility.

4.27. Given the detailed assessment that has been prepared, it is clear that the scheme has demonstrated according with the sequential test set out at NPPF Paras. 90–95 and Cherwell Local Plan Part 1 Policy SLE 2.

## 5. Retail Impact Assessment Methodology

- 5.1. This section sets out the methodology used in assessing the retail impact of the proposed development noting the guidance contained within the PPG in respect of such assessments. The proposed methodology was submitted to the local planning authority through for comment and a copy of this note is provided at Appendix 2.
- 5.2. The retail impact assessment has been prepared in accordance with the proposed methodology set out in the note with the following exceptions:
- The design year, i.e. the year at which impact is tested, for the proposed development has been pushed back to 2030. This is done as it is expected that this will represent the second full calendar year of trading of the discount foodstore noting the requirement for scheme to also secure reserved matters consent and undertake the relevant discharge of conditions.
  - We have included the Food Warehouse by Iceland at Launton Road Retail Park as a commitment within the assessment as whilst this is now open and trading, it was not at the time of the household survey carried out in support of the Retail Study. Details in relation to the floorspace of this commitment have been obtained from previous planning applications for the unit.
- 5.3. The methodology ensures that the impact assessment prepared is a robust and worst-case assessment of impact.

## 6. Bicester Town Centre Health Check

- 6.1. Before considering the likely impact of the proposed development, it is necessary to assess the current vitality and viability of Bicester town centre to understand how any trade diversion associated with committed development and the proposed development may impact the centre. The following provides a 'health check' of the town centre drawing upon a range of data sources having regard to the guidance on preparing such assessments as set out in the PPG.
- 6.2. Given the recent publication of health check data within the Cherwell Retail Study and Supplemental Retail Study we have relied upon this existing data as a basis for this health check and reviewed this based on updated use count data sourced from Experian GOAD and a site visit carried out in December 2024.

### Overview

- 6.3. As recognised in the Cherwell Retail Study, Bicester is a traditional market town that is classified as one of two town centres in the District in the Cherwell Local Plan Part 1. The centre has benefitted from significant investment in the form of the redevelopment of Pioneer Square in 2013 which introduced Sainsbury's and Vue Cinema as anchors to the centre.
- 6.4. The defined town centre is focused principally along Sheep Street although it extends eastwards along Market Square and Causeway.

### Accessibility

- 6.5. The town centre benefits from a range of means of transport making it highly accessible from the local area and beyond. The centre is served by two railway stations within walking distance of the centre in the form of Bicester North and Bicester Village which provide services to Birmingham, London and Oxford along with intervening local stations including Banbury and Haddenham. The centre also benefits from strong bus connections with Pioneer Square acting as a bus terminal and providing bus routes around Bicester as well as further afield including nearby villages and beyond to larger urban areas including Northampton, Aylesbury, Buckingham and Oxford.
- 6.6. The centre is served by a range of pay and display short and long stay car parks with Pioneer Square multi-storey and the Cattle Market being the largest car parks. A primary shopping frontage is designated on the Local Plan policies map along Sheep Street and Crown Walk.

### Environmental Quality

- 6.7. As recognised in the Cherwell Retail Study; the town centre is generally an attractive environment benefitting from a large pedestrianised shopping area with much of the town centre designated as a conservation area. Whilst there are some areas in need of investment, this is typical for any centre of the scale of Bicester.

## Diversity of Uses

- 6.8. The Cherwell Retail Study and Supplemental Retail Study provide data on diversity of uses within the town centre between 2012 and May 2023. To ensure up-to-date information is available we have obtained a copy of the latest GOAD Category Report for the town centre which provides data based on a survey carried out in January 2024. Table 3 below sets out the diversity of uses by units and compares this with data presented in the retail studies back to 2021, data is not compared with 2012 as this pre-dates the Pioneer Square redevelopment.

Table 3 - Diversity of Uses by Unit Count

Use Type	2021		2023		2024	
	Units	%	Units	%	Units	%
Convenience	18	8.1%	15	6.8%	20	8.9%
Comparison	44	19.7%	44	20.0%	45	20.1%
Services (Total)	141	63.2%	146	66.4%	143	63.8%
<i>Retail</i>	49	22.0%	55	25.0%	52	23.2%
<i>Leisure</i>	55	24.7%	56	25.5%	57	25.4%
<i>Financial &amp; Business</i>	37	16.6%	35	15.9%	34	15.2%
Vacant	20	9.0%	15	6.8%	16	7.1%
<b>Total</b>	<b>223</b>	<b>100%</b>	<b>220</b>	<b>100%</b>	<b>224</b>	<b>100%</b>

- 6.9. As can be seen in Table 3, there have been limited changes to the proportion and mix of uses since the last unit count carried out in 2023. The town centre continues to be largely focused on service uses with leisure services, which includes food and drink uses, forming the most represented use category. The traditional retail (convenience and comparison) use is relatively low, and lower than national average which is no doubt in part due to the proximity of Bicester Village to the town centre which provides a regionally significant comparison goods retail offer.
- 6.10. As the proportion of units is only one factor when considering the makeup of the town centre. It is also necessary to consider the amount of floorspace dedicated to each type of use. Table 4 sets out the mix of floorspace based on the Experian GOAD survey with comparisons with data presented in the Retail Study and Supplemental Retail Study.

Table 4 - Diversity of Uses by Floorspace

Use Type	2021		2023		2024	
	M <sup>2</sup>	%	M <sup>2</sup>	%	M <sup>2</sup>	%
Convenience	6,860	16.1%	6,780	14.4%	6,921	14.7%
Comparison	11,260	26.4%	11,880	25.2%	11,715	24.9%
Services (Total)	20,650	48.3%	26,030	55.2%	25,446	54.2%
<i>Retail</i>	5,020	11.8%	5,310	11.3%	5,100	10.9%
<i>Leisure</i>	15,030	35.2%	15,350	32.5%	15,682	33.4%
<i>Financial &amp; Business</i>	5,600	13.1%	5,370	11.4%	4,664	9.9%
Vacant	3,950	9.2%	2,470	5.2%	2,889	6.2%
<b>Total</b>	<b>42,720</b>	<b>100%</b>	<b>47,160</b>	<b>100%</b>	<b>46,972</b>	<b>100%</b>

- 6.11. As can be seen in Table 4, there have been relatively few changes in the make up of floorspace since the last survey was undertaken. Leisure floorspace is the most dominant use of floorspace in the town centre, no doubt in part due to the presence of Vue Cinema.



This is then followed by retail floorspace in the form of comparison retail and convenience retail.

6.12. As is recognised in the Retail Study and Supplemental Retail Study, it is necessary to consider this data against national averages. As such the following Figure 3 and Figure 4 compare the current unit and floorspace rates against national averages, this effectively provides an update to the data presented in Figures 4.8 and 4.9 of the Supplemental Retail Study.

Figure 3 – Diversity of uses by unit and comparison with UK average – January 2024.

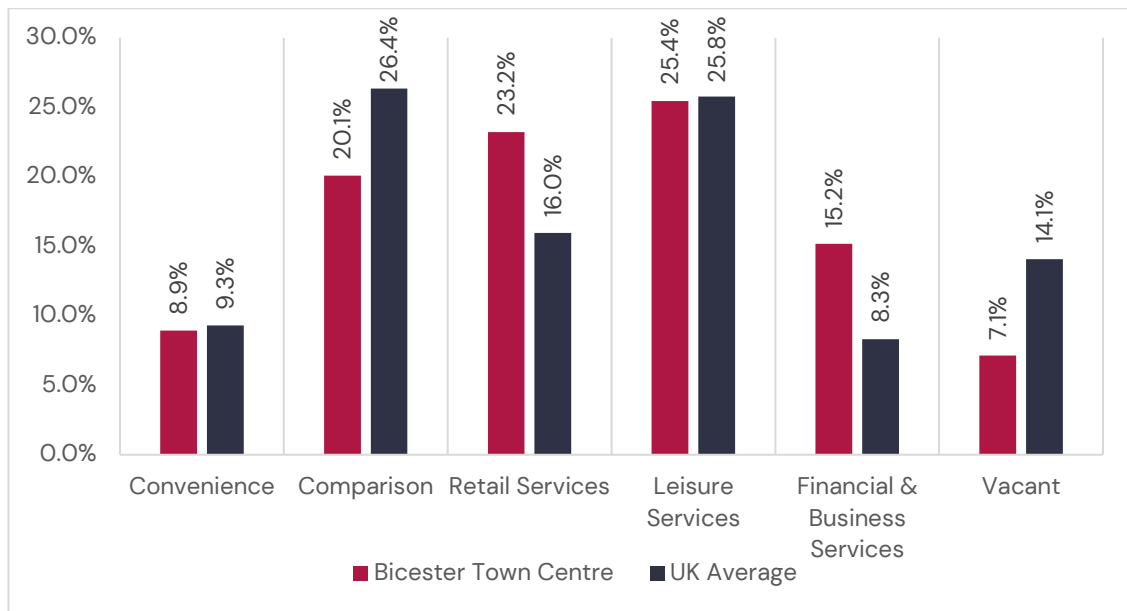
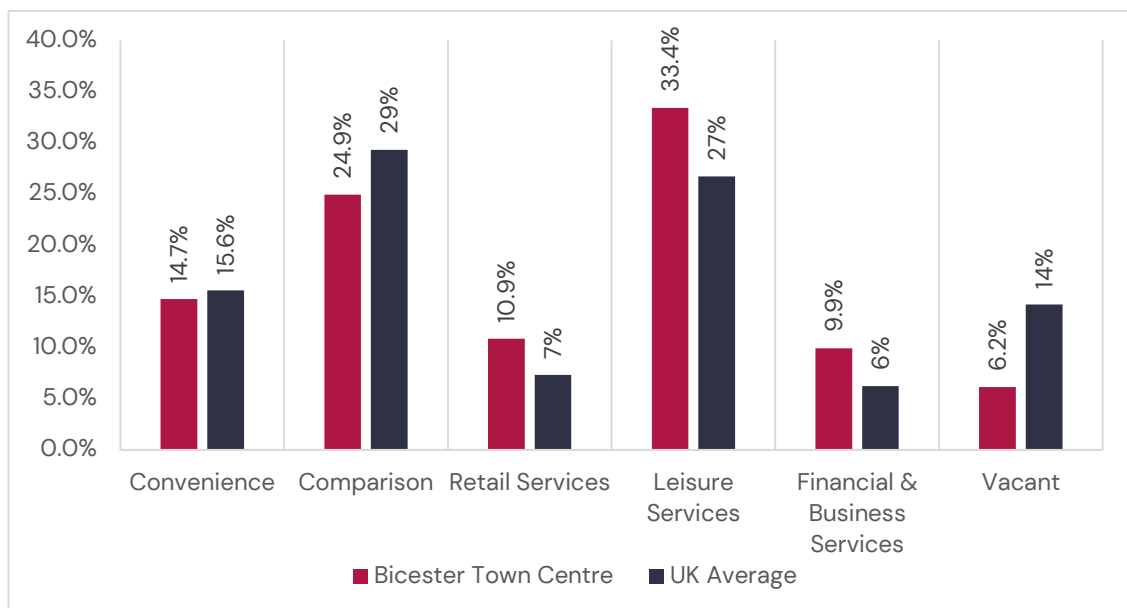


Figure 4 – Diversity of uses by floorspace and comparison with UK average – January 2024.



6.13. As seen in Figure 3, the number of convenience goods and leisure service units within the town centre is in line with national averages however the proportion of comparison goods

unit is significantly below national averages reflective of the role that Bicester Village no doubt has on local comparison-goods shopping patterns. Instead, the town centre sees higher than average uses focused on retail services and financial and business service uses.

- 6.14. Figure 4 highlights that the proportion of leisure service floorspace is significantly above that seen nationally despite the proportion of units being comparable. This is reflective of the larger scale of leisure units in the town centre which will no doubt be driven by the large floorspace of Vue Cinema. The proportion of comparison goods floorspace is below national average reflecting the same pattern in respect of the proportion of units.

### Proportion of Vacant Street Level Property

- 6.15. The consideration of vacancy levels is important as it helps provide a snapshot of confidence in a local retail market and the ability to attract new occupiers to the centre.
- 6.16. Whilst the preceding sub-section provides data on the proportion of vacant retail units and floorspace, the following reproduces and comments on this specific data comparing this with data and national averages back to 2012.

*Table 5 - Proportion of Vacant Units - 2012-2024*

Year	Unit Count	Proportion of Units	National Average
2012	23	8.1%	8.6%
2021	20	9.0%	13.4%
2023	15	6.8%	13.8%
2024	16	7.1%	14.1%

- 6.17. As highlighted in Table 5, 16 vacant units were reported in 2024 which amounts to a vacancy rate of just 7.1%, around half of the national average. Surprisingly, vacancy rates and total vacant units are now lower than that recorded in 2012 despite significant increases in vacancy rates in town centres seen nationally over the same period. This very low vacancy rates suggests that the town centre is vital and viable and has responded well to the challenges seen across the country. It should be noted that any centre will always have a number of vacant retail units which occur as part of the typical churn of floorspace where occupiers vacate floorspace before another occupier is secured.

*Table 6 - Proportion of Vacant Floorspace 2012-2024*

Year	Floorspace (m <sup>2</sup> )	Proportion of Floorspace	National Average
2012	2,053	6.8%	12.0%
2021	3,950	9.2%	12.8%
2023	2,470	5.2%	13.8%
2024	2,889	6.2%	14.2%

- 6.18. As with the proportion of units, the level of vacant floorspace within the town centre remains extremely low with the current figure being less than half the national average. Again, this highlights the strength and resilience of the town centre.

## **Retailer Representation**

- 6.19. As highlighted in the Retail Study, the town centre benefits from a range of national and independent retailer representation. Key national multiple retailers represented in the town centre include Sainsbury's, B&M Bargains, Boots and New Look. The centre has a limited fashion offer which is no doubt influenced by the significant fashion offer at Bicester Village and Bicester Shopping Park.
- 6.20. The town centre's representation of specialist and independent shops is also considered good with a range of retailers complimented by a weekly market taking place on Sheep Street every Friday.

## **Night Time Economy**

- 6.21. Noting the high proportion of leisure uses already discussed; the centre is considered to have a strong night time economy offer for a centre of its size with Vue Cinema providing a significant attractor to the centre along with a number of restaurants and public houses.

## **Conclusions**

- 6.22. It is clear that the town centre remains vital and viable and has responded well to the challenges posed by the Covid-19 pandemic and changes to consumer shopping habits over the last 10-15 years, something that is highlighted by the extremely low vacancy rates. The town centre performs an important local retail, leisure and service destination providing a diverse mix of uses.

## 7. Impact Assessment

7.1. This section considers the expected impact of the proposed development setting out the trade diversion and subsequent impact of the proposed foodstore on defined centres taking into account its proposed function and location. The following matters are considered in turn:

- Existing Provision and Shopping Patterns
- Trade Draw
- Trade Diversion
- Population Growth
- Impact on Planned Investment
- Linked Trips
- Impact on Town Centre Investment and Vitality and Viability
- Population Growth
- Impact Conclusions

### Existing Provision and Shopping Patterns

7.2. Before moving on to consider likely trade draw and trade diversion patterns, it is necessary to consider and properly understand existing retail provision in the local area and local shopping patterns that are relevant to the application proposals. In the case of the application proposals and the focus of this assessment on the proposed foodstore; this principally requires consideration of convenience goods shopping patterns.

7.3. Bicester is generally well provided for in terms of its existing foodstore provision. This includes representation from existing discount foodstores in the form of Lidl and Aldi on Launton Road along with the recently opened Food Warehouse by Iceland at Launton Road Retail Park. Larger traditional supermarkets are also represented in the town with Tesco at Lakeview Drive and the Sainsbury's store in the town centre at Pioneer Square. These stores are complimented by more specialist stores including the M&S Foodhall at Kingsmere Retail Park.

7.4. There are also a number of smaller convenience stores across the town which principally serve the day-to-day shopping needs of local residents focused on a small, principally walk in, catchment. This includes a number of Tesco Express and Co-op stores, with the Tesco Express store at Bowmont Square being the closest to the application site.

7.5. Details of the main foodstore provision, their scale and trading performance is set out in Table 7 of Appendix 3. Whilst a similar assessment is provided in the Cherwell Retail Study and Supplemental Retail Study, these have been updated to allow for the updated data and ensuring the use of the best available data in respect of gross/net sales floorspace. As can be seen, and as per the conclusion of the retail studies, the trading performance of the

existing stores varies across the town. Notably the two main discount foodstores in the town; Aldi and Lidl on Launton Road are both significantly overtrading at around 244% and 325% of their expected benchmark turnover, with this expected to rise by the design year of 2030. This highlights the significant popularity of the discount foodstores within Bicester. The Tesco store at Lakeview Drive is also recorded as overtrading, with a turnover equivalent to around 158% of its expected benchmark turnover.

- 7.6. Overtrading in stores can cause issues for customers including increased wait time at checkouts, difficulty parking, and issues with stocking shelves, particularly at peak times, all of which can negatively impact customers shopping experiences and ability to undertake their food shopping trips. This can lead to customers choosing to shop at alternative locations, which may be further afield but can provide a better and less constrained offer.
- 7.7. As per the conclusions in the retail studies, the Sainsbury's store at Pioneer Square and M&S Foodhall at Kingsmere Retail Park were both recorded as undertrading when compared with their benchmark position. The level of undertrading varies from around 51% of its benchmark trading performance (Sainsbury's) to 85% (M&S). As such, the Sainsbury's store is trading notably below its benchmark levels and whilst the retail studies do not explore this in any detail, it is expected that the survey derived turnover may be an underestimation of its actual turnover, particularly given the extensive overtrading recorded at other stores.
- 7.8. Whilst the in-centre Sainsbury's store does appear to be undertrading, it should be noted that the benchmark trading position of any store only provides an approximate average for each retailer based upon their entire store portfolio. Therefore, even if a store is highlighted as undertrading it does not mean that it is not profitable or viable. Indeed, stores across a retailer's portfolio will be trading successfully above and below the benchmark position across the country.
- 7.9. It is also important to highlight the modelled turnover of the Sainsbury's store will not take into account turnover that is generated from online sales, including home delivery, from the store. The Sainsbury's store services online sales, including home delivery, store collection, and groceries on demand<sup>7</sup>, from the store with orders being picked from the shop floor. The Experian Retail Planner Briefing Note 21 highlighted that 16.4% of all convenience goods expenditure is spent online with the majority of this (around 70%) being online trade that is picked from retail floorspace in stores. Given this, it is clear that the turnover associated with such purchases will significantly contribute the stores viability. In addition, the viability of the existing store is further supported by the operation of the Argos store (owned by Sainsbury's) and the Starbucks Café within the foodstore.
- 7.10. The proposals are for a moderately sized discount foodstore which is intended to be able to serve a main food shopping function. As such, it is important to understand those stores that are currently performing a main food shopping trip offer in the local area. Where stores draw their trade from has already been provided in respect of the sequential test methodology at Section 3, with full market share data presented in Table 4a-c at Appendix 3. However, Table 7 sets out the main food convenience goods market share retained by

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<sup>7</sup> Generally used for smaller top-up food purchase deliveries.

local stores presented as a market share from the zone that Bicester falls within (Zone 4) and the rest of the Study Area (Zones 1-3).

Table 7 – Main foodstore provision in Bicester – main food trip turnover & market share at 2030.

Destination	Zone 4 (Bicester)		Remaining Study Area (Zones 1-3)	
	Market Share (%)	2030 Turnover (£m)	Market Share (%)	2030 Turnover (£m)
<b>Bicester town centre</b>				
Sainsbury's, Pioneer Square	5%	£18.3m	0.1%	£0.7m
Bicester town centre other	-	-	0.1%	£0.4m
<b>Bicester out of centre</b>				
M&S Foodhall, Kingsmere Retail Park	0.5%	£1.8m	0.5%	£2.9m
Tesco, Lakeview Drive	15.5%	£56.7m	0.2%	£1.1m
Aldi, Launton Road	8.8%	£32.2m	0.1%	£0.9m
Lidl, Launton Road	4.9%	£17.9m	0.4%	£2.4m
Other Bicester	-	-	0.5%	£3.3m

- 7.11. As can be seen in Table 7, the local convenience goods market in Bicester is dominated by the main foodstores in the town; with the Tesco store at Lakeview Drive retaining over 15% of all main food shopping trip expenditure from Zone 4, followed by the Aldi and Lidl stores on Launton Road and Sainsbury's at Pioneer Drive. The M&S Foodhall at Kingsmere Retail Park retains a lower level of main food shopping trip turnover.
- 7.12. Given the size of Zone 4, which extends as far north as Bodicote and west to Witney, it is not surprising that a significant amount of trade from this wider zone is drawn to destinations in Banbury, Kidlington, Carterton and Oxford. However, it is expected that only a negligible amount of this will be from residents in and around Bicester given the significant travel distances from the town to these stores.
- 7.13. The preceding paragraphs and the data at Appendix 2 provide a detailed analysis and understanding of local convenience goods shopping patterns and habits which will help to inform the expected trade diversion and ultimate impact of the proposed foodstore.

## Trade Draw

- 7.14. In considering where trade will be drawn from, there are a number of factors to consider including the offer of the proposed development, the location of the site in relation to any potential customer base, and the existing retail provision/shopping patterns in the local area. The latter two have been discussed in some detail in the previous sub-section.
- 7.15. Dealing first with the offer of the proposed development, as already identified, the proposals include a moderately sized discount foodstore. A store of this scale will principally help meet main food shopping needs. Although the store is smaller than some of the other main food shopping facilities in the town, smaller foodstores and in particular discount foodstores, have become increasingly popular in recent years. This has come about following changes in consumer shopping patterns with the popularity of once weekly

large food shopping trips declining and a rise in customers choosing to undertake multiple smaller main food shopping trips, sometimes to different stores or destinations.

- 7.16. The relationship/accessibility of the proposed foodstore to the customer base and the existing shopping provision are interlinked when it comes to considering the areas that the application proposals will principally serve. Location, ease of accessibility and offer are key determinative factors for customers choosing where to undertake a convenience goods shopping trip. Discount foodstores such as that proposed generally focus on serving a 5-minute drivetime catchment area, and whilst stores will inevitably draw some trade from beyond this, generally customers are unwilling to travel significantly greater distances to access such convenience store provision.
- 7.17. Having regard to this, and existing store trade draw patterns, it is clear that the proposed foodstore will principally serve those existing and future residents living within the Himley Village site and wider Bicester urban area, as well as the immediate surrounding rural areas. Given this, the vast majority of trade will be drawn from Zone 4 as identified in the Retail Study.

## Trade Diversion

- 7.18. The estimated convenience and comparison goods trade diversion associated with the proposed foodstore is set out at Table 9 of Appendix 3. The trade diversion patterns have been estimated based on the guiding principle of 'like affects like' taking into account; the function/offer of the proposed development, existing provision, existing turnover of stores and current shopping patterns in the local area as already discussed.
- 7.19. In terms of the proposed development, as already highlighted the foodstore element of the commercial centre will provide a main food shopping facility and as such it will divert its trade from other stores which provide a similar function. As already explained, the principal main food shopping facilities within and serving Bicester are the Tesco, Aldi, Lidl and Sainsbury's store which are located within 3 miles (travel distance) from the commercial centre site.
- 7.20. In considering the level of trade diversion from existing stores, we have also had regard to the different customer bases of existing stores and their propensity to change between different foodstores. In this respect it is important to note customer perceptions and views of different retailers will undoubtedly affect this propensity to change. This matter, and the affect/impact that discounters can have on other foodstore operators, was considered at length through the Competition & Markets Authority (CMA) report into the proposed merger between Sainsbury's and ASDA with the final report concluding that discount foodstores:

*"tend to be cheaper than other supermarkets, they stock around one-fifteenth of the different product lines of a large 'Big 4' supermarket, and they offer fewer branded goods. Our analysis confirms that they are now an important presence in the market."*

- 7.21. Whilst the report clearly focuses on the role discounters have in competing with ASDA and Sainsbury's, it also highlighted that the propensity for customers to change where they shop varies significantly depending on their current store of choice. In this regard, people's perceptions and what they are looking for in a main food shopping destination are clearly of relevance. Figure 4.2 of the CMA final report provided data on perceptions of foodstores

and how these had changed between 2010 and 2017. A copy of this is reproduced as Figure 5 below.

Figure 5 – Shopper Quality and Price Perception Ratings (2010–2017)<sup>8</sup>



- 7.22. As can be seen in Figure 5; shopper's perception of the discount foodstore operators is that they provide products at low prices but that the quality is in line, or perceived to be better than, a number of 'big 4' retailers including Asda, Tesco and Morrisons. As such, for those that are both price and quality conscious the discount foodstores are clearly an attractive proposition to customers. However, as can be seen in Figure 5 there are two supermarkets which appear far to the right of the graph where the perception is of higher prices but higher quality in the form of Waitrose and Marks and Spencer. In addition, the perception of Sainsbury's was of significantly higher prices than the discount foodstore operators.
- 7.23. When customers are choosing between where to shop it is likely that those located to the left of the graph will compete more closely with each other for the same customers than those located to the far right of the graph. Therefore the propensity for customers from those stores perceived to be higher price, higher quality to change and begin to shop at the proposed discount foodstore will be less likely than those shopping at more similar priced stores. Whilst it is important to note that these are only customer perceptions, they do give some insight into the likely views of customers which can help inform the trade diversion of the proposed development following the like affects like principle.
- 7.24. It is noted that this data is a number of years old now and evidence suggests that the prices of the likes of Tesco and Sainsbury's are now closer to those of the discounters than they previously were. However, as is set out in the more recent CMA data on Competition, Choice and Rising Prices in Groceries (July 2023), there remains a significant average

<sup>8</sup> Taken from Figure 4.2 of the CMA Final report into the anticipated merger between Sainsbury's and Asda.



basket price between the discount foodstore operators and other foodstores, including Sainsbury's.

- 7.25. Given this and noting the discount foodstore operator's offer and place in the market, as well as drawing trade from destinations serving main food shopping trips, it will draw a greater amount of trade from those traditional foodstore retailers with a greater focus on price as well as other discount foodstores.
- 7.26. In terms of the comparison goods turnover and offer of the foodstore; this will be limited given that it will be ancillary to the main function of the store with comparison goods purchases generally being made at the same time as a convenience goods visit, rather than the comparison goods offer acting as a destination in its own right. As such, the vast majority of the comparison goods turnover will be diverted from those existing foodstores where the convenience goods trade is being diverted from.
- 7.27. Table 9 at Appendix 3 sets out the detailed trade diversion patterns expected for convenience and comparison goods having regard to the various factors considered and set out earlier in this Section. For ease of reference, Table 8 summarises the main expected convenience goods trade diversion as a result of the proposed development.

*Table 8 - Convenience goods trade diversion as a proportion of development turnover.*

Destination	Convenience Goods Trade Diversion
<b>Bicester town centre</b>	
Sainsbury's, Pioneer Square	10%
Bicester town centre other	-
<b>Bicester out of centre</b>	
M&S Foodhall, Kingsmere Retail Park	5%
Tesco, Lakeview Drive	20%
Aldi, Launton Road	35%
Lidl, Launton Road	30%
Other Bicester	5%
<b>Outside Bicester</b>	
Kidlington town centre	-
Other destinations	-
<b>Total</b>	<b>100%</b>

- 7.28. As summarised in Table 8, the proposed convenience goods turnover will be principally diverted from the existing out of centre foodstores within Bicester as the locations which attract the majority of locally generated convenience goods expenditure and serve a main food shopping offer. The greatest level of trade diversion will come from the existing discount foodstores in the town noting the similar offer to the proposed foodstore, the popularity of the discount foodstores in the town and their proximity to the application site.
- 7.29. Notable levels of the store's trade will also be diverted from the existing Tesco store given the size and popularity of the store and noting that this represents the closest store to the application site. A limited level of trade will be diverted from the M&S Foodhall site recognising the difference in offer but its proximity to the application site.
- 7.30. In terms of in-centre trade diversion, a limited amount of trade, in the region of 10% of the foodstore turnover, will be drawn from the in-centre Sainsbury's store at Pioneer Square.

This lower level of trade diversion is reflective of the lower turnover attributed to that store and importantly the difference in offer between the store and the proposed discount foodstore. Given the lack of other comparable provision within the town centre, combined with the existing out of centre provision, no trade diversion is expected to be drawn from other stores within the town centre.

- 7.31. The remaining trade will be drawn from other out of centre destinations within Bicester including the recently opened the Food Warehouse by Iceland at Launton Road Retail Park and to a lesser degree; the smaller convenience stores across the town. No trade is expected to be drawn from Kidlington village centre given its distance from the application.
- 7.32. These trade diversion patterns are all estimated based on the scale of the foodstore proposed whilst having regard to existing retail facilities and shopping patterns in the local area taking into account the like affects like principal. As such, it is considered that the trade diversion patterns are robust and based on a wealth of evidence.

## Impact on Planned Investments

- 7.33. Based on our research we have been unable to identify any in-centre planned investment within Bicester town centre which requires the consideration of impact against in accordance with NPPF para 94(a).
- 7.34. Whilst the regulation 19 draft of the new Cherwell Local Plan identifies some 'opportunity areas' within Bicester town centre, these do not amount to planned investment given the lack of any progress being made to the delivery of development on these sites. Regardless of this, the two opportunity areas identified<sup>9</sup> seek to deliver public realm and parking improvements within only Site 1 suggesting potential development opportunities in the form of restaurant and leisure space. Clearly the addition of a discount foodstore as part of the wider commercial area at the application site will have no impact on any potential future project within either opportunity area.
- 7.35. As such, the proposed development will clearly not have a significant adverse impact on planning/committed development in accordance with Local Plan Policy SLE 2 and NPPF paragraph 94/95.

## Linked Trips

- 7.36. Before moving on to consider the impact of the trade diversion on the overall impact on town centre vitality and viability, it is useful to consider indirect impacts created in the form of the loss of linked trips away from the defined centres as a result of any trade diversion from stores within or close to Bicester town centre. Linked trips are effectively trips/visits made by consumers to other shops or services before or after visiting another store. In this case, the focus is on the linked trips being made by customers visiting any foodstores located within or close to Bicester town centre.
- 7.37. In the case of in-centre stores, as already highlighted only a small amount of trade is expected to be drawn from the Sainsbury's store at Pioneer Square and therefore clearly the resultant impact on linked trips being made will be limited. However, noting the in-

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<sup>9</sup> Site 1: Bure Place / Wesley Lane / Sheep Street and Site 2: Market Plan (Square)

centre location of the Sainsbury's store and its ability to generate linked trips with other uses within the town centre, it is worthwhile exploring the following matters to understand the likely impact on linked trips as a result of the trade diversion from the Sainsbury's store. In considering this, we provide comment on the following matters in turn:

- Would the proposed development serve the same function or offer of Bicester town centre therefore replacing the need for other retail and service trips to other destinations;
- The ease of making a linked trip from the proposed development to Bicester town centre; and,
- The availability of other locations where customers may choose to visit if they are no longer undertaking a linked trip to Bicester town centre as part of a visit to the existing foodstore.

- 7.38. Dealing first with the offer of the proposed development, and whether it would be able to serve the same function as the town centre or replace the need for those to visit the town centre, it is clear that this is not the case. Whilst the foodstore and commercial centre will provide a convenience goods, small scale comparison retail and service function (the latter two as per the existing consent), the other retail, service and leisure uses will be of a limited scale and will clearly not be able to meet the majority of customers other shopping, service, and leisure needs. As such the attractiveness of the commercial will clearly not match or compete with Bicester town centre. As such, there will still be a requirement for customers visiting the commercial centre to use and visit Bicester town centre.
- 7.39. In terms of the proposed foodstore, it is smaller than the Sainsbury's store and it will not strictly provide a one stop shop for all customer's convenience goods requirements noting that the offer and number of goods sold will be limited by the size of the store and discount store operation. Those existing customers who choose to visit more than one foodstore to undertake their main food shopping needs, either as part of a linked trip or separate trip, will continue to need or choose to do this. These customers will still have the option of visiting the Sainsbury's store as well as smaller stores and local facilities within the town centre to meet this need depending on their preference.
- 7.40. Given this, it is necessary to consider the ease of making a linked trip from the proposed foodstore either before or after a trip to the store. In this case, the site is located around 2 miles from Bicester town centre whilst there will also be future bus connections to the town centre from the development. As such, it is clearly possible to still undertake a linked trip from the application site to the town centre or visit as part of a separate trip.
- 7.41. Finally, it is necessary to consider the availability of other locations where customers may choose to visit if they are no longer undertaking a linked trip to Bicester town centre as part of a visit to the existing Sainsbury's store having regard to the distance and ease of access to other retail and service destinations. In this regard, Bicester town centre will still be the closest concentration of any retail, leisure and service provision to the proposed development and the delivery of a foodstore on the application site will not change this.
- 7.42. In any case, it is important to note that those customers that are already undertaking linked trips to the town centre associated with a visit to the Sainsbury's are less likely to alter their shopping habits and choose to shop at the proposed foodstore rather than the Sainsbury's

store. This is because the ability to undertake linked trips with the town centre forms part of the reasoning to shop at that particular store.

- 7.43. There are no other foodstores that are well related or close to Bicester town centre that provide the ability to undertake linked trips to the town centre. The closest other foodstore to the town centre is Aldi at Launton Road which is located around 550m from the town centre boundary, and around 850m from the start of the main retail area on Sheep Street with no direct line of site to the town centre facilities. In addition to the distance to the town centre, the car park at Aldi is limited to 1 ½ hour stays which does not provide any opportunity to visit the town centre on foot when also visiting the Aldi store by car. The ability for the Aldi store to generate linked trips to the town centre is extremely limited and therefore any trade diversion to the proposed foodstore will have a negligible impact on the potential for such trips occurring.
- 7.44. As we know that visits to higher order centres and facilities will still need to be made, that those facilities within Bicester town centre remain easily accessible from the site and would remain the closest such provision to the application site, the actual impact on linked trips being made to Bicester town centre, or as part of a separate trip, will be very limited as a result of the proposed development.

## **Impact on Town Centre Vitality and Viability**

- 7.45. This subsection considers the impact of the proposed development on town centre vitality and viability, including existing investment within defined town centres which is set out in Table 9 of Appendix 3.
- 7.46. When considering the impact of the proposals, this must be assessed against the current vitality and viability of the town centre which is discussed in detail at Section 6 based on up-to-date health check of Bicester town centre. As highlighted in the health check; the town centre is clearly vital and viable providing a strong mix of retail, leisure and service uses with vacancy rates well below national average.
- 7.47. In considering trade diversion and resultant impact, we have also taken into account the identified commitment which was not open at the time of the household survey to provide a total cumulative impact figure. As highlighted by previous Secretary of State decisions; the policy requirement is to consider the impact on town centres as a whole<sup>10</sup> rather than on a sector or specific unit basis. As such, the following considers the impact on the convenience and comparison goods turnover of Bicester town centre as a whole to understand whether there would be any significant impacts on the vitality and viability of the town centre.
- 7.48. In terms of the impact on Bicester town centre, as already highlighted in the trade diversion subsection, given the difference in offer of the Sainsbury's store and the lack of other in-centre comparable provision, a very limited amount of trade will be drawn from destinations within the town centre itself. In terms of the solus impact, around £1.6million will be diverted from destinations within Bicester town centre compared with its total existing turnover of around £168million. This amounts to an impact on in-centre trade as a result of the proposed development of just 1% which clearly will not result in a significant

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<sup>10</sup> Scotch Corner decision SoS letter para. 12 (ref: APP/V2723/V/15/3132873 & APP/V2723/V/16/3143678)

adverse impact on the centre. Given the limited level of trade diversion, this is not expected to impact the ongoing viability of the existing Sainsbury's store.

- 7.49. Allowing for the trade diversion of committed development which is now operational<sup>11</sup>, and therefore their impact already felt and accounted for in the health check, the cumulative impact on town centre trade amounts to just 2% of its existing turnover. However, it should be noted that this figure allows for the closure of the Iceland store on Sheep Street and assumes that all of this trade is diverted to the new the Food Warehouse by Iceland store. In actual fact, given the difference in both location and offer between the former Iceland High Street store and the new the Food Warehouse, not all of this trade will have been lost from the town centre and some of the turnover may instead be redirected to the Sainsbury's store in the town centre. Regardless, a cumulative impact of just 2% will not result in a significant adverse impact on the town centre given its clear vitality and viability.
- 7.50. There will be no impact on Kidlington village centre given the lack of any trade diversion from the centre.

## Population Growth

- 7.51. As set out in the methodology, the assessment has relied upon population projections provided in the Supplemental Retail Study which are based upon Experian population projections informed by Census data. However, these do not account for population growth associated with planned residential developments which is clearly of relevance to Bicester given that planned developments being delivered around the city, including as part of the application proposals. The assessment has not sought to build in population growth, or the expenditure growth associated with this planned housing growth given that there is the potential for double counting between population growth estimated by Experian and additional population growth locally associated with the planned housing development. As such, the assessment provides a worst-case scenario in respect of impact and ensures that the assessment is robust.
- 7.52. Nevertheless, there will be significant expenditure growth in the local area, which is likely to be over and above that assumed within the assessment. This can be considered as a material consideration when assessing the impact of the proposals. Noting that some of the new homes have been completed associated with the approved residential developments, some of the population growth associated with these will have been picked up within the base population data. Nevertheless, there remains many housing developments to be completed within the planned developments, much of which is unlikely to be accounted for in the population projections used for this impact assessment.
- 7.53. Given that these planned developments will deliver well beyond the design year and noting the potential for double counting, we have not sought to quantify the likely additional expenditure generated locally from these developments. However, it is clear that this will be substantially greater than assumed in this assessment noting that the most up to date Authority Monitoring Report estimates housing completions in Bicester between 2025 and the design year of 2030 with a potential resident population of around 2,800 residents. This is compared with the assumed population growth across the whole of Zone 4 of around 4,500 residents over the same period. Given that this zone covers a very wide

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<sup>11</sup> The Food Warehouse by Iceland.

geographic area including Bicester, Kidlington, Witney, Woodstock, Bodicote as well as the wider rural area and its various villages, it is clear that actual population growth will far exceed that envisaged in the assessment

- 7.54. Given this, it is clear that the additional population growth will offset some of the trade diversion associated with the proposed development from existing destinations and therefore any assessment of impact should be made with this in mind.

## **Conclusions**

- 7.55. A comprehensive and robust assessment of the impact of the proposed development has been provided in accordance with guidance set out in the PPG which includes a detailed assessment of local shopping patterns and expenditure.
- 7.56. The assessment highlights that the vast majority of trade associated with the discount foodstore will be drawn from the existing out-of-centre foodstores within Bicester given the lack of comparable provision located within Bicester town centre. A small amount of convenience goods trade will be diverted from the Sainsbury's store in Bicester town centre however this will have a negligible impact on in-centre trade or the operator. This level of trade diversion will not result in a significant adverse impact on the town centre.
- 7.57. As such, the proposed development is considered to accord with the relevant impact tests set out in NPPF paragraph 94/95 and Local Plan Policy SLE 2.

## 8. Conclusions

- 8.1. This Retail Statement has been prepared in support of the section 73 which seeks variations to conditions 44 and 45 attached to the original outline permission to allow amendments to the approved scale and mix of potential uses to be delivered through the area identified for commercial uses. This statement focuses principally on the proposed amendment to allow the occupation of some of the floorspace as a discount foodstore and considers this against the relevant sequential and impact tests.
- 8.2. A detailed sequential assessment has been prepared exploring the potential suitability and availability of sites located within, on the edge of and close to Bicester town centre as the closest town centre to the application site. The sites have been assessed and no site is considered to be suitable and available to accommodate the commercial centre or even the discount foodstore alone therefore satisfying the sequential test as set out at NPPF para. 91 and Local Plan Policy SLE 2.
- 8.3. A health check has been prepared for Bicester town centre building upon previous surveys carried out through past Council retail studies. This highlights that the town centre remains vital and viable, with vacancy rates well below the national average. It is clear that the town centre has responded well to the challenges posed by the Covid-19 pandemic and changes to consumer shopping habits over the last 10-15 years. The town centre performs an important local retail, leisure and service destination providing a diverse mix of uses.
- 8.4. A comprehensive assessment of the impact of the proposed discount foodstore has been carried out and is supported by updated expenditure data. The assessment highlights that the vast majority of trade associated with the discount foodstore will be drawn from the existing out-of-centre foodstores within Bicester given the lack of comparable provision located within Bicester town centre. A small amount of convenience goods trade will be diverted from the Sainsbury's store in Bicester town centre however this will have a negligible impact on in-centre trade or the operator. This level of trade diversion will not result in a significant adverse impact on the town centre.
- 8.5. In summary this statement has provided the appropriate and necessary evidence demonstrating that the proposed variation of condition accords with the relevant impact and sequential tests in accordance with NPPF paragraph 95 and Cherwell Local Plan Policy SLE 2.



## **Appendix 1 – Relevant Sequential Case Law & Key Decisions**





It is important to consider the significant and pertinent case law and Secretary of State decisions which provide guidance and clarification on how the sequential test should be applied in respect of the need to demonstrate flexibility, the consideration of availability and the requirement to consider the disaggregation of a proposed development.

The following considers these matters and provides a brief summary of relevant decisions. In doing this, we make reference to the following decisions:

- Supreme Court's decision in March 2012 in *Tesco Stores Ltd v Dundee City Council*<sup>12</sup> (the 'Dundee decision');
- Appeal decision for an extension to an existing Sainsbury's store in Crawley<sup>13</sup> (the 'Crawley decision');
- High Court Decision involving *Zurich Assurance Ltd (Threadneedle Property Investments) v North Lincolnshire Council and Simons Developments Ltd* in relation to the redevelopment of a Garden Centre site for a retail park, including an M&S store in Scunthorpe<sup>14</sup> (the 'Scunthorpe decision');
- Secretary of State called-in decision at Rushden Lakes, Northamptonshire for a retail and leisure park development<sup>15</sup> (the 'Rushden Lakes decision');
- Secretary of State called-in appeal decision at Broomhills Industrial Estate, Braintree for a Sainsbury's supermarket<sup>16</sup> (the 'Braintree decision');
- High Court decision involving *Aldergate Properties Ltd v Mansfield District Council and Regal Sherwood Oaks Ltd* in relation to the development of a foodstore in Mansfield<sup>17</sup> (the 'Mansfield decision');
- Secretary of State called-in decision in respect of an application for a designer outlet centre at Scotch Corner, North Yorkshire<sup>18</sup> (the 'Scotch Corner decision');
- Secretary of State called-in appeal decision at Tollgate Village, Stanway for a mixed-use development comprising leisure and retail uses<sup>19</sup> (the 'Tollgate decision'); and
- Secretary of State called-in decision at The Mall, Cribbs Causeway, South Gloucestershire for a mixed-use development comprising retail, food and drink, leisure, hotel, and residential uses<sup>20</sup> (the 'Cribbs Causeway decision');
- Appeal decision for an extension to an existing retail park at Leamington Shopping Park, Leamington Spa<sup>21</sup> (the 'Leamington Spa decision');

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<sup>12</sup> [2012] UKSC 13

<sup>13</sup> APP/Q3820/A/11/2158410/NWF

<sup>14</sup> [2012] EWHC 3708 (Admin)

<sup>15</sup> APP/G2815/V/12/2190175

<sup>16</sup> APP/Z1510/A/14/2219101

<sup>17</sup> [2016] EWHC 1670 (Admin)

<sup>18</sup> APP/V2723/V/15/3132873 and APP/V2723/V/16/3143678

<sup>19</sup> APP/A1530/W/16/3147039

<sup>20</sup> APP/PO119/V/17/3170627

<sup>21</sup> APP/T3725/W/18/3204311

- Secretary of State called-in decision at land at Earl Road, Handforth Dean, Cheshire for a mixed-use retail-led out-of-centre retail park development<sup>22</sup> (the 'Handforth Dean decision'); and,
- High Court Judgement involving Salford Estates (No. 2) Limited v Durham County Council and Quora (Peterlee) Limited in relation to the development of a retail led mixed-use development at Peterlee<sup>23</sup> (the 'Peterlee decision').

### **Suitability - General**

NPPF Paragraph 91 highlights the need to consider the suitability of sites stating that:

'Main town centre uses should be located in town centres, then in edge of centre locations and; only if suitable sites are not available...should out of centre sites be considered'

Taking this into account, it is important to consider what the term "suitable" means in the application of the sequential test. In this regard, the Dundee decision, a Supreme Court decision, confirmed what "suitable" means in respect of the sequential test that applied in Scotland at the time. Lord Reed provided comment on the consideration of suitable sites at paragraph 29 of the judgement stating that:

*'Provided the applicant has [given consideration to the scope for accommodating the development in a different form and to have thoroughly assessed sequentially preferable locations]... the question remains... whether an alternative site is suitable for the proposed development, not whether the proposed development can be altered or reduced so that it can be made to fit an alternative site.'*

As part of the same case, Lord Hope perceptively added, at paragraph 38:

*'The context indicates that the issue of suitability is directed to the developer's proposals, not some alternative scheme which might be suggested by the planning authority. I do not think that this is in the least surprising, as developments of this kind are generated by the developer's assessment of the market that he seeks to serve. If they do not meet the sequential approach criteria, bearing in mind the need for flexibility and realism to which Lord Reed refers..., they will be rejected. But these criteria are designed for use in the real world in which developers wish to operate, not some artificial world in which they have no interest in doing so.'*

As the Dundee decision related to the sequential test which applied at that time in Scotland, it is important to consider how it should be read and understood in respect of the sequential test as set out at Paragraph 91 of the NPPF. In this respect it is important to note that the Dundee decision has been cited on numerous occasions within subsequent high court and Secretary of State/appeal decisions in England.

In this respect, it is important to note the Inspector's commentary within the Crawley decision. Paragraph 85 confirms that the Dundee decision was a material consideration for planning applications made under the English planning system. The Scunthorpe decision, which is referred to later within this section of the report, also cited the Dundee decision confirming its relevance to the English planning system.

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<sup>22</sup> APP/R0660/V/17/3179610, APP/R0660/V/17/3179605 and APP/R0660/V/17/3179609

<sup>23</sup> CO/1664/2019

The Dundee decision clearly establishes what suitable means in relation to the sequential assessment confirming that any site must be suitable for the commercial requirements of the development and, subject to demonstrating flexibility, must be suitable for the proposed development, not whether the proposed development could be altered or reduced so that it can be made to fit a sequentially preferable site.

The Rushden Lakes decision also dealt with the issue and provided further commentary on the matter of suitability. The Inspector's Report, endorsed by the Secretary of State, highlighted at paragraph 8.43 that the key question when considering suitability must be 'suitable for what' going on to confirm that; 'the answer to this question of law is suitable for the development proposed by the Applicant.' Paragraphs 8.44–8.46 of the Inspector's report stated that:

*'8.44 – The Supreme Court has told us in Dundee what “suitable” means and it has expressly rejected...that the concept relates to need and/or identified deficiencies in retail provision in the area in question; and it has expressly rejected the notion that “suitable” means that one should alter or reduce the proposal so as to fit onto an alternative site. The policy concerning the sequential approach as set out in the NPPF, and (to the extent that it is still relevant) the non-policy PG that accompanied PPS4, must be applied in a manner which complies with the legally binding case law on the meaning of the sequential approach. Plainly the case in question (Dundee) is of seminal importance.*

*8.45 – In summary it [The Dundee Decision] establishes [a] that if a site is not suitable for the commercial requirements of the developer in question then it is not a suitable site for the purposes of the sequential approach; and [b] that in terms of the size of the alternative site, provided that the Applicant has demonstrated flexibility with regards to format and scale, the question is whether the alternative site is suitable for the proposed development, not whether the proposed development could be altered or reduced so that it can be made to fit the alternative site. These points although related are distinct. Although much was made of the fact that the Dundee case was a Scottish case the Supreme Court's decision applies in England (the Supreme Court is the Supreme Court for England too) as the High Court ruled in terms in the North Lincolnshire case in which it was read across and applied to the English sequential test then found in PPS4.'*

*8.46 – It is important to bear in mind that the sequential test as set out in NPPF [24] require applications for main town centre uses to be located in town centres and it then runs through the sequence, edge and then out-of-centre. This makes good the very simple point that what the sequential test seeks is to see whether the application i.e. what is proposed, can be accommodated on a town centre site. There is no suggestion here that the sequential test means to refer to anything other than the application proposal. So, Dundee clearly applies to the NPPF.'*

The Secretary of State decision at paragraph 15 endorses the Inspector's Report and commentary regarding the application of the sequential test, confirming that:

*'Furthermore, having regard to the arguments put forward by the Inspector at IR8.44–8.48, the Secretary of State agrees with his conclusion at IR8.48 that the sequential test relates entirely to the application proposal and whether it can be accommodated on an actual alternative site (e.g. a town centre site).'*

The Dundee decision and subsequent Rushden Lakes, Crawley and Scunthorpe decisions make it clear that in the application of the sequential test, the term 'suitable' relates to the development/application proposed and not another form or scale of development which could be amended to fit onto a town centre or sequentially preferable site.

### **Flexibility – Format & Scale**

NPPF paragraph 92 states that when undertaking a sequential test assessment, applicants and local planning authorities should demonstrate flexibility on issues such as format and scale. Planning Practice Guidance (PPG) provides further advice in relation to this and how it should be applied in the decision-making process, stating that:

*'Is there scope for flexibility in the format and/or scale of the proposal? It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal.'*

In considering the level of flexibility which must be applied, regard must be had to the Dundee decision, which we have already referred to. This decision confirms that the assessment should be:

*'...directed to what the developer is proposing, not some other proposals which the planning authority might seek to substitute for it which for something less than that sought by the development.'*

The Scunthorpe decision cited the Dundee decision with the Judge considering flexibility at paragraph 61, stating that:

*'It is also important to mark that developers, and planning authorities, work in the real world. Marks & Spencer had assessed the only available town centre alternative to the Site, and had concluded that a development that was smaller than that proposed, or one with a more restricted range of goods, was neither commercially viable nor suitable for their commercial requirements.'*

The Mansfield decision also considered the requirement to demonstrate flexibility. Whilst much of the judgement related to relevance of a proposed retail unit's occupier, paragraph 35 of the judgement confirmed:

*'In my judgment, "suitable" and "available" generally mean "suitable" and "available" for the broad type of development which is proposed in the application by approximate size, type, and range of goods. This incorporates the requirement for flexibility in [24] NPPF, and excludes, generally, the identity and personal or corporate attitudes of an individual retailer.'*

The Tollgate decision went further confirming that, in respect of flexibility, the test is whether or not a scheme that is 'closely similar to what is proposed' can be accommodated. Paragraph 12.3.20 of the Inspector's Report confirmed this:

*'The sequential test therefore means that whilst a sequentially preferable site need not be capable of accommodating exactly the same as what is proposed, it must be capable of accommodating development which is closely similar to what is proposed.'*

The Secretary of State in determining the Tollgate decision agreed with this approach stating at paragraph 13 of his decision that:

*'The Secretary of State has carefully considered the Inspector's analysis at IR12.3.1-12.3.30. For the reasons given at IR12.3.23-12.3.26 he agrees with the Inspector that the propositions put forward by the Council and the Rule 6 parties in relation to the Vineyard Gate site would not be closely similar to the appeal scheme and cannot be considered available.'*

These decisions were all based upon the wording of the sequential test within the 2012 version of the NPPF however, they remain relevant given the limited amendments to the relevant paragraphs within the 2018 NPPF (as amended in 2019). Nevertheless, the matter of suitability and the application of flexibility was considered through the Cribbs Causeway decision which post-dated the 2018 NPPF. The Secretary of State decision confirmed at paragraph 23, that in respect of a sequential site being considered:

*'a **broadly similar quantum** of retail and leisure uses could still be accommodated on the site' [our emphasis].*

This decision was reached, citing the Inspector's Report which tackled this issue commenting that:

*'566. The meaning of the sequential test is a matter of law whereas how it is applied is a matter of judgement. The Framework and the PG indicate that when looking at the suitability of potential sequential sites, flexibility should be demonstrated on issues such as format and scale. **However, in Aldergate Properties<sup>24</sup> it was held that what this means is that the alternative site should be suitable for the broad type of development proposed in respect of the approximate size, type and range of goods.** This seems to me to be **subtly different from a consideration of whether the site would be closely similar, which was what was referred to by the Inspector in the Tollgate Village appeal decision.** I note that the Inspector in the Kingswood, Hull appeal did not think that closely similar provided sufficient flexibility.*

*604. ... For the reasons given it is considered that the site would be suitable for the broad type of town centre development proposed at The Mall in terms of approximate size, type and range of goods.' [our emphasis]*

Although the Inspector's Report and the Secretary of State clearly favoured the 'broad type of development' approach relied upon within the Mansfield Decision rather than the stricter interpretation of 'closely similar' approach relied upon through the Tollgate Decision, it is important to note that this is not the most recent Secretary of State decision that considered this matter.

More recent is the Handforth Dean decision which also considered this matter. The Inspector's Report at 9.192 confirms a slightly different approach taken instead referring to the consideration of a site is:

*'reasonably or closely similar to that of the appeal site.'*

Given this most recent decision, when considering the requirement to demonstrate flexibility in relation to the format and scale of a development, it is necessary to ensure that this is also done with flexibility. As such, the sequential assessment should seek to identify sites that can accommodate a development that is 'reasonably or closely similar' to the proposed development. This should be weighed this against the actual policy requirement to identify sites capable of accommodating the proposed development.

### **Flexibility – Disaggregation**

The question of whether or not there is a requirement to consider disaggregation of a scheme through the application of the sequential test has been considered in some detail within the

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<sup>24</sup> The Mansfield Decision

relevant case law and Secretary of State decisions. This matter has been the subject of much debate as the original NPPF (2012), its successors and the PPG are silent on the matter, despite the fact that PPS4 (which the NPPF replaced) stated a specific requirement to consider the disaggregation of application proposals.

The Rushden Lakes Secretary of State decision was unequivocal in confirming that the NPPF did not require the consideration of the disaggregation of a proposed development, or part of a development, when considering flexibility. The Inspector's Report considers this matter at paragraph 8.47 and 8.51 which stated:

*'8.47 The last sentence of NPPF [24] states that: "Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale." This contrasts strikingly with what was said previously in PPS4 in policy EC15.1 at (d) (iv) and 15.2 which contained an explicit requirement for disaggregation. There is no longer any such requirement stated in the NPPF. It is no answer to this to refer to the words "such as" in the last sentence of NPPF [24]. These words cannot be read so as to imply that a major, and extremely controversial, part of previously stated national policy lives on by implication in the NPPF. Had the Government intended to retain disaggregation as a requirement it would and should have explicitly stated this in the NPPF. If it had been intended to carry on with the requirement then all that would have been required is the addition of the word "disaggregation" at the end of NPPF [24].*

*8.51 There is no requirement to disaggregate...'*

The Secretary of State's decision agreed with the Inspector with paragraph 16 of his decision letter stating that; *'he agrees with the Inspector that there is no requirement to disaggregate'*.

The question of disaggregation was further considered through the Braintree decision. The Inspector's Report here specifically considered whether or not the comments made within the Rushden Lakes decision were specific only to that case/site or whether they were relevant to the interpretation of the NPPF as a whole. The Inspector's Report stated that:

*'449. Was that statement [relating to disaggregation] specific to the Rushden Lakes decision as the Council suggests, given the 'unique characteristics of that site and the proposed development in that case? It was not qualified in any way other than by reference to the two report paragraphs from which it derived. While one of these paragraphs dealt with specific aspects of the proposal, the other dealt with the intention of national policy in paragraph 24 of the Framework following the demise of PPS4. And that paragraph was not specific to the site or to the proposal in any way.*

*450. Moreover, the RL [Rushden Lakes] application was for a wide variety of uses including a home and garden centre, retail units, visitor centre, restaurants, boathouse, hotel, crèche and leisure club. It was described in summary as a mixed retail and leisure scheme. The retail element was of significant size, being some 31,502m<sup>2</sup> of retail units. If the Secretary of State had wanted to qualify his statement on disaggregation in any way, that could have been achieved very simply by the addition of words such as 'in this case'. Indeed, the variety of uses in the RL proposal and the fact that the proposal included retail units, rather than one large retail unit, would have afforded more rather than less opportunity for some disaggregation if that had been an aim.'*

The Secretary of State agreed with the Inspector confirming at paragraph 9 of his decision that:

*'The Secretary of State agrees with the Inspector's assessment regarding the sequential test at paragraph 24 of the Framework (IR443-467).'*

The Scotch Corner decision re-affirmed this view with paragraph 11.7 of the Inspector's Report stating that:

*'In carrying out the sequential test it is acknowledged that whilst Framework paragraph 24 indicates that applicants should demonstrate flexibility on issues such as format and scale, it does not require the applicant to disaggregate the scheme.'*

Whilst the Secretary of State did not specifically deal with this matter in the Scotch Corner decision, paragraph 11 of his decision confirmed that, for the reasons set out at paragraphs 11.7-11.9, the application passed the sequential test.

In contrast to this, it is necessary to consider the Tollgate decision which suggested that there could, in some instances, be a requirement to consider the disaggregation of a scheme through the sequential test. In considering this matter, the Inspector's Report at paragraph 12.3.11 concluded that:

*'In this case there is no evidence that the proposed format is necessary or fundamental to the proposal. Whilst the proposal is in outline, not a single retailer has been identified, and the size and location of units within the site has not been established and there is no defined timescale or phasing. It is difficult to conceive of a more open ended proposal. The parameters established by plans show a greater level of gross floor space than permission has been sought for. Most importantly the Appellants have themselves disaggregated within the appeal site with three distinct zones. DZ1 and DZ3 are some distance apart. In these circumstances disaggregation within the sequential test would be justified.'*

The Secretary of State's decision does not provide any comment on this matter other than stating that he had carefully considered the Inspector's analysis at IR12.3.1-12.3.30. Nevertheless, it is clear that the matter was not key to the determination and sequential test analysis as, even allowing for disaggregation, none of the sites identified could be considered suitable and available.

In addition to this, it is important to note the specific comments made by the Inspector in coming to this conclusion. The Inspector's Report refers to the open-ended nature of the application proposal which itself included a significant degree of flexibility. However, the Inspector concludes that the most important matter in the Tollgate decision was the fact that the scheme itself was disaggregated, with the proposed development site comprising three development areas all of which were separated and located some distance apart. When considering the implications of the Tollgate decision and whether there is a requirement to consider the disaggregation of the application proposals in question, it is important to note the very specific set of circumstances associated with the Tollgate proposal.

The matter of disaggregation was also considered through an appeal decision at Kingswood in Hull<sup>25</sup>. As with the Tollgate decision, the Inspector concluded that, there was a requirement to consider the disaggregation of the appeal proposals being considered<sup>26</sup>. However, and as with the Tollgate decision, this conclusion was drawn on the basis of the very specific nature of the appeal proposals and importantly, the recently adopted development plan policy in respect of the sequential test.

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<sup>25</sup> APP/V2004/W/17/3171115

<sup>26</sup> Para. 52-57

The specific nature of the development proposals in the Kingswood case were for a scheme that sought a range of uses and a significant degree of flexibility in terms of its floorspace and formats with no identified occupiers for the retail units and no obvious reason why the floorspace must be delivered in a single retail terrace<sup>27</sup>. However, more importantly the relevant Development Plan policy, which set out the requirements of the sequential test, referred to a need to demonstrate that the development proposal ‘*could not be accommodated in more appropriate locations*’ with the Inspector noting that the term ‘locations’ is in the plural. This in effect requires the consideration of disaggregation through the sequential test, through the consideration of multiple sites to accommodate the proposed development<sup>28</sup>.

Both the Tollgate decision and Kingswood appeal decision concluded that given the very specific nature of the development proposals, and/or the wording of the relevant Development Plan policy, there could be a requirement to consider disaggregation of a development scheme through the sequential test. Neither decision disagrees with or contradicts the Secretary of State’s interpretation of policy through the Rushden Lakes, Braintree, and Scotch Corner decisions.

Given this, it is helpful that the Cribbs Causeway decision tackled this very point. The Inspector’s Report confirmed that:

*‘567. There was debate at the inquiry about whether proposals should be split into different parts so that they can be accommodated on several town centre sites. **Whereas past retail policy and guidance has adopted a disaggregation approach this is not embodied in either the Framework or the PG as was confirmed by the Court of Appeal in Warners Retail.** The Secretary of State reached a similar conclusion in his decisions on Rushden Lakes, Scotch Corner and Honiton Road. **Whilst the Inspector in the Kingswood, Hull appeal decision did endorse a disaggregated approach this seems to have been influenced by a wording of the relevant policy and the availability of two allocated sites.***

*568. In the Tollgate Village case the Inspector did consider that there was scope for disaggregating the proposals and spreading them onto different sites, even though ultimately such sites were found not to be available. However, the findings here were case specific and it is noted that they were not specifically endorsed by the Secretary of State in his decision. As a general principle an approach that involves disaggregation does not seem to me to fit well with the Aldergate Properties or Warners Retail judgements referred to above. The town centre uses in the application proposals would comprise the retail and leisure uses and to divide them up would change the broad nature of the development in this case.’ [our emphasis]*

The later Leamington Spa decision again tackled the issue of disaggregation with the Inspector’s Report stating that:

*‘29. The development proposed through this appeal does, however, have certain characteristics which lead me to question whether it is appropriate to consider the option of disaggregation in this case. This was the topic of much discussion at the inquiry. It is the agreed position between the parties that there is no requirement in current Government policy or guidance for disaggregation to be considered. Equally, however, there is no specific prohibition of disaggregation in either the Framework or the Planning Practice Guidance (PPG). Although I was referred to several decisions which have a bearing on this matter, made*

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<sup>27</sup> Para. 28 and 29.

<sup>28</sup> Para. 53



*by both the Secretary of State (SoS) and by colleague Inspectors<sup>13</sup>, I find no clear consensus on this point.*

*30. There has, however, been a slight change to the wording governing the sequential test in the 2018 Framework, compared to that in the 2012 version of the Framework, extant at the time of most of the other decisions drawn to my attention. This change is the additional wording which has been added at the end of paragraph 87, to provide further clarification on the purpose of demonstrating flexibility on issues such as format and scale – namely ‘so that opportunities to utilise suitable town centre or edge of centre sites are fully explored’. Taking this into account, combined with the absence of a specific requirement to consider the matter within the NPPF and PPG, there is no requirement to consider the disaggregation of a development proposal through the application of the sequential test unless the specific circumstances of the development proposal, site or development plan policy suggest otherwise.*

*38. Drawing all the above points together, I consider that disaggregation of the proposed scheme should not be ruled out in the particular circumstances of this case, so as to ensure that matters of flexibility regarding format and scale are properly addressed.’*

As can be seen in the extracts from the Inspector’s Report, the Inspector in the Leamington Spa case suggested that the potential disaggregation of a scheme should be considered noting the amended wording in the updated NPPF (2018) to require sequential assessments to ‘fully explore’ potentially sequentially preferable sites and citing the specific characteristics of the proposed development.

Whilst this conclusion somewhat contradicts the Cribbs Causeway decision, which was endorsed by the Secretary of State and took account of the amended wording of the NPPF, it is important to note in making his decision, the Inspector only considered the potential to disaggregate the application proposals and did not actually require the test to be applied to a disaggregated version of the application proposals. Ultimately the Inspector concluded that the appeal proposals accorded with the sequential test despite the fact that the Inspector concluded that one sequentially preferable site could accommodate 2 of the 3 units proposed, stating at paragraph 38 that:

*‘Again, these retail units would only be able to accommodate the smaller of the 2 proposed non-food units, unless some amalgamation of units was considered. But even then, this development would not be able to accommodate the entire appeal proposal, nor would it be able to reasonably accommodate the proposed M&S Foodhall, even if all the units were to be combined. Moreover, it was made clear that this development has not been designed to accommodate food retailing and the service area would not be able to accommodate articulated vehicles. Whilst servicing by rigid vehicles would certainly be possible, this would be moving very much away from the type and form of development the appellant is seeking.’*

Clearly despite the fact that the potential for disaggregation was considered through this appeal decision, the Inspector did not go so far as to actually require the disaggregation of the scheme to accord with the sequential test.

Finally, it is important to note that Handforth Dean Secretary of State decisions relating to a called in planning appeal and called in planning applications, which post-date the Leamington Spa decision. From reviewing the Inspector’s Report relating to these conjoined inquiries, it is clear that all parties and the Inspector agreed that there was no policy requirement to consider the disaggregation of any of the application/appeal proposals. Whilst not specifically endorsed in the Secretary of State decision letters, the Secretary of State did conclude that the



applications/appeal accorded with the sequential test and that there were no sequentially preferable sites to accommodate the development proposed, despite the fact that the sequential assessments did not consider the disaggregation of the schemes, or part of them.

This matter has also been tested in the courts in relation to a retail-led mixed-use planning application on an edge of centre site in Peterlee, County Durham. The challenge was heard at the high court with one of the grounds considered being that the local planning authority did not give proper consideration to the prospect of the disaggregation of the proposed scheme and a policy requirement to do so.

The high court judgement<sup>29</sup> confirmed at paragraph 23 that effectively whether or not there was a requirement to consider disaggregation is a matter of planning judgement depending on the facts of the proposed development with paragraph 23 confirming that:

*"The claimant also says this, at paragraph 26 of its statement of facts and grounds: "Accordingly, whilst it is right to say the NPPF does not mandate disaggregation nor is it prohibited..." It follows, therefore, and it was not disputed, that whether or not disaggregation had a role in the application in this case, was a matter planning judgment..."*

Permission to appeal this decision was refused in October 2019 by Lord Justice Lewison. In his reasons for the refusal of the permission to appeal he confirmed that in relation to the disaggregation that:

*'[the report] set out two propositions (a) that there was no general requirement for disaggregation and (b) there was no persuasive argument for disaggregating the particular scheme. **The first proposition was a correct summary of the policy.** The second was an exercise of planning judgment...*

*An appeal would have no real prospects of success'*

Given the above, it is clear that whilst the matter of disaggregation is reasonably down to planning judgement, it is not a de facto requirement and clearly the circumstances where it has been applied through the sequential test have been related to very specific development and/or local policy requirements. As such, the application of disaggregation must only be included where there is a robust justification for the approach.

### **Availability**

In respect of availability, NPPF paragraph 91 asks whether sequentially preferable sites are 'available' or 'expected to become available within a reasonable period'. The addition of 'expected to become available within a reasonable period' was added through amendments to the NPPF and published in 2018. As such, much of the case law and previous consideration on the point of availability is no longer relevant. Nevertheless, the NPPF or PPG do not qualify what is meant by these terms.

The Inspector's Report through Cribbs Causeway decision does not deal specifically with this point as it refers to a previous version of the NPPF (para 24) however the Secretary of State's decision refers to the amended wording and requirement to consider a 'reasonable period'. The Secretary of State decision at paragraph 24 confirms that:

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<sup>29</sup> Salford Estates v Durham County Council & Anor [2019], Claim No: CO/1664/2019

*'The Secretary of State has given careful consideration to the Inspector's analysis at IR592–602. He has paid particular attention to revised Framework paragraph 86, which makes clear that the sequential test should consider whether sites are expected to become available within a reasonable period. For the reasons given at IR592–601, the Secretary of State agrees with the Inspector at IR601 that a realistic expectation is that the cleared site would be available by mid to late 2021. For the reasons given at IR602, and in paragraph 86 of the revised Framework, he further agrees with the Inspector that reasonable flexibility should be applied when considering the availability of sequential alternatives.'*

The Secretary of State decision acknowledges the analysis of the Inspector and agrees that there is a requirement to demonstrate reasonable flexibility when considering the availability of sequential alternatives. As such, whilst the commentary within the Inspector's Report relates to paragraph 24 of the NPPF in relation to availability, a paragraph which has since been amended, it provides useful clarification, which the Secretary of State agreed with regarding how availability, including availability within a reasonable period, should be considered. The Inspector's confirms that:

*'593. **What an appropriate timescale would be is a matter of planning judgement** as is made plain in Lionbrook. In exercising that judgement it is important not to lose sight of the purpose of the sequential test in promoting a town centre first approach. It is appreciated that Lionbrook related to the period when the PPS 4 Practice Guidance was extant and was addressing the need to stem the leakage of retail spending outside of Rugby Borough. Nevertheless, the Framework was also in place and it included the same words in paragraph 24 that exist today. The Rushden Lakes appeal decision pointed out that paragraph 24 does not ask whether potential sites are likely to become available during the remainder of the plan period or over a period of some years. I agree that it does not endorse those parts of the former Practice Guidance. However, **that does not mean that there is no scope for flexibility or that the circumstances of the case may not be taken into account.**' [our emphasis]*

The Inspector's Report therefore confirms that what is an appropriate timescale for considering availability will depend on planning judgement and the particulars of the application proposals and any sequential sites being considered. In the specific circumstances of the Cribbs Causeway decision, considerations included;

- whether the sequential site would be available before the expiry of the planning permission sought;
- the level of policy support for the redevelopment of the sequential site (in this case the site was allocated for retail/leisure redevelopment); and
- recognition of the complexity of delivering large town centre sites.

It should be noted that the Cribbs Causeway scheme was a very large scheme of around 41,000m<sup>2</sup> of retail (A1) and other A class uses (A2–A5) along with a hotel, 1,500 car parking spaces and around 150 dwellings. Clearly the significance of this scheme, and the length of time required to implement it, required the consideration required a greater level of flexibility to be applied when considering the availability of sites.

### **Case Law and Relevant Decisions Conclusions**

Taking the decisions identified into account, whilst these provide useful guidance in terms of the application of the sequential test, it is clear that the matter of flexibility and suitability is primarily



a matter of planning judgement for the local planning authority that should be considered in the context of the relevant circumstances relating to the development site and the development proposals.

In respect of the specific point on the need to consider disaggregation, the identified decisions clearly highlight that in determining whether this is required it is important that careful consideration is given to the specific circumstance of the development site and development proposal. However, what is clear is that there is no policy requirement to consider the disaggregation of schemes within the NPPF or PPG and this should only be considered where there are specific circumstances which require it.

In terms of availability, whether a site can be considered to be available, or available within a reasonable period, is a matter of planning judgement based upon the specifics of the proposed development and the complexities of the scheme.



## Appendix 2 – Retail Scoping Note

# Retail Scoping Note.

**Project name:** Himley Village, Bicester  
**Author:** Jonathan Burns  
**Date:** December 2024  
**Project number:** P22-2886  
**Reference:** P22-2886\_EC\_NO01v2 JB\_JB

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## Introduction

1.1. This note sets out the proposed scope of the Retail Assessment which is to be prepared and submitted in support of an application for a variation of condition relating to the approved commercial land and more specifically, the proposed scale and mix of uses. This note deals with the following matters in turn:

- Proposed Development;
- Sequential Assessment;
  - Area of Search;
  - Site Requirements; and
  - Sites to be Considered.
- Impact Assessment;
  - Base data;
  - Turnover of Proposed Development to be Assessed;
  - Trade Diversion/Impact; and,
  - Health Check.
- Requests for information and Conclusions.

## Proposed Development

1.2. The Section 73 application seeks to alter the previously approved mix and scale of uses approved through the original planning permission. At present condition 44 attached to the original consent restrict the commercial area to a total of 8,000sqm of floorspace and in line with the following maximum floorspace restrictions:

- Hotel (Class C1) – 2,600sqm
- Veterinary Surgery (E(e)) – 2,000sqm
- Pub/Community (Sui Generis/F2) – 400sqm
- Retail (former use class A1-A5 now Classes E(a)(b)(c) and Sui Generis) – 700sqm
- Office (Class E(g)(i)) – 1,000sqm
- Health Facility (Class E(e)) – 1,500sqm

- Nursery (Class E(f)) – 100sqm
- Energy Centre (Sui Generis) – 375sqm
- Water Treatment Plant (Sui Generis) – 450sqm

1.3. In addition to this condition, condition 45 goes on to restrict the maximum retail (Class E(a) – formerly Class A1) unit size to 150sqm with the exception of one single unit which shall have a maximum unit size of 300sqm.

1.4. As this mix and scale of uses are no suited to current market conditions, the applicant is seeking to vary the condition to allow an alternative mix of uses to be delivered including the potential for a discount foodstore to anchor the commercial centre. The following mix of uses is proposed:

Use	GIA (m <sup>2</sup> )
Hotel	2,000
Veterinary Surgery	300
Pub/ Community	500
Retail	300
Office	1,000
Health Facility	500
Nursery	500
Discount Food Store	2,500
<b>Total</b>	<b>7,600</b>

1.5. Noting that the proposals seek amended mix and scale of ‘main town centre uses’, it is important to highlight that as the site is not included as a defined town centre within the Cherwell Local Plan it must be considered as an out of centre location when considering the application proposals against Local Plan Policy SLE 2 and NPPF paragraph 91-95 .

1.6. However, the site is allocated for a residential led mixed use development through Local Plan Part 1 Policy Bicester 1 and this confirms that the site allocation includes new local centre hubs including former use classes B1(a), A1, A2, A3, A4, A5, C1, D1 and D2. There is no policy restriction on the scale of these uses contained either within the policy itself or its explanatory text. This is important as paragraphs 91 and 95 of the NPPF confirm that the sequential and impact tests should only be applied where the sites are located in out of centre locations or where they are in accordance with an up-to-date plan with the relevant exerts set out below:

*‘91. Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan...’*

*‘94. When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold...’*

1.7. Given the above, there is no strict policy requirement to consider the proposed development against the impact and sequential tests noting the policy support for the uses that amendments are sought for through the application. The reasoning for condition 45, which restricts the scale of the largest retail units, stated that this was to ensure; *‘the scheme meets local retail needs in accordance with Policy Bicester 1... and Government guidance’*, however there is no such

restriction or requirement contained in Policy Bicester 1. In addition, the reason for the condition does not reference the need to protect the vitality and viability of any existing town centre.

- 1.8. It is noted that the final paragraph of Local Plan Part 1 Policy SLE 2 states that the council will support; *'the provision of new local centres containing a small number of shops of a limited size within the strategic housing allocations on strategic sites set out in this Local Plan.'* Whilst this does not expressly suggest that proposals for 'larger' shops will not be supported it does, point towards the suggestion of the need for this to meet local needs as suggested within the reasoning for condition 45.
- 1.9. Having regard to this, as well as the fact that the introduction of a discount foodstore exceeds the impact thresholds set out in Policy SLE 2, it is proposed that the application is supported by an impact and sequential test assessment for robustness and to provide certainty to the local planning authority. Given that the main change to the main town centre uses is through the introduction of a foodstore, it is proposed that the assessment principally focuses on this use.
- 1.10. The following sub-sections set out the proposed methodology and approach for an assessment that will support the planning application.

## Sequential Assessment

- 1.11. The following sets out the proposed approach to be taken in respect of the Sequential Assessment.

### Area of Search

- 1.12. The area of search is defined by the catchment that the development will principally serve. In this respect the commercial centre, including the proposed discount foodstore will focus on serving those living and working within the Himley Village site. In addition, noting the scale of the discount foodstore it will inevitably attract some trade from elsewhere in Bicester with discount foodstores generally having a primary catchment of around a 5-minute drivetime.
- 1.13. Given this, the sequential assessment will focus on sites within and on the edge of Bicester town centre as the closest defined town centre to the application site as defined through Local Plan Part 1 Policy SLE 2.
- 1.14. No other centres would be considered through the sequential assessment. Other defined centres beyond Bicester are all located a significant distance from the application site, with the closest being Kidlington Village Centre which is around 9 miles (driving distance) away. Locating the development within another centre, including Kidlington, would result in any development serving a markedly different catchment area which would clearly be unsuitable and as such cannot be considered sequentially preferable. In addition, there are no defined local centres within Bicester identified within the Local Plan and adopted policies map which need to be considered through the sequential assessment.
- 1.15. Further information and justification for this approach would be provided through the assessment.
- 1.16. Taking into account guidance in respect of the Sequential test set out within the NPPF (para 91/92) and the associated glossary (Annex 2), and noting the lack of a defined primary shopping area (PSA) for Bicester town centre, the search will focus on sites located within the town centre boundary before then considering sites that are located on the edge of (up to 300m from) and well connected to the town centre. The assessment will then consider whether there are any out-



of-centre sites (i.e. beyond 300m of the town centre) that are accessible and well connected to the town centre.

### **Site Requirements**

- 1.17. The sequential search will consider sites which can accommodate the town centre uses that form the commercial development as a whole including an allowance for parking provision noting the intention of the discount foodstore is to anchor the wider centre and help attract custom to the other uses.
- 1.18. Taking into account the need to demonstrate flexibility; sites will be considered which could accommodate a development 20% larger and 20% smaller than that proposed. In considering flexibility of format, consideration will be given to the ability for a small amount floorspace to be provided across more than one floor although noting that the sales floorspace for the foodstore must be provided on a single floor. To further demonstrate flexibility we will consider sites capable of accommodating just the proposed discount foodstore and its associated car parking disaggregated from the main scheme noting it is the principal departure from the currently approved scheme.
- 1.19. Further justification for this approach would be provided through the assessment.

### **Sites to be considered**

- 1.20. The sequential site search will seek to identify any other potentially suitable and available sites to accommodate the proposed development. In identifying such sites, sites/units will only be considered available where they are currently vacant and/or being actively marketed, or it is known that they will become vacant or available in the next 18–24 months. It would be helpful if the local planning authority could share any knowledge that they may have of such sites within and on the edge of Bicester town centre.

## **Impact Assessment**

- 1.21. This section sets out the proposed approach in considering the impact of the proposed foodstore.

### **Base Data**

- 1.22. The typical starting point in identifying an appropriate source of base data for an impact assessment is a local planning authority's retail study. In this case, the most recent study is understood to be the Town Centre and Retail Study (September 2021) ('the Retail Study') which is supplemented by the Cherwell Town Centre & Retail Study – Supplementary 2023 (July 2023) ('the Retail Study Update'). These studies rely upon population and expenditure data from 2023 and household shopping patterns from 2021.
- 1.23. Given that the Retail Study and Retail Study Update provide up to date evidence on local shopping patterns it is considered that these remain a suitable source of base data for the assessment of impact. This approach is supported by the PPG which confirms that assessments should draw upon existing information where possible<sup>1</sup>.

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<sup>1</sup> Paragraph: 017 Reference ID: 2b-017-20190722

- 1.24. Rather than rely upon growth rates, etc. as used in the Retail Study Update, these would be updated to take account of revised expenditure growth patterns since the assessment was prepared, as well as changes to the propensity of customers to make use of non-floorspace retail trading platforms such as internet shopping. Given this, the following sets out the proposed approach to key base data to inform the assessment.
- 1.25. The **Study Area** for the assessment would be Zones 1–4 as identified in the Retail Study.
- 1.26. The **Price Base** for the assessment will be 2020 prices to match that used in the Retail Study Update.
- 1.27. The **Design Year** (i.e. the year at which impact will be considered) for the impact assessment will be 2029 taking into account guidance within the PPG as this is likely to be second full calendar year of trading of the proposed development.
- 1.28. **Population** data will be taken from the Retail Study Update on a zonal basis.
- 1.29. Base **expenditure data** will be taken from the Retail Study Update on a zonal basis. This base data will be projected to the design year using the most up-to-date expenditure growth rates and projections, including making an allowance for special forms of trading, presented in Experian Retail Planner Briefing Note 21 (February 2024) or any updated Retail Planner Briefing Note published prior to the preparation of the assessment.
- 1.30. **Shopping pattern** data will be taken from the Retail Study and then applied to the updated expenditure figures at the Design Year.
- 1.31. The assessment would make an allowance for **Retail Commitments** as identified in the Retail Capacity Update that are located within and around Bicester including South East Bicester local centre, Heyford Park retail development and the non-food retail units adjacent to Tesco at Lakeview Drive. However, if the local planning authority is aware of any other local retail commitments, or planned investment, it would be useful if details of these could be shared.

#### **Turnover of proposed development to be assessed**

- 1.32. The calculation of expected turnover is calculated on a goods basis by multiplying the expected net sales area for the discount foodstore by the expected sales density (£ per m<sup>2</sup>). This will then be multiplied by the average sales density likely to be achieved by an end operator based on Global Data's Convenience and Comparison Goods Sales Densities of Major Grocers 2023 database which is a commonly used source of such data.
- 1.33. An allowance for turnover efficiencies would be made for the proposed floorspace from the base year through to the design year in accordance with Figures 4a and 4b of the Experian Retail Planner Briefing Note.

#### **Trade Diversion/Impact**

- 1.34. Expected trade diversion and impact will be calculated on a goods basis and an impact figure presented on defined town centres. Trade diversion patterns will be presented on a study area basis.

### **Health Check**

- 1.35. An updated health check of Bicester town centre will be prepared and submitted alongside the assessment. This will be prepared in line with the guidance for such assessments within the PPG and will build upon the health checks prepared as part of the Retail Study. If the Council hold any other data relevant to the health of the town centre, it would be appreciated if this could be shared.

### **Conclusions and Requests for Information**

- 1.36. This note has provided the proposed scope for the Retail Assessment for the application proposals which is appropriate and proportionate to the scale of development proposed. We would ask that if there are any concerns with the scope, then this is raised as soon as possible. As part of any response and having regard to the guidance provided by the PPG, it is requested that the local planning authority share the following:
- Copies of any other data, including unit count/use data, relating to the vitality and viability of Bicester town centre that is available and can be shared; and
  - Confirm whether or not there is any other committed or planned retail investment within the local area that the impact assessment will need to take into account.



## Appendix 3 – Retail Impact Assessment Data Tables

## Appendix 3 - Retail Impact Assessment Data Tables

**Table 1 – Population**

<b>Zone</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>2029</b>	<b>2030</b>
1	71,980	72,769	73,558	74,348	75,137	75,926
2	119,784	120,885	121,987	123,088	124,190	125,291
3	112,273	112,778	113,283	113,788	114,293	114,798
4	187,713	188,615	189,516	190,418	191,319	192,221
<b>Total</b>	<b>491,750</b>	<b>495,047</b>	<b>498,344</b>	<b>501,642</b>	<b>504,939</b>	<b>508,236</b>

**Notes:**

1. Data taken from Cherwell Town Centre & Retail Study – Supplementary 2023 Appendix A Table 1a.

**Table 2a – Convenience Expenditure per Capita**

Zones	Excluding SFT					
	2025	2026	2027	2028	2029	2030
1	2,612	2,601	2,596	2,593	2,591	2,588
2	2,568	2,558	2,553	2,550	2,548	2,545
3	2,544	2,533	2,528	2,526	2,523	2,521
4	2,565	2,555	2,550	2,547	2,545	2,542

**Notes:**

- 2021 excluding SFT taken from Cherwell Town Centre & Retail Study – Supplementary 2023 Appendix A Table 1a.
- Growth rates applied from 2021 using growth rates set out in Figure 7 (Appendix 3) of Experian Retail Planner Briefing Note 21.
- 2020 Prices

**Table 2b – Total Convenience Expenditure**

Zone	2025	2026	2027	2028	2029	2030
1	188.0	189.3	191.0	192.8	194.7	196.5
2	307.6	309.2	311.4	313.9	316.4	318.9
3	285.6	285.7	286.4	287.4	288.4	289.4
4	481.5	481.9	483.3	485.1	486.9	488.7
<b>Total</b>	<b>1262.69</b>	<b>1266.10</b>	<b>1272.00</b>	<b>1279.16</b>	<b>1286.30</b>	<b>1293.42</b>

**Notes:**

- Population (Table 1) multiplied by Per Capita Expenditure (Table 2a).
- 2020 Prices

**Table 2c – Main Food Trip Convenience Expenditure**

Zone	2025	2026	2027	2028	2029	2030
1	140.99	141.96	143.21	144.61	146.00	147.38
2	230.71	231.90	233.54	235.41	237.28	239.15
3	214.18	214.28	214.81	215.55	216.29	217.03
4	361.15	361.44	362.44	363.80	365.16	366.51
<b>Total</b>	<b>947.02</b>	<b>949.57</b>	<b>954.00</b>	<b>959.37</b>	<b>964.72</b>	<b>970.06</b>

**Notes:**

- Split of main/top up as used in the Retail Study.
- 2022 Prices

**Table 2d – Top-up Trip Convenience Expenditure**

<b>Zone</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>2029</b>	<b>2030</b>
1	47.00	47.32	47.74	48.20	48.67	49.13
2	76.90	77.30	77.85	78.47	79.09	79.72
3	71.39	71.43	71.60	71.85	72.10	72.34
4	120.38	120.48	120.81	121.27	121.72	122.17
<b>Total</b>	<b>315.67</b>	<b>316.52</b>	<b>318.00</b>	<b>319.79</b>	<b>321.57</b>	<b>323.35</b>

**Notes:**

1. Split of main/top up as used in the Retail Study.
2. 2022 Prices

**Table 3a – Comparison Expenditure Per Capita**

Zones	Excluding SFT					
	2025	2026	2027	2028	2029	2030
1	4,684	4,820	4,941	5,049	5,165	5,284
2	4,544	4,675	4,792	4,898	5,010	5,126
3	4,606	4,740	4,858	4,965	5,079	5,196
4	4,806	4,945	5,069	5,180	5,300	5,421

**Notes:**

1. 2021 excluding SFT taken from Cherwell Town Centre & Retail Study – Supplementary 2023 Appendix A Table 7a.
2. Growth rates applied from 2021 using growth rates set out in Figure 7 (Appendix 3) of Experian Retail Planner Briefing Note 21.
3. 2020 Prices

**Table 3b – Total Comparison Expenditure**

Zone	2025	2026	2027	2028	2029	2030
1	337.2	350.8	363.4	375.4	388.1	401.2
2	544.3	565.2	584.6	602.9	622.2	642.2
3	517.1	534.5	550.3	565.0	580.5	596.5
4	902.1	932.8	960.6	986.5	1,013.9	1,042.1
<b>Total</b>	<b>2,300.7</b>	<b>2,383.2</b>	<b>2,459.0</b>	<b>2,529.7</b>	<b>2,604.8</b>	<b>2,682.0</b>

**Notes:**

1. Population (Table 1) multiplied by Per Capita Expenditure (Table 3a).
2. 2020 Prices



Table 4a – Main Food Market Share and Turnover at 2025 and 2030

Destination	Zone 1			Zone 2			Zone 3			Zone 4		
	%	2025 £m	2030 £m	%	2025 £m	2030 £m	%	2025 £m	2030 £m	%	2025 £m	2030 £m
<b>Banbury TC</b>												
Tesco Express, High Street	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
Iceland, Calthorpe Street	0.0%	0.00	0.00	0.0%	0.00	0.00	2.1%	4.50	4.56	0.0%	0.00	0.00
Banbury TC – Other	0.3%	0.42	0.44	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
<b>Bicester TC</b>												
Sainsbury's, Pioneer Square, Bicester	0.0%	0.00	0.00	0.3%	0.69	0.72	0.0%	0.00	0.00	5.0%	18.02	18.29
Iceland, Sheep Street	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.4%	1.44	1.46
Bicester Market	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
Bicester TC – Other	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
<b>Kidlington VC</b>												
Tesco Metro, High Street, Kidlington	0.0%	0.00	0.00	0.0%	0.00	0.00	1.1%	2.36	2.39	6.0%	21.63	21.95
Co-op, High Street, Kidlington	0.0%	0.00	0.00	0.9%	2.08	2.16	0.0%	0.00	0.00	0.0%	0.00	0.00
Kidlington VC – Other	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
<b>Banbury – Out of Centre</b>												
Banbury Cross Retail Park – Aldi	1.6%	2.26	2.36	0.4%	0.92	0.96	14.6%	31.30	31.72	1.6%	5.77	5.85
Banbury Cross Retail Park – Home Bargains	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
Banbury Cross Retail Park – Iceland	0.0%	0.00	0.00	0.0%	0.00	0.00	0.9%	1.93	1.96	0.0%	0.00	0.00
Banbury Cross Retail Park – Tesco Extra	2.3%	3.25	3.39	2.3%	5.32	5.51	23.7%	50.81	51.49	0.4%	1.44	1.46
Gateway Retail Park – M&S	0.6%	0.85	0.89	0.4%	0.92	0.96	2.5%	5.36	5.43	0.0%	0.00	0.00
Morrisons, Swan Close Road, Banbury	0.5%	0.71	0.74	1.1%	2.54	2.64	8.3%	17.79	18.03	0.3%	1.08	1.10
Sainsbury's, Oxford Road, Banbury	0.6%	0.85	0.89	0.3%	0.69	0.72	15.4%	33.02	33.46	3.1%	11.17	11.34
Waitrose, Southam Road	0.3%	0.42	0.44	0.7%	1.62	1.68	1.2%	2.57	2.61	0.4%	1.44	1.46
Out of Centre Banbury – Other	0.0%	0.00	0.00	0.0%	0.00	0.00	2.6%	5.57	5.65	0.0%	0.00	0.00
<b>Bicester – Out of Centre</b>												
Kingsmere Retail Park – M&S Food	0.0%	0.00	0.00	1.2%	2.77	2.88	0.0%	0.00	0.00	0.5%	1.80	1.83
Lakeview Drive – Tesco Superstore	0.3%	0.42	0.44	0.0%	0.00	0.00	0.3%	0.64	0.65	15.5%	55.87	56.70
Launton Road – Aldi	0.0%	0.00	0.00	0.0%	0.00	0.00	0.4%	0.86	0.87	8.8%	31.72	32.19
Launton Road – Lidl	0.0%	0.00	0.00	0.0%	0.00	0.00	1.1%	2.36	2.39	4.9%	17.66	17.92
Out of Centre – Bicester – Other	1.6%	2.26	2.36	0.4%	0.92	0.96	0.0%	0.00	0.00	0.0%	0.00	0.00
<b>Kidlington – Out of Centre</b>												
Sainsbury's, Oxford Road, Kidlington	0.0%	0.00	0.00	0.0%	0.00	0.00	0.4%	0.86	0.87	10.8%	38.93	39.50
Out of Centre Kidlington – Other	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
<b>Out of Centre – Other</b>												
Out of Centre – Deddington	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
<b>Outside of Cherwell DC</b>												
Zone 1 – Moreton in Marsh	14.6%	20.60	21.54	0.0%	0.00	0.00	1.6%	3.43	3.48	0.0%	0.00	0.00
Zone 1 – Other	12.7%	17.92	18.74	0.0%	0.00	0.00	0.6%	1.29	1.30	0.0%	0.00	0.00
Zone 1 – Southam	25.2%	35.56	37.18	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
Zone 2 – Brackley	0.0%	0.00	0.00	14.2%	32.83	34.03	0.0%	0.00	0.00	0.4%	1.44	1.46
Zone 2 – Buckingham	0.0%	0.00	0.00	16.0%	36.99	38.34	0.9%	1.93	1.96	0.4%	1.44	1.46
Zone 2 – Other	0.0%	0.00	0.00	0.6%	1.39	1.44	0.0%	0.00	0.00	0.0%	0.00	0.00
Zone 2 – Towcester	0.0%	0.00	0.00	29.3%	67.50	69.97	0.0%	0.00	0.00	0.0%	0.00	0.00
Zone 2 – Daventry	0.8%	1.13	1.18	22.7%	52.48	54.40	0.0%	0.00	0.00	0.0%	0.00	0.00
Zone 3 – Chipping Norton	1.6%	2.26	2.36	0.0%	0.00	0.00	15.0%	32.16	32.59	0.4%	1.44	1.46
Zone 3 – Other	0.0%	0.00	0.00	0.0%	0.00	0.00	0.7%	1.50	1.52	0.0%	0.00	0.00
Zone 4 – Other	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.7%	2.52	2.56
Zone 4 – Witney	0.0%	0.00	0.00	0.0%	0.00	0.00	5.2%	11.15	11.30	26.7%	96.60	98.03
<b>Outside of Study Area</b>												
Abingdon	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	1.2%	4.33	4.39
Aylesbury	0.0%	0.00	0.00	0.3%	0.69	0.72	0.0%	0.00	0.00	0.8%	2.88	2.93
Carterton	0.0%	0.00	0.00	0.0%	0.00	0.00	0.8%	1.72	1.74	3.3%	11.89	12.07
Cheltenham	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
Leamington Spa	20.0%	28.23	29.51	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
Milton Keynes	0.0%	0.00	0.00	5.0%	11.56	11.98	0.0%	0.00	0.00	0.4%	1.44	1.46
Northampton	0.0%	0.00	0.00	1.2%	2.77	2.88	0.0%	0.00	0.00	0.0%	0.00	0.00
Oxford	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	5.8%	20.91	21.22
Reading	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.4%	1.44	1.46
Rugby	2.9%	4.09	4.28	2.3%	5.32	5.51	0.0%	0.00	0.00	0.0%	0.00	0.00
Stratford-upon-Avon	11.9%	16.79	17.56	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
Thame	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	1.2%	4.33	4.39
Warwick	1.0%	1.41	1.48	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
Other outside study area	1.1%	1.55	1.62	0.3%	0.69	0.72	0.5%	1.07	1.09	0.7%	2.52	2.56
<b>TOTAL</b>	<b>100%</b>	<b>140.99</b>	<b>147.38</b>	<b>100%</b>	<b>230.71</b>	<b>239.15</b>	<b>100%</b>	<b>214.18</b>	<b>217.03</b>	<b>100%</b>	<b>361.15</b>	<b>366.51</b>

**Notes:**

1. Market share sourced from Cherwell Town Centre & Retail Study – Supplementary 2023 Appendix A.
2. Market share multiplied by expenditure data Table 2c.
3. 2020 prices.

Table 4b – Top up Food Market Share and Turnover at 2025 and 2030

Destination	Zone 1			Zone 2			Zone 3			Zone 4		
	%	2025 £m	2030 £m	%	2025 £m	2030 £m	%	2025 £m	2030 £m	%	2025 £m	2030 £m
<b>Banbury TC</b>												
Tesco Express, High Street	0.0%	0.00	0.00	0.0%	0.00	0.00	1.0%	0.71	0.72	0.0%	0.00	0.00
Iceland, Calthorpe Street	0.0%	0.00	0.00	0.0%	0.00	0.00	1.4%	1.00	1.01	0.0%	0.00	0.00
Banbury TC - Other	0.0%	0.00	0.00	0.0%	0.00	0.00	7.8%	5.55	5.63	0.0%	0.00	0.00
<b>Bicester TC</b>												
Sainsbury's, Pioneer Square, Bicester	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	3.3%	3.98	4.04
Iceland, Sheep Street	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
Bicester Market	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.3%	0.36	0.37
Bicester TC - Other	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	1.5%	1.81	1.83
<b>Kidlington VC</b>												
Tesco Metro, High Street, Kidlington	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	5.9%	7.11	7.22
Co-op, High Street, Kidlington	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.4%	0.48	0.49
Kidlington VC - Other	0.4%	0.19	0.20	0.0%	0.00	0.00	0.0%	0.00	0.00	1.2%	1.45	1.47
<b>Banbury - Out of Centre</b>												
Banbury Cross Retail Park - Aldi	0.7%	0.33	0.34	0.0%	0.00	0.00	4.1%	2.92	2.96	0.0%	0.00	0.00
Banbury Cross Retail Park - Home Bargains	0.0%	0.00	0.00	0.0%	0.00	0.00	1.0%	0.71	0.72	0.4%	0.48	0.49
Banbury Cross Retail Park - Iceland	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
Banbury Cross Retail Park - Tesco Extra	0.0%	0.00	0.00	0.0%	0.00	0.00	8.2%	5.84	5.91	0.0%	0.00	0.00
Gateway Retail Park - M&S	0.0%	0.00	0.00	0.4%	0.31	0.32	1.8%	1.28	1.30	0.8%	0.96	0.98
Morrisons, Swan Close Road, Banbury	0.6%	0.28	0.29	0.4%	0.31	0.32	5.4%	3.84	3.89	0.0%	0.00	0.00
Sainsbury's, Oxford Road, Banbury	0.0%	0.00	0.00	0.0%	0.00	0.00	3.7%	2.63	2.67	0.0%	0.00	0.00
Waitrose, Southam Road	0.4%	0.19	0.20	0.6%	0.46	0.48	2.6%	1.85	1.88	0.3%	0.36	0.37
Out of Centre Banbury - Other	0.0%	0.00	0.00	0.6%	0.46	0.48	19.2%	13.74	13.92	0.5%	0.60	0.61
<b>Bicester - Out of Centre</b>												
Kingsmere Retail Park - M&S Food	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.8%	0.96	0.98
Lakeview Drive - Tesco Superstore	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	4.7%	5.66	5.75
Launton Road - Aldi	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
Launton Road - Lidl	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	1.0%	1.21	1.22
Out of Centre - Bicester - Other	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	17.1%	20.61	20.91
<b>Kidlington - Out of Centre</b>												
Sainsbury's, Oxford Road, Kidlington	0.0%	0.00	0.00	0.0%	0.00	0.00	0.5%	0.36	0.36	5.5%	6.63	6.73
Out of Centre Kidlington - Other	0.0%	0.00	0.00	0.7%	0.54	0.56	1.1%	0.78	0.79	3.7%	4.46	4.52
<b>Out of Centre - Other</b>												
Out of Centre - Deddington	0.0%	0.00	0.00	0.0%	0.00	0.00	1.6%	1.14	1.15	1.6%	1.93	1.96
<b>Outside of Cherwell DC</b>												
Zone 1 - Moreton in Marsh	10.7%	5.02	5.25	0.0%	0.00	0.00	0.6%	0.43	0.43	0.0%	0.00	0.00
Zone 1 - Other	40.1%	18.85	19.71	0.0%	0.00	0.00	3.1%	2.21	2.24	1.1%	1.33	1.35
Zone 1 - Southam	34.3%	16.13	16.87	0.0%	0.00	0.00	1.2%	0.85	0.87	0.0%	0.00	0.00
Zone 2 - Brackley	0.0%	0.00	0.00	16.3%	12.51	12.97	0.4%	0.28	0.29	2.7%	3.25	3.30
Zone 2 - Buckingham	0.0%	0.00	0.00	14.6%	11.21	11.62	0.0%	0.00	0.00	0.0%	0.00	0.00
Zone 2 - Other	0.0%	0.00	0.00	11.2%	8.60	8.91	0.0%	0.00	0.00	0.0%	0.00	0.00
Zone 2 - Towcester	0.0%	0.00	0.00	30.5%	23.48	24.34	0.0%	0.00	0.00	0.0%	0.00	0.00
Zone 2 - Daventry	0.4%	0.19	0.20	17.3%	13.28	13.76	0.0%	0.00	0.00	0.0%	0.00	0.00
Zone 3 - Chipping Norton	3.7%	1.74	1.81	0.0%	0.00	0.00	18.3%	13.10	13.27	1.2%	1.45	1.47
Zone 3 - Other	0.0%	0.00	0.00	0.0%	0.00	0.00	12.1%	8.61	8.73	0.5%	0.60	0.61
Zone 4 - Other	0.6%	0.28	0.29	1.2%	0.92	0.95	0.0%	0.00	0.00	10.3%	12.41	12.60
Zone 4 - Witney	0.0%	0.00	0.00	0.0%	0.00	0.00	1.3%	0.93	0.94	26.3%	31.69	32.16
<b>Outside of Study Area</b>												
Abingdon	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
Aylesbury	0.0%	0.00	0.00	0.4%	0.31	0.32	0.0%	0.00	0.00	0.5%	0.60	0.61
Carterton	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
Cheltenham	0.4%	0.19	0.20	0.0%	0.00	0.00	0.5%	0.36	0.36	0.0%	0.00	0.00
Leamington Spa	4.4%	2.06	2.16	0.6%	0.46	0.48	0.0%	0.00	0.00	0.0%	0.00	0.00
Milton Keynes	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
Northampton	0.0%	0.00	0.00	1.6%	1.23	1.27	0.0%	0.00	0.00	0.0%	0.00	0.00
Oxford	0.0%	0.00	0.00	0.0%	0.00	0.00	0.5%	0.36	0.36	5.8%	6.99	7.09
Reading	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.4%	0.48	0.49
Rugby	0.7%	0.33	0.34	0.6%	0.46	0.48	0.0%	0.00	0.00	0.0%	0.00	0.00
Stratford-upon-Avon	0.6%	0.28	0.29	1.6%	1.23	1.27	0.0%	0.00	0.00	0.0%	0.00	0.00
Thame	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	1.0%	1.21	1.22
Warwick	0.9%	0.42	0.44	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00
Other outside study area	1.1%	0.52	0.54	1.5%	1.15	1.19	2.7%	1.92	1.95	1.1%	1.33	1.35
<b>TOTAL</b>	<b>100%</b>	<b>47.00</b>	<b>49.13</b>	<b>100%</b>	<b>76.90</b>	<b>79.72</b>	<b>100%</b>	<b>71.39</b>	<b>72.34</b>	<b>100%</b>	<b>120.38</b>	<b>122.17</b>

**Notes:**

1. Market share sourced from Cherwell Town Centre & Retail Study – Supplementary 2023 Appendix A.
2. Market share multiplied by expenditure data Table 2d.
3. 2020 prices.

Table 4c – Total Convenience Goods Market Share and Turnover at 2025 and 2030

Destination	Zone 1			Zone 2			Zone 3			Zone 4			Total	
	%	2025 £m	2030 £m	%	2025 £m	2030 £m	%	2025 £m	2030 £m	%	2025 £m	2030 £m	2025 £m	2030 £m
<b>Banbury TC</b>														
Tesco Express, High Street	0.0%	0.00	0.00	0.0%	0.00	0.00	1.0%	0.71	0.72	0.0%	0.00	0.00	0.71	0.72
Iceland, Calthorpe Street	0.0%	0.00	0.00	0.0%	0.00	0.00	1.4%	5.50	5.57	0.0%	0.00	0.00	5.50	5.57
Banbury TC – Other	0.2%	0.42	0.44	0.0%	0.00	0.00	7.8%	5.55	5.63	0.0%	0.00	0.00	5.98	6.07
<b>Bicester TC</b>														
Sainsbury's, Pioneer Square, Bicester	0.0%	0.00	0.00	0.0%	0.69	0.72	0.0%	0.00	0.00	3.3%	22.00	22.32	22.69	23.04
Iceland, Sheep Street	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	1.44	1.46	1.44	1.46
Bicester Market	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.3%	0.36	0.37	0.36	0.37
Bicester TC – Other	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	1.5%	1.81	1.83	1.81	1.83
<b>Kidlington VC</b>														
Tesco Metro, High Street, Kidlington	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	2.36	2.39	5.9%	28.74	29.16	31.09	31.55
Co-op, High Street, Kidlington	0.0%	0.00	0.00	0.0%	2.08	2.16	0.0%	0.00	0.00	0.4%	0.48	0.49	2.56	2.65
Kidlington VC – Other	0.1%	0.19	0.20	0.0%	0.00	0.00	0.0%	0.00	0.00	1.2%	1.45	1.47	1.63	1.66
<b>Banbury – Out of Centre</b>														
Banbury Cross Retail Park – Aldi	1.4%	2.59	2.70	0.0%	0.92	0.96	4.1%	34.22	34.67	0.0%	5.77	5.85	43.50	44.19
Banbury Cross Retail Park – Home Bargains	0.0%	0.00	0.00	0.0%	0.00	0.00	1.0%	0.71	0.72	0.4%	0.48	0.49	1.19	1.21
Banbury Cross Retail Park – Iceland	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	1.93	1.96	0.0%	0.00	0.00	1.93	1.96
Banbury Cross Retail Park – Tesco Extra	1.7%	3.25	3.39	0.0%	5.32	5.51	8.2%	56.65	57.40	0.0%	1.44	1.46	66.65	67.77
Gateway Retail Park – M&S	0.5%	0.85	0.89	0.4%	1.23	1.28	1.8%	6.64	6.73	0.8%	0.96	0.98	9.68	9.87
Morrisons, Swan Close Road, Banbury	0.5%	0.99	1.03	0.4%	2.85	2.95	5.4%	21.64	21.93	0.0%	1.08	1.10	26.56	27.01
Sainsbury's, Oxford Road, Banbury	0.5%	0.85	0.89	0.0%	0.69	0.72	3.7%	35.65	36.12	0.0%	11.17	11.34	48.36	49.07
Waitrose, Southam Road	0.3%	0.61	0.64	0.6%	2.08	2.15	2.6%	4.42	4.48	0.3%	1.80	1.83	8.92	9.11
Out of Centre Banbury – Other	0.0%	0.00	0.00	0.6%	0.46	0.48	19.2%	19.31	19.57	0.5%	0.60	0.61	20.37	20.66
<b>Bicester – Out of Centre</b>														
Kingsmere Retail Park – M&S Food	0.0%	0.00	0.00	0.0%	2.77	2.88	0.0%	0.00	0.00	0.8%	2.77	2.81	5.54	5.68
Lakeview Drive – Tesco Superstore	0.2%	0.42	0.44	0.0%	0.00	0.00	0.0%	0.64	0.65	4.7%	61.53	62.44	62.60	63.54
Launton Road – Aldi	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.86	0.87	0.0%	31.72	32.19	32.58	33.06
Launton Road – Lidl	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	2.36	2.39	1.0%	18.87	19.15	21.22	21.54
Out of Centre – Bicester – Other	1.2%	2.26	2.36	0.0%	0.92	0.96	0.0%	0.00	0.00	17.1%	20.61	20.91	23.79	24.23
<b>Kidlington – Out of Centre</b>														
Sainsbury's, Oxford Road, Kidlington	0.0%	0.00	0.00	0.0%	0.00	0.00	0.5%	1.21	1.23	5.5%	45.55	46.23	46.77	47.46
Out of Centre Kidlington – Other	0.0%	0.00	0.00	0.7%	0.54	0.56	1.1%	0.78	0.79	3.7%	4.46	4.52	5.78	5.88
<b>Out of Centre – Other</b>														
Out of Centre – Deddington	0.0%	0.00	0.00	0.0%	0.00	0.00	1.6%	1.14	1.15	1.6%	1.93	1.96	3.07	3.11
<b>Outside of Cherwell DC</b>														
Zone 1 – Moreton in Marsh	13.6%	25.62	26.79	0.0%	0.00	0.00	0.6%	3.86	3.91	0.0%	0.00	0.00	29.48	30.69
Zone 1 – Other	19.6%	36.78	38.45	0.0%	0.00	0.00	3.1%	3.49	3.54	1.1%	1.33	1.35	41.60	43.33
Zone 1 – Southam	27.5%	51.70	54.04	0.0%	0.00	0.00	1.2%	0.85	0.87	0.0%	0.00	0.00	52.55	54.91
Zone 2 – Brackley	0.0%	0.00	0.00	16.3%	45.34	46.99	0.4%	0.28	0.29	2.7%	4.70	4.76	50.32	52.05
Zone 2 – Buckingham	0.0%	0.00	0.00	14.6%	48.19	49.96	0.0%	1.93	1.96	0.0%	1.44	1.46	51.56	53.37
Zone 2 – Other	0.0%	0.00	0.00	11.2%	9.98	10.35	0.0%	0.00	0.00	0.0%	0.00	0.00	9.98	10.35
Zone 2 – Towcester	0.0%	0.00	0.00	30.5%	90.99	94.32	0.0%	0.00	0.00	0.0%	0.00	0.00	90.99	94.32
Zone 2 – Daventry	0.7%	1.32	1.38	17.3%	65.75	68.16	0.0%	0.00	0.00	0.0%	0.00	0.00	67.07	69.53
Zone 3 – Chipping Norton	2.1%	3.99	4.17	0.0%	0.00	0.00	18.3%	45.26	45.86	1.2%	2.89	2.93	52.14	52.96
Zone 3 – Other	0.0%	0.00	0.00	0.0%	0.00	0.00	12.1%	10.11	10.25	0.5%	0.60	0.61	10.72	10.86
Zone 4 – Other	0.1%	0.28	0.29	1.2%	0.92	0.95	0.0%	0.00	0.00	10.3%	14.94	15.16	16.14	16.41
Zone 4 – Witney	0.0%	0.00	0.00	0.0%	0.00	0.00	1.3%	12.07	12.23	26.3%	128.29	130.19	140.36	142.43
<b>Outside of Study Area</b>														
Abingdon	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	4.33	4.39	4.33	4.39
Aylesbury	0.0%	0.00	0.00	0.4%	1.00	1.04	0.0%	0.00	0.00	0.5%	3.49	3.54	4.49	4.57
Carterton	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	1.72	1.74	0.0%	11.89	12.07	13.61	13.81
Cheltenham	0.1%	0.19	0.20	0.0%	0.00	0.00	0.5%	0.36	0.36	0.0%	0.00	0.00	0.54	0.56
Leamington Spa	16.1%	30.29	31.66	0.6%	0.46	0.48	0.0%	0.00	0.00	0.0%	0.00	0.00	30.75	32.14
Milton Keynes	0.0%	0.00	0.00	0.0%	11.56	11.98	0.0%	0.00	0.00	0.0%	1.44	1.46	13.00	13.44
Northampton	0.0%	0.00	0.00	1.6%	4.00	4.15	0.0%	0.00	0.00	0.0%	0.00	0.00	4.00	4.15
Oxford	0.0%	0.00	0.00	0.0%	0.00	0.00	0.5%	0.36	0.36	5.8%	27.89	28.31	28.25	28.67
Reading	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.4%	1.92	1.95	1.92	1.95
Rugby	2.4%	4.42	4.62	0.6%	5.78	5.99	0.0%	0.00	0.00	0.0%	0.00	0.00	10.20	10.61
Stratford-upon-Avon	9.1%	17.08	17.85	1.6%	1.23	1.27	0.0%	0.00	0.00	0.0%	0.00	0.00	18.30	19.12
Thame	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	1.0%	5.53	5.61	5.53	5.61
Warwick	1.0%	1.83	1.92	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	1.83	1.92
Other outside study area	1.1%	2.07	2.16	1.5%	1.84	1.91	2.7%	2.99	3.03	1.1%	3.85	3.91	10.76	11.01
<b>TOTAL</b>	<b>100%</b>	<b>187.98</b>	<b>196.51</b>	<b>100%</b>	<b>307.61</b>	<b>318.86</b>	<b>100%</b>	<b>285.57</b>	<b>289.37</b>	<b>100%</b>	<b>481.54</b>	<b>488.68</b>	<b>1262.69</b>	<b>1293.42</b>

**Notes:**

1. Sum of Tables 4a and 4b.
2. Market share calculated from sum of Tables 4a and 4b.
3. 2020 prices.

Table 5 – Comparison Goods Market Share at 2025 and 2030

Destination	Total	Zone 1				Zone 2				Zone 3				Zone 4			
Study Area	2030 (£m)	%	2025 (£m)	2030 (£m)	%	2025 (£m)	2030 (£m)	%	2025 (£m)	2030 (£m)	%	2025 (£m)	2030 (£m)	%	2025 (£m)	2030 (£m)	
Banbury TC	275.73	5.3%	17.81	21.19	7.4%	40.30	47.55	28.4%	146.80	169.32	3.6%	32.61	37.67				
Bicester TC	138.01	0.0%	0.00	0.00	0.4%	2.39	2.82	0.0%	0.00	0.00	13.0%	117.03	135.19				
Kidlington VC	28.51	0.0%	0.00	0.00	0.0%	0.00	0.00	0.3%	1.32	1.52	2.6%	23.37	26.99				
<b>Banbury – Out of Centre</b>																	
Banbury Cross Retail Park	209.85	4.7%	15.93	18.96	3.3%	17.86	21.08	22.1%	114.46	132.02	3.6%	32.71	37.79				
Gateway Retail Park	146.99	1.9%	6.35	7.56	5.3%	28.77	33.95	12.0%	62.04	71.56	3.3%	29.36	33.92				
Marley Way Industrial Estate	60.10	1.0%	3.33	3.96	2.3%	12.78	15.07	6.1%	31.43	36.25	0.5%	4.17	4.81				
Morrisons, Swan Close Road, Banbury	1.68	0.0%	0.00	0.00	0.2%	0.83	0.98	0.1%	0.61	0.70	0.0%	0.00	0.00				
Sainsbury's, Oxford Road, Banbury	22.63	0.1%	0.42	0.50	0.1%	0.42	0.49	3.2%	16.32	18.83	0.3%	2.44	2.82				
Wildmere Road Industrial	0.82	0.0%	0.00	0.00	0.0%	0.00	0.00	0.1%	0.71	0.82	0.0%	0.00	0.00				
Out of Centre Banbury – Other	6.36	0.1%	0.31	0.37	0.1%	0.42	0.49	0.8%	4.36	5.03	0.0%	0.41	0.47				
<b>Bicester – Out of Centre</b>																	
Bicester Avenue Garden Centre	4.83	0.0%	0.00	0.00	0.1%	0.42	0.49	0.0%	0.20	0.23	0.4%	3.56	4.11				
Bicester Village	13.87	0.0%	0.00	0.00	0.1%	0.42	0.49	0.1%	0.61	0.70	1.2%	10.97	12.67				
Kingsmere Retail Park	3.40	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.3%	2.95	3.40				
Lakeview Drive – Tesco Superstore	8.10	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.8%	7.01	8.10				
Launton Road Retail Park /Chaucer Business Park/ Tel	45.17	0.0%	0.00	0.00	0.0%	0.00	0.00	0.5%	2.33	2.69	4.1%	36.78	42.48				
Out of Centre Bicester – Other	0.59	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.1%	0.51	0.59				
<b>Kidlington – Out of Centre</b>																	
Sainsbury's, Oxford Road, Kidlington	17.60	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.10	0.12	1.7%	15.14	17.49				
Out of Centre Kidlington – Other	5.87	0.0%	0.00	0.00	0.0%	0.00	0.00	0.1%	0.51	0.58	0.5%	4.57	5.28				
Cherwell Out of Centre – Other	2.36	0.0%	0.00	0.00	0.1%	0.31	0.37	0.2%	0.81	0.94	0.1%	0.91	1.06				
<b>Outside of Cherwell DC</b>																	
Zone 1 – Moreton in Marsh	16.22	4.0%	13.43	15.98	0.0%	0.00	0.00	0.0%	0.20	0.23	0.0%	0.00	0.00				
Zone 1 – Other	16.97	4.2%	14.16	16.85	0.0%	0.00	0.00	0.0%	0.10	0.12	0.0%	0.00	0.00				
Zone 1 – Southam	55.70	6.8%	22.91	27.26	0.8%	4.57	5.39	3.4%	17.34	20.00	0.3%	2.64	3.05				
Zone 2 – Brackley	19.49	0.0%	0.00	0.00	2.2%	11.94	14.09	0.0%	0.00	0.00	0.5%	4.67	5.40				
Zone 2 – Buckingham	21.68	0.0%	0.00	0.00	3.3%	18.18	21.45	0.0%	0.00	0.00	0.0%	0.20	0.23				
Zone 2 – Other	3.42	0.0%	0.00	0.00	0.5%	2.60	3.06	0.0%	0.00	0.00	0.0%	0.30	0.35				
Zone 2 – Towcester	35.66	0.0%	0.00	0.00	5.6%	30.23	35.66	0.0%	0.00	0.00	0.0%	0.00	0.00				
Zone 2 – Daventry	63.26	0.5%	1.56	1.86	9.6%	52.04	61.40	0.0%	0.00	0.00	0.0%	0.00	0.00				
Zone 3 – Chipping Norton	38.46	1.5%	5.10	6.07	0.0%	0.00	0.00	5.4%	28.08	32.39	0.0%	0.00	0.00				
Zone 3 – Other	1.55	0.1%	0.42	0.50	0.0%	0.00	0.00	0.2%	0.91	1.05	0.0%	0.00	0.00				
Zone 4 – Other	8.35	0.1%	0.31	0.37	0.0%	0.00	0.00	0.1%	0.30	0.35	0.7%	6.60	7.63				
Zone 4 – Witney	249.80	0.2%	0.62	0.74	0.1%	0.31	0.37	5.2%	26.66	30.75	20.9%	188.66	217.93				
<b>Outside of Study Area</b>																	
Abingdon	10.13	0.2%	0.62	0.74	0.0%	0.00	0.00	0.0%	0.00	0.00	0.9%	8.13	9.39				
Aylesbury	43.56	0.1%	0.31	0.37	0.4%	2.39	2.82	0.3%	1.32	1.52	3.7%	33.63	38.84				
Birmingham	8.55	2.1%	7.18	8.55	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00				
Carterton	3.28	0.0%	0.00	0.00	0.0%	0.00	0.00	0.3%	1.52	1.75	0.1%	1.32	1.53				
Cheltenham	21.21	3.8%	12.70	15.12	0.0%	0.00	0.00	0.6%	3.04	3.51	0.2%	2.24	2.58				
Coventry	20.07	4.9%	16.45	19.58	0.1%	0.42	0.49	0.0%	0.00	0.00	0.0%	0.00	0.00				
Evesham	9.15	1.6%	5.52	6.57	0.0%	0.00	0.00	0.0%	0.00	0.00	0.2%	2.24	2.58				
Gloucester	1.24	0.3%	1.04	1.24	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00				
Leamington Spa	147.62	35.2%	118.60	141.13	0.6%	3.32	3.92	0.4%	2.23	2.57	0.0%	0.00	0.00				
Milton Keynes	312.94	0.3%	1.04	1.24	37.3%	202.75	239.23	2.5%	12.98	14.97	5.5%	49.78	57.50				
Northampton	69.49	0.0%	0.10	0.12	10.4%	56.61	66.79	0.3%	1.32	1.52	0.1%	0.91	1.06				
Oxford	327.45	0.6%	1.98	2.35	2.5%	13.71	16.18	3.9%	19.97	23.04	27.4%	247.48	285.88				
Reading	5.16	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.5%	4.47	5.16				
Rugby	47.96	4.4%	14.79	17.59	4.6%	25.24	29.78	0.1%	0.51	0.58	0.0%	0.00	0.00				
Stratford-upon-Avon	58.02	13.2%	44.36	52.78	0.3%	1.77	2.08	0.5%	2.74	3.16	0.0%	0.00	0.00				
Swindon	5.51	0.0%	0.00	0.00	0.0%	0.00	0.00	0.2%	0.81	0.94	0.4%	3.96	4.58				
Thame	5.87	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.6%	5.08	5.87				
Warwick	3.59	0.9%	3.02	3.59	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00				
Outside study area – Other	58.18	2.0%	6.77	8.05	2.4%	13.29	15.69	2.8%	14.50	16.72	1.7%	15.34	17.72				
<b>Total</b>	<b>2682.02</b>	<b>100%</b>	<b>337.17</b>	<b>401.21</b>	<b>100%</b>	<b>544.26</b>	<b>642.20</b>	<b>100%</b>	<b>517.13</b>	<b>596.49</b>	<b>100%</b>	<b>902.14</b>	<b>1042.13</b>				

**Notes:**

1. Market share sourced from Cherwell Town Centre & Retail Study – Supplementary 2023 Appendix A.
2. Market share multiplied by expenditure data Table 3b.
3. 2020 prices.

**Table 6 - Proposed Development**

Unit	Gross Internal Floorspace	Net Floorspace	Convenience Goods				Comparison Goods				Total Turnover
			Net Floorspace	Sales Density	Turnover at 2025	Turnover at 2030	Net Floorspace	Sales Density	Turnover at 2025	Turnover at 2030	
			m <sup>2</sup>	£ per m <sup>2</sup>	£m	£m	m <sup>2</sup>	£ per m <sup>2</sup>	£m	£m	
Foodstore	2,500	1,875	1,500	9,128	13.69	13.83	375	5,836	2.19	2.49	16.32

**Notes:**

1. 2020 Prices
2. Assumed max sales floorspace of 75% of gross.
3. Sales density average of Aldi and Lidl as the two main national discount foodstore operators as derived from Global data Convenience and Comparison Goods Sales Densities of Major Grocers, 2024e.
4. Floorspace Efficiencies applied from 2025 in line with RPBN 21 Figures 4a and 4b.

Table 7 – Trading Performance of Main Convenience Stores in Bicester

Store	2025									2030						
	Net Sales Area	Conv Sales Area	Sales Density	Benchmark Conv Turnover	Survey Derived Conv Turnover	Inflow	Inflow	Total Survey Derived + Inflow Turnover	Over / Undertrading	Benchmark Conv Turnover	Survey Derived Conv Turnover	Inflow	Inflow	Total Survey Derived + Inflow Turnover	Over / Undertrading	Trading performance
	m <sup>2</sup>	m <sup>2</sup>	£ per m <sup>2</sup>	£m	£m	%	£m	£m	£m	£m	£m	%	£m	£m	£m	%
Sainsbury's, Pioneer Square, Bicester	6,292	4,090	11,201	45.81	22.69	2%	0.45	23.15	-22.67	46.27	23.04	2%	0.46	23.50	-22.77	51%
Kingsmere Retail Park - M&S Food	834	751	8,868	6.66	5.54	2%	0.11	5.65	-1.01	6.73	5.68	2%	0.11	5.80	-0.93	86%
Lakeview Drive - Tesco Superstore	5,151	3,091	13,083	40.44	62.60	2%	1.25	63.85	23.41	40.84	63.54	2%	1.27	64.81	23.96	159%
Launton Road - Aldi	1,211	1,090	12,492	13.62	32.58	2%	0.65	33.23	19.61	13.75	33.06	2%	0.66	33.72	19.97	245%
Launton Road - Lidl	1,286	1,157	5,764	6.67	21.22	2%	0.42	21.65	14.98	6.74	21.54	2%	0.43	21.97	15.23	326%

**Notes:**

- 2020 Prices
- Floorspace figures taken from Cherwell Town Centre & Retail Study – Supplementary 2023 Appendix A Table 4. The only exception is the Sainsbury's Pioneer Square store floorspace as Retail Study overstates floorspace – net floorspace taken from application ref 12/O162F which permitted installation of larger Mezzanine floor at the Sainsbury's store – allowed for 60% convenience sales area as mezzanine floor is wholly used for comparison goods sales.
- Sales density from Global data Convenience and Comparison Goods Sales Densities of Major Grocers, 2024e and Floorspace Efficiencies applied from 2025 in line with RPBN 21 Figures 4a and 4b.
- Inflow allowance as per Cherwell Town Centre & Retail Study – Supplementary 2023.

Table 8 – Development Commitments

Unit			Convenience Goods				Comparison Goods				Total Turnover at 2030
	Gross Internal Floorspace	Net Floorspace	Net Floorspace	Sales Density	Turnover at 2025	Turnover at 2030	Net Floorspace	Sales Density	Turnover at 2025	Turnover at 2030	
	m <sup>2</sup>	m <sup>2</sup>	m <sup>2</sup>	£ per m <sup>2</sup>	£m	£m	m <sup>2</sup>	£ per m <sup>2</sup>	£m	£m	
The Food Warehouse by Iceland, Launton Road Retail Park	876	701	666	5,804	3.86	3.90	35	1,709	0.06	0.07	3.97

**Notes:**

1. GIA taken from application ref. 21/03453/F. Net floorspace and convenience/comparison splits assumed based on knowledge of operator.
2. Floorspace Efficiencies applied from 2024 in line with RPBN 21 Figures 4a and 4b.
3. Sales Densities taken from Global Data Convenience and Comparison Goods Sales Densities of Major Grocers, 2024e.
4. 2020 prices.

Table 9 – Trade Diversion and Cumulative Impact

Retail Destination	2030 Turnover			Inflow Convenience		Inflow Comparison		Existing Turnover inc Inflow at 2030			The Food Warehouse, Launton Road Retail Park				Convenience		Comparison		Total				
	Comp	Conv	Total	%	£m	%	£m	Comp	Conv	Total	Conv Trade Diversion		Comp Trade Diversion		Trade Diversion		Turnover following trade diversion	Trade Diversion		Turnover following trade diversion	Turnover following trade diversion	Solus Impact	Cumulative Impact
											%	£m	%	£m	%	£m		%	£m				
	£m	£m	£m					£m	£m	£m	%	£m	%	£m	%	£m	£m	%	£m	£m	£m	%	%
<b>Bicester town centre</b>																							
Sainsbury's, Pioneer Square, Bicester		23.04	23.04	2%	0.46	2%	0.00	0.00	23.50	23.50	4%	0.16		-	10%	1.38	21.97		-	-	21.97		
Iceland, Sheep Street		1.46	1.46	2%	0.03	2%	0.00	0.00	1.49	1.49	38%	1.49		-		-	-		-	-	-		
Bicester Market		0.37	0.37	2%	0.01	2%	0.00	0.00	0.37	0.37		-		-		-	0.37		-	-	0.37		
Bicester TC - Other	138.01	1.83	139.85	2%	0.04	2%	2.76	140.77	1.87	142.64		-	42%	0.03		-	1.87	10%	0.25	140.50	142.37		
<b>Bicester town centre total</b>	<b>138.01</b>	<b>26.71</b>	<b>164.72</b>		<b>0.53</b>		<b>2.76</b>	<b>140.77</b>	<b>27.24</b>	<b>168.02</b>	<b>42%</b>	<b>1.65</b>	<b>42%</b>	<b>0.03</b>	<b>10%</b>	<b>1.38</b>	<b>24.21</b>	<b>10%</b>	<b>0.25</b>	<b>140.50</b>	<b>164.71</b>	<b>1.0%</b>	<b>2.0%</b>
<b>Kidlington village centre</b>																							
Tesco Metro, High Street, Kidlington		31.55	31.55	2%	0.63	2%	0.00	0.00	32.18	32.18		-		-			32.18		-	-	32.18		
Co-op, High Street, Kidlington		2.65	2.65	2%	0.05	2%	0.00	0.00	2.70	2.70		-		-			2.70		-	-	2.70		
Kidlington VC - Other	28.51	1.66	30.18	2%	0.03	2%	0.57	29.08	1.70	30.78		-		-			1.70		-	29.08	30.78		
<b>Kidlington village centre total</b>	<b>28.51</b>	<b>35.86</b>	<b>64.37</b>		<b>0.72</b>		<b>0.57</b>	<b>29.08</b>	<b>36.58</b>	<b>65.66</b>	<b>0%</b>	<b>0.00</b>	<b>0%</b>	<b>0.00</b>	<b>0%</b>	<b>0.00</b>	<b>36.58</b>	<b>0%</b>	<b>0.00</b>	<b>29.08</b>	<b>65.66</b>	<b>0.0%</b>	<b>0.0%</b>
<b>Bicester - Out of Centre</b>																							
Kingsmere Retail Park - M&S Food		5.68	5.68	2%	0.11	2%	0.00	0.00	5.80	5.80		-		-									
Lakeview Drive - Tesco Superstore	8.10	63.54	71.64	2%	1.27	2%	0.16	8.26	64.81	73.07	10%	0.39	10%	0.01	20%	2.77	61.65	20%	0.50	7.76	69.41		
Launton Road - Aldi		33.06	33.06	2%	0.66	2%	0.00	0.00	33.72	33.72	20%	0.78		-	35%	4.84	28.10		-	-	28.10		
Launton Road - Lidl		21.54	21.54	2%	0.43	2%	0.00	0.00	21.97	21.97	20%	0.78		-	30%	4.15	17.04		-	-	17.04		
Out of centre - Bicester - Other	67.86	24.23	92.09	2%	0.48	2%	1.36	69.22	24.72	93.93	8%	0.31	48%	0.03	5%	0.69	23.71	70%	1.74	67.44	91.16		
<b>Kidlington - Out of Centre</b>																							
Sainsbury's, Oxford Road, Kidlington	17.60	47.46	65.06	2%	0.95	2%	0.35	17.96	48.41	66.36		-		-			48.41		-	17.96	66.36		
Out of centre Kidlington - Other	5.87	5.88	11.74	2%	0.12	2%	0.12	5.98	5.99	11.98		-		-			5.99		-	5.98	11.98		
<b>Beyond Cherwell</b>																							
Brackley stores	19.49	52.05	71.54					19.49	52.05	71.54		-		-			52.05		-	19.49	71.54		
Buckingham stores	21.68	53.37	75.06					21.68	53.37	75.06		-		-			53.37		-	21.68	75.06		

**Notes:**

1. 2020 Prices.



Town & Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004

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