

## ITS OUR CITY

### Rebuttal of the Lancaster City Council rebuttal of Professor John Walton

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### Introduction to this document

1. Its Our City (IOC) notes that the IOC proof of evidence submitted on Tourism (ref) written by Professor John Walton will not be subjected to cross examination as Lancaster City Council (LCC) have elected to play no further part in this public inquiry. It is noted further that LCC submitted a rebuttal of Professor Walton's evidence to the inquiry. The issues raised in this LCC rebuttal would have been taken up by IOC with its author, Mr Dobson, LCC's chief planning officer, in cross examination. However, since Mr Dobson's evidence was not put before the inquiry in chief and was not therefore cross examined, IOC is compelled to submit this document as a rebuttal of LCC's rebuttal of Professor Walton's evidence.

### LCC's rebuttal of Professor Walton's tourism evidence.

2. The LCC rebuttal paragraph 2 reads as follows:

*2. In reaching his conclusions Professor Walton has spent much time advancing quotations from a variety of sources **and seems to be trying to advance the argument that retailing plays no part in the creation of a successful visitor destination.** It is clear from reading paragraph 51 of his proof however, that Professor Walton is carefully selecting his sources of evidence to support his own hypothesis, rather than fully and objectively reviewing the appropriate evidence and policy to reach an impartial conclusion. Just like Mr Yuille in his proof he is picking and choosing the various policies and statements he wants to say are relevant to his case. (Our emphasis)*

3. In making the point highlighted in bold above Mr Dobson is misrepresenting Professor Walton's evidence in terms of its main emphasis. For example, Professor Walton's proof in paragraph 68 reads:

*“We argue that the Canal Corridor proposal, if adopted, would damage Lancaster’s tourism economy by undermining the viability of the existing central commercial district, which is also the main tourist area, and rendering it less attractive to the kind of visitor on which Lancaster’s strong and growing tourism industry depends”.*

In paragraph 30 of his proof Professor Walton points out that:

*A feature of Lancaster’s tourism is the appeal of small and diverse independent traders, cafes, pubs, etc. These are seen as an attraction themselves (see Lancashire Life, February 2009, I/T-14).*

In paragraph 62 of his proof Professor Walton makes the point that:

*If an alternative scheme were to be adopted that respected the historic scale and complexity of the existing site, and offered the mix of comfort, detail and diversity (not least in retail) that Relph associates with topophilia, it could become an asset rather than a liability for the future development of tourism in the city.*

All three of the above extracts from Professor Walton's proof demonstrate that he is fully appreciative of the fact that the nature of the retail offer in any place is one factor which can play a part in attracting tourists to that place.

4. In paragraph 3 of Mr Dobson's rebuttal of Professor Walton's evidence, presumably by way of an

example of Professor Walton's '*picking and choosing the various policies and statements he wants to say are relevant to his case.*' we find the following:

*“To give an example, whilst quotations from the North West Development Agency’s various documents are given in relation to Lancaster, the wider contribution of retailing to visitor destinations is conveniently omitted. The NWDA’s Visitor Economy Strategy in paragraph 43 for example refers to the retail offer as being part of the things that form a good destination. In its works on Historic Towns and Cities it states that “well maintained historic centres prove attractive locations where quality retail leisure and food/drink offer can develop”. One can see why Professor Walton would not want to acknowledge this aspect of the NWDA’s approach.”*

Whilst there is no inquiry library reference to the 'Visitor Economy' document which Mr Dobson refers to in paragraph 3 of his rebuttal it is reasonable to assume that the document referred to is CD97 'The Strategy for Tourism in England's North West 2003 – 2010: Developing the Visitor Economy'. This is a document produced by the North West Development Agency.

5. CD97 does not have a paragraph 43 but it does have a paragraph 4.3 entitled 'Sense of Place'. Paragraph 4.3 in CD97 does not include the word 'retail' at all. In fact CD97, a twenty two page document, includes the word retail in only one instance on page 6 in a box. The paragraph in this box does in fact say that retail is an element in attracting visitors to a place. However, retail comes after heritage, culture and iconic buildings. We submit that this shows that Mr Dobson is claiming that CD97 does something which it simply does not do. This on its own should perhaps raise a question about the quality and the reliability of Mr Dobson's various rebuttals submitted to the inquiry. It certainly demonstrates that Mr Dobson's rebuttal of Professor Walton is misinformed and misleading.
6. We submit further that Professor Walton does not in any respect advance the argument that '*retailing plays no part in the creation of a successful visitor destination.*' In fact, it is arguable that CD97 as a whole supports Professor Walton's argument that it is the quality of retail in the existing centre which matters to tourism and which is at stake if this development is allowed. It is also the case that the NWDA's works on Historic Towns and Cities quoted by Mr Dobson (CD102) does not undermine Professor Walton's evidence. It in fact supports Professor Walton's evidence.
7. Paragraph 4 of Mr Dobson's rebuttal of Professor Walton's evidence reads as follows:

*The quality of the retail offer in a historic city is a major influencing factor in its popularity as the profile of cities such as Chester, York and Cambridge shows. All of these centres are able to provide a good balanced range of quality high street and independent retailers to both local residents and visitors alike without seriously undermining their individuality as historic destinations.*

IOC agrees that there is no doubt that the quality of the retail offer in a historic city may be one influencing factor in drawing tourists to a particular destination. We are not at all sure on what basis Mr Dobson claims that it is a 'major influencing factor' in the popularity of a city. Unfortunately, IOC will not have the opportunity to pursue this point with Mr Dobson and only he can explain his opinion on the matter.

8. However, it is to be noted that even if the retail offer in Chester, York and Cambridge is an influencing factor in the attraction of tourists to these places Lancaster is a different place in terms of its scale for example. Clearly, whatever may be claimed about retail and tourism in these other places cannot be transferred to Lancaster in terms of being material to the consideration of the proposed development before this inquiry. Professor Walton's argument is that in this case in the City of Lancaster this scale of retail on this site will undermine the viability of the existing centre which will detrimentally affect the city's tourism industry.
9. In Paragraph 5 of Mr Dobson's rebuttal of Professor Walton's evidence a reference is made to the '2008 Lancaster Destination Benchmarking Survey'. There is no core document or inquiry library reference number included and IOC is unable to find the results of this survey anywhere in the core documents or the inquiry library. Mr Dobson claims that the survey shows that 'Lancaster's shopping offer is declining in the contribution it is making to the perception of visitors to the city'. It is clear from Professor Walton's evidence and his supporting documents (for example his proof of evidence paras 5-7, I/T 03 and I/T04) that there has been no discernible decline in Lancaster's visitor numbers or visitor economy over the past few years. This suggests that the benchmarking survey Mr Dobson refers to indicates that visitors to Lancaster come to the city for reasons other than its retail offer alone. This must be true if in the perception of visitors Lancaster's retail offer is declining in the contribution it is making to the reasons they visit the city, when visitor numbers are not falling but are in fact rising. Clearly, this serves to back up Professor Walton's evidence and main arguments rather than serving to undermine them.
10. One of Professor Walton's main lines of argument is that neither the Applicant or LCC properly considered the impact that the proposed development could have on Lancaster's tourism economy (see Prof Walton's proof paras 64 – 67). Mr Dobson argues in two ways in response to Professor Walton on this point in paragraph 6 of his rebuttal. Firstly, he argues that LCC and the Applicant have not used tourism to justify the scheme as “*They would simply have been accused by objectors of using justification based on variable and fickle tourism needs which can change with time and economic conditions. They would also have been accused of creating demands for unsustainable travel by basing growth on the need to attract more visitors.*” IOC find this reasoning both shocking and also to be an unjustifiable explanation for not taking into account a significant sector of Lancaster's economy in the formulation of the development proposals. It is arguable that the proposed development simply can not be justified on benefits to the tourism economy grounds which is why it was effectively ignored by both the Applicant and LCC.
11. The second point made by Mr Dobson in his rebuttal (paragraph 6) against Professor Walton on this point is to say that:

*If enhanced shopping in Lancaster also has the effect of enhancing the area's tourism economy then that is a benefit, and this was also acknowledged on page 132 of the Planning Committee report, demonstrating that tourism was taken into account among with many other material considerations.*

We note that the above sentence begins with the word 'if' which speaks for itself. However, on page 132 of the officers report (CD30)<sup>i</sup> the following paragraphs are included:

*With regard to retail viability, the applicant believes that there will be a “net benefit to the historic assets of the town arising from the greater commercial activity that will...encourage*

*investment in the historic fabric". They comment that modern units will also remove development pressures experienced within historic buildings in the existing centre. The proposal incorporates an anchor store in the form of Debenhams. An equivalent floorplate for a store of this scale does not exist within the centre. The strengthening of Lancaster's retail offer, including new modern stores leading to Debenhams, is described as "fitting with the vision and objectives set out (by) the North West Regional Development Agency and English Heritage", which aim to realise Lancaster's tourist potential by developing a "stylish and distinctive retail and leisure activity".*

IOC would like to submit that the above paragraphs from CD30 do not at all demonstrate that "tourism was taken into account" by the Applicant in the formulation of its proposals or by LCC in the consideration of the planning applications. In fact, it appears to be the case from the wording of the paragraph directly above that CD30 appears to merely restate something the Applicant itself has said. It is also the case that Mr Dobson himself points out in paragraph 6 of his rebuttal that LCC and the Applicant have deliberately avoided taking tourism into account in relation to this development (see paragraph 9 of this document above).

12. In paragraphs 7 and 8 of his rebuttal of Professor Walton's evidence Mr Dobson turns his attention to the argument that the proposed development will have an adverse impact on Lancaster's tourism offer. Notwithstanding the fact that Professor Walton's actual concern is with the effect of the development on the viability of the existing centre and the knock on effect of that on the tourism economy, Mr Dobson makes some points which need to be addressed.
13. In paragraph 7 of his rebuttal Mr Dobson says that Lancaster's historic assets which need to be enhanced and developed further in tourism terms are the Castle, the Quayside, the City Centre itself, and the Georgian townscape. Two points need to be made here. The first is that Mr Dobson writes as if the most important if not the only tourist district of Lancaster is the area around the Castle and Priory to the west of the one-way system. This is misleading. The whole of the old city centre is part of tourist Lancaster and Mr Dobson appears to be trying to de-legitimise any argument in relation to tourism which is based on the primary importance of the city centre itself. Secondly, Professor Walton's evidence is clear in relation to the damage that the proposed development could do to the viability of the existing city centre which is also the main tourist area. We have quoted paragraph 68 of Professor Walton's proof in paragraph 3 of this document (see above) and there is no need to do so again here.
14. In terms of the design and nature of the proposed development Mr Dobson accuses Professor Walton along with "other objectors" of jumping to the conclusion that the scheme will be another cloned and anonymous shopping centre. It is not accurate to say that anybody associated with IOC or its evidence to this inquiry have simply jumped to any conclusions. Given that the application before the inquiry is an outline application there can be no guarantees given by Mr Dobson about the future look and design of the scheme or in fact the retail offer that will be included in the scheme. Notwithstanding this fact Mr Dobson makes the following assertion in his final sentence:

*The development will be an appropriate blend between modern contemporary and unashamedly traditional design which will truly reflect the character of the Georgian Gem that is Lancaster*

This is a claim that Mr Dobson simply can not make at this stage and on this basis the fear that the development will be a 'cloned' shopping centre just like ones elsewhere, such that it is expressed at all by any objector to this scheme, is a legitimate one. This is especially so given the context that Mr

Dobson supplies as a backdrop to his argument.

15. In paragraph 8 of Mr Dobson's rebuttal we are provided with a list of buildings (the Roundhouse (flats), the Canal Corridor South (flats on the canal) and Citylab on Dalton Square (office space)) which in Mr Dobson's terms shows that LCC has "*a good track record of accommodating new contemporary architecture in the city centre, which in design and materials reflects the urban design context of Lancaster*". Local opinion on these developments varies widely and it is a matter of opinion as to whether they fit in with or compliment the historic environment of Lancaster as a whole. However, it can not be acceptable to infer from a contestable opinion which says that these buildings do fit with Lancaster's urban design context or that they complement Lancaster's historic setting to the conclusion that a new, comparatively large shopping centre will do the same.

i. CD30 has no page numbers in the officers' report. In the core document library version of the document which is a pdf file the quote used in paragraph 10 above appears on page 121.