

UTT/14/3763/FUL (SAFFRON WALDEN)

PROPOSAL:	Application to vary Condition 5 (restricting to sale of DIY goods of planning approval UTT/1574/87 (Erection of DIY centre including mezzanine offices car parking associated works and alteration of an existing access) to add the following sentence: 'Notwithstanding the above, the sale and display of any A1 non-food goods by Catalogue Showroom Retailer will be permitted from up to 185square metres of existing sales area'
LOCATION:	Elizabeth Way Saffron Walden
APPLICANT:	Homebase Limited
AGENT:	Boon Brown Planning
EXPIRY DATE:	24 March 2015
CASE OFFICER:	Maria Shoemith
APPLICATION TYPE:	Major

1. NOTATION

1.1 Within Development Limits, Contamination, Pipelines, Aerodrome Directions

2. DESCRIPTION OF SITE

2.1 The application site is located between Ashdon Road which lies to the north of the site, Elizabeth Way to the west and Elizabeth Close is located to the south. In these directions the site is surrounded by residential dwellings. Located to the east is Saffron Walden Business Centre. Ridgeons is located to the west of the application site further along Ashdon Road.

2.2 Access is gained from Elizabeth Close into the main car parking area which is to the front (west) of the building. The Homebase building has a gross internal area (GIA) of 1594sqm which excludes the garden centre.

2.3 The application site is located out of centre.

3. PROPOSAL

3.1 The application is for the variation of Condition 5 which restricted the sale of DIY goods under planning approval UTT/1574/87 (Erection of DIY centre including mezzanine offices car parking associated works and alteration of an existing access) in order to allow the sale and display of non-food goods by the catalogue retailer Argos utilising a floorspace area of 185 square metres. The variation of the condition would see the following sentence added to the condition: 'Notwithstanding the above, the sale and display of any A1 non-food goods by Catalogue Showroom Retailer will be permitted from up to 185square metres of existing sales area'.

- 3.2 No external works are proposed as part of the application and there would be no overall increase in retail space as the proposal would seek to reuse a small part of the existing Homebase sales area.
- 3.3 A plan for information purposes only has been submitted showing approximately where the Argos sales area would be located. The precise location and size could change during the fitting out stage which is why a maximum area of 185sqm is sought.
- 3.4 The variation would seek to sell Argos's full Catalogue range which includes a broad range of non-food goods. The supporting information submitted as part of the application identifies what Catalogue Showroom Retailer is defined as, "selling a wide selection of non-food goods selected by the visiting public from a catalogue or digital browser and supplied to them fully packaged." This concession will be operating as a Click and Reserve store where customers would pre-pay online and collect their goods at the store.

4. APPLICANT'S CASE

- 4.1 As part of the application submission the following supporting statements have been submitted;
- Supporting Statement and Design and Access Statement (Boon Brown Planning);
 - Market Overview of Saffron Walden (BNP Paribas)
- 4.2 As part of the supporting information submitted it has been stated that *"retailing is a dynamic industry that is constantly evolving. Existing businesses, such as Argos and Homebase, constantly have to adapt to these changes as well as the challenging retail market that has characterised the recent economic downturn. Whilst there are signs of improvement, retailing remains a highly competitive sector of the UK economy. As a result, HRG (the owners of both) have undertaken a review of its existing portfolio as well as its store formats to identify ways in which it can improve customer convenience and provide easier access to the goods that customers require, capitalising at the same time from the ongoing growth in internet based shopping."*
- 4.3 The supporting statement goes onto to state *"In the financial year to 2014, 53% of Argos sales were attributed to 'multi-channel' means with 44% of these being internet based. The trading performance of the business over the last few years has been boosted by the promotion of initially its Click & Collect service and now its Click & Reserve service (often referred to as Check & Reserve). The later allows customers to reserve and then collect goods from their nearest Argos store in preference to pre-paid home delivery, which is not always convenient for working customers. The emergence of strong competition from main national foodstore operators and internet only business has increased the need for Argos to adapt its unique 'business model' in order to maintain and increase its market within the UK's competitive non-food sector. The insert format has been developed in response to these recent developments."* Similar planning applications have been recently granted by seven other authorities in the UK.
- 4.4 HRG are heavily investing in the Argos stores in reinventing them as the leading digital retailer in the UK, with some stores having a new IT section to support a new digital format.
- 4.5 The proposal would secure a number of benefits;
- Maximising the use of the existing Homebase building in a well-established retail location that is accessible to those on foot, bicycle and public transport;

- Providing the opportunity for linked trips with both the Homebase and nearby stores;
- Providing customers with easier access to Argos' bulkier range of goods, improving shoppers convenience and allowing the business to capitalise on the different 'market' that the Homebase caters for;
- Creating around 15 new local job opportunities.

5. RELEVANT SITE HISTORY

- 5.1 UTT/0605/89 – Removal of condition 5 (sale of goods) planning application no. UTT/1574/87 (Granted 8 September 1989)

UTT/1574/87 – Erection of DIY centre including mezzanine offices car parking associated works and alteration of an existing access (Granted 11 February 1988)

UTT/1464/98/FUL - Amendment to condition 5 of UTT/1574/87 to allow provision of garden centre. Erection of 3m high fencing (Granted 28 January 1999)

- 5.2 Other relevant planning applications are:

UTT/13/268/OP - Granite Site - Demolition of the existing buildings and redevelopment to comprise retail warehouse units and associated garden centre (Class A1), a discount foodstore (Class A1), and a cafe (Class A3), including associated landscaping, car park, access, internal roads and cycle/footway, including the provision of access to adjoining land. (Granted subject to S106 Obligation 10th May 2013)

UTT/13/2423/OP – Ridgeons Ashdon Road - Outline application for redevelopment of the site to provide up to 1.25 ha of land to be used as a Builders Merchants and Yard (use Class B8), up to 0.47 ha of land to be used for offices and/or Research Development and/or Light Industrial (Use Class B1 (a), (b) and (C)), up to 1.16 ha of land for use as Business, general Industrial and Storage and Distribution uses (Use Class B1, B2 and /or B8), a Local Centre of up to 0.86 ha for uses falling within Use Class A1, including a local retail store (with the net A1 retail floor space limited to 279m²), a café/ restaurant/ public house (Use Class A3 and A4), a hotel (Use Class C1), up to 167 dwellings including affordable housing (Use Class C3) to be provided on 4.78 ha of land, together with public open space, landscaping and the provision of supporting infrastructure including replacement substations, and the demolition of existing buildings, with all matters reserved except for access (Granted Subject to S106 Obligation 26 November 2014)

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy GEN1 – Access
- Policy GEN2 – Design
- Policy GEN4 - Good Neighbourliness
- Policy GEN 5 – Light Pollution

- Policy GEN8 - Vehicle Parking
 - Policy S1 - Development Limits for Main Urban Areas
 - Policy SW1 - Town Centre
 - Policy RS1 - Access to Retailing and Services
 - Policy RS2– Town and Local Centres
 - Policy ENV13 – Exposure to Poor Air Quality
- Uttlesford Retail Capacity Study (January 2012)

7. TOWN COUNCIL COMMENTS

7.1 No objection.

8. CONSULTATIONS

ECC Highways

8.1 From a highway and transportation perspective the Highway Authority has no comments to make on this proposal as it is not contrary to the relevant transportation policies contained within the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

9. REPRESENTATIONS

9.1 The neighbouring properties have been consulted of the current application. 2 letters have been received raising the following points;

- Support application which will either create or secure local jobs;
- Request additional parking restrictions along first part of Elizabeth Close and Elizabeth Way to protect against current on-street parking problems. The private housing to the south of the Close has off-street parking therefore would not be affected by restrictions;
- Object, live on edge of retail park and already overlooked;
- Existing relationship of car park to dwellings car parking being at a higher ground level;
- Impact on residential amenity (overlooking, loss of light from parked cars/lorries);
- Increased vehicle movement;
- Rubbish in ditch;
- Required fence along (western) boundary, no parking sign at the end of the close.

Consultation Expiry 29 January 2015

10. APPRAISAL

The issues to consider in the determination of the application are:

- A Principle of the development (ULP Policies S1, RS2, SW1 and NPPF);
- B Highway Issues (ULP Policies GEN1 & GEN8);
- C Amenity (ULP Policies GEN2 and GEN4)

A Principle of Development

10.1 The condition which was imposed on the original planning application for the site was;

10.1.1 *“This DIY building shall be used only for the sale of items which are required for repair or maintenance, alterations or improvement of premises, including bathroom and kitchen, fixtures and fittings. The following items shall NOT be sold from these premises without the written consent of the planning authority;*

- (i) Furniture whether or not the furniture is assembled when sold;*
- (ii) Electrical appliances including refrigerators, freezers, cookers, washing machines, dishwashers, TV and video equipment, radio and record and tape playing equipment;*
- (iii) Carpets and curtains*
- (iv) Textiles, plants, domestic appliances car accessories, carpets, furniture, food, home brew, toys, confectionary, books, hobby kits, telephones or any other consumer durables*

REASON: The sale of goods not directly associated with DIY retail outlet would affect the commercial viability of other outlets in the town centre and create additional access, traffic and parking needs not able to be accommodated on this restricted site.”

10.1.2 This is now sought to be amended to include the following words;

“Notwithstanding the above, the sale and display of any A1 non-food goods by a Catalogue Showroom Retailer will be permitted from up to 185 square metres of the existing sales area.”

10.1.3 It should be noted that planning permission UTT/0605/09 removed the restriction placed on the sale of furniture as outlined above in section (i) of the original condition, however appeared to be re-imposed through the conditions further amendment to allow a garden centre (UTT/1464/98/FUL) with no new change to its reasoning.

10.2 The original condition was placed over 27 years ago and whilst the planning principles remain the same in terms of town centre protection for its vitality and viability, the town as a whole, the planning system in terms of policy and the financial/retail market has changed considerably and to some degree the wording of the condition is unreasonable.

10.3 The application site falls within the development limits of Saffron Walden covered by Local Plan Policy S1. Policy S1 states that development in main urban areas such as Saffron Walden will be permitted if it is a major urban extension or development within existing built-up areas, if compatible with the character of the settlement. The proposed scheme would have minimal impact upon the built form of the surrounding area as the use would be utilising an existing retail building.

10.4 There are no specific planning policies within the Local Plan which relate to out of town retail developments. Therefore reference should be had to Local Plan Policy RS2 (Town and Local Centre) which permits retail and service centres, and mixed use developments contribute to the diversity of retail and other commercial activity, also Policy SW1 which relates to Saffron Walden Town centre that seeks to protect the town centre uses.

- 10.5 The National Planning Policy Framework (NPPF) is the most update and relevant planning guidance which has a strong presumption in favour of sustainable development as long as this does not result in significant adverse impact. The application site is out of centre but it is within close proximity to the town centre and the services in which it provides benefiting from bus service connection and approximately a 20 minute walk to the centre. Nonetheless, to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously. It is therefore necessary to consider these three principles.
- 10.6 Economic role: The NPPF identifies this as contributing to building a strong, responsive and competitive economy, supporting growth and innovation and by identifying and coordinating development requirements, including the provision of infrastructure. Paragraph 18 of the NPPF seeks securing economic growth to create jobs and prosperity. The proposed development would provide employment, approximately 15 jobs and would secure a degree of footfall which currently leaks to other shopping areas outside of the district. Its proximity to the town centre would facilitate ease of movement and links to the town centre. This proposal would help deliver an economic role.
- 10.7 Social role: The NPPF identifies this as supplying required housing and creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being. The proposed development would provide an additional choice of service/retail products for locals which would also cater for health and social wellbeing such as sports products, health aids etc. This proposal could help to deliver a social role.
- 10.8 Environmental role: The NPPF identifies this as contributing to protecting and enhancing our natural, built and historic environment, including, inter alia, improvements to biodiversity and minimising waste. The proposal makes use of an existing building, securing of a degree of footfall which currently leaks to other shopping areas outside of the district helping reduce the level of carbon emissions, particularly due to its town centre links. This proposal would help to deliver an environmental role. Paragraph 17 of the NPPF outlines that one of the core planning principles "*supports the transition to a low carbon future in a changing climate ... encourages the reuse of existing resources, including conversion of existing buildings.....*" It also encourages the effective use of land, promoting mix use development that is also accessible.
- 10.9 The proposals would help to fulfil the three principles of sustainable development. As such the proposals would comply with the positive stance towards sustainable development as set out in the NPPF and the presumption in favour of approval, unless material considerations indicate otherwise.
- 10.10 Section 2 of the NPPF seeks to ensure the vitality of town centres. It recognises town centres as the heart of their communities and seeks to support their viability and vitality. It seeks to promote competitive town centres that provide customer choice and a diverse offer of retailing. Paragraph 23 seeks to "*allocate appropriate edge of centre sites for main town centre uses that are well connected to the town centre where suitable and viable town centre sites are not available. If sufficient edge of centre sites are cannot be identified, set policies for meeting the identified needs in other accessible locations that are well connected to the town centre.*" The application site and the proposal is considered to accord with this section of the NPPF in this respect.

- 10.11 Paragraph 26 seeks a Retail Impact Assessment for schemes which are 2,500sqm and above. The application itself is for 185sqm and the application site building as a whole is 1594sqm, both falling below the threshold. Homebase exists therefore the reasoning why the condition was imposed would need to be looked at, whether the proposed Argos concession could be located in a town centre location if not would the introduction of the use by varying the condition result in a significant adverse impact upon the vitality and viability of the town centre.
- 10.12 Paragraph 24 seeks a sequential assessment is required for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. Under previous planning guidance there was a floorspace threshold as a cut-off point below which a sequential test would not be required, 200 square metres (PPS4 and GPDO in terms of mezzanine floors). This has been argued within the planning submission.
- 10.13 It has been also been argued that due to the fact that the proposal would not provide new retail floorspace, and it would be a small amount of space which would be utilised below previous guidance thresholds requiring a sequential test it could also be seen as ancillary by nature to the main Homebase use. It has been outlined within the application that out of the proposed goods sold, based on Argos' data sales, only 25% of the proposals turnover would be from goods which are not currently permitted within the store. This is considered to be a small proportion. In theory if this proportion is related to the proposed floorspace required this equates to 46.3 square metres out of the 185 square metres which is required for non-permissible goods.
- 10.14 Within the supporting statement submitted by the applicant it has been argued that the financial cost differences between setting up a new store to utilising a small area of an existing store are significantly greater. It is stated that this model would ensure that the business will be able to see returns from the proposed investment. It is stated that a new town centre store would need to be between 500 – 1000 square metres.
- 10.15 A market review has been undertaken and submitted as part of the application by BNP Paribas. This highlights that the town centre is a small 'circuit' taking in High Street, King Street, Market Place, Market Street and George Street/Hill Street. The prime area being King Street where the major retailers are located.
- 10.16 The town centre was surveyed and out of six of the units which were on the market three were under offer and all being well below the required store area of 500-1000sqm, ranging from 29sqm to 122sqm. As well as vacant stores and those on the market, research of data bases and speaking to a number of retail agents active in the area, has concluded that there are no suitable sites for the store in town. It has been stated within the submission that units which might be of an appropriate size, already occupied and whether vacant possession could be possible have been also been considered, such as Boots, M & Co, Beales, WH Smith, Monsoon, Glasswells, Superdrug, QD Stores. These stores were either unsuitable due to configuration/tight service areas or the stores are in a good location and the occupiers are not willing to vacate.
- 10.17 A Retail Capacity Study has been undertaken and published in January 2012, by Savills on behalf of the Council, forming part of the evidence base for the emerging draft local plan which is currently being prepared by the Council. This identified leakages to other areas for shopping. It looked at other sites previously

considered as part of other sequential tests and sites that were identified within the adopted local plan such as White Horse Public House and car park, The Fire Station, Emerson Lane and the Faircroft Road Car Park. These sites have been previously concluded that they are not vacant or suitable or viable sites.

10.18 Looking at the information submitted as part of the application and in light of other previous recent retail applications, whilst the area proposed to be utilised within the existing Homebase is small there are no other suitable sequential sites available within the town centre for a new store in order for this retail model to work. The financial implications of a new store set up have been taken into account together with the operators changing retail models to ensure viability. Consideration has to be given to the changing in markets and planning is required to respond and be flexible to this in accordance with the economic sustainability message which is endorsed by the NPPF. The proposed development would have positive benefits, such as job creation and providing retail facilities that are currently lacking in Saffron Walden, as well as the ability to claw back expenditure that is currently leaking from the catchment area, and these should be weighed against the impacts of the development. Whilst previous schemes have taken up existing capacity in terms of comparison goods since the Retail Capacity Study was under taken, further significant housing and commercial schemes have been granted planning permission both within the District and within Saffron Walden which is likely to require further retail floorspace provision.

10.19 The nearest Argos' are located in Bishops Stortford, Cambridge, Harlow, Chelmsford, Haverhill and Biggleswade. The insert would provide a variation in the nature of goods which are sold locally. Certain goods which would be provided cannot currently be purchased in Saffron Walden and therefore could not have an impact upon the Town Centre. Food is continued to be restricted therefore there would not be an impact upon the town centre anchor store, Waitrose and associated linked trips. As mentioned above the proposed scheme could prevent leakage from the town centre in the interest of the vitality and viability of the town overall. It is agreed that the proposal would maximise the use of Homebase, and facilitating in the stores' general economic improvement where it is currently considered to be under trading and creating a linked trip in this respect. Due to the sites location in relation to other town stores it is unlikely to improve linked trips with the town centre, as suggested the applicant (refer to Section 4.5).

10.20 The principle of the development is considered acceptable as the site lies within the development limits of Saffron Walden, within a sustainable location making full efficient use of an existing retail store. The scheme accords with Local Plan Policies S1, RS2, and SW1 and NPPF in terms of sustainable economic development.

B Highway Issues

10.21 As no additional floor space would be created by the proposed development utilising an existing retail floorspace with its own car parking provision, therefore no additional car parking is required. It would be considered unreasonable to require additional parking, including as suggested by representations additional parking restrictions. Whilst some addition vehicle movement would be generated from the proposed development this is considered to be negligible. Due to the small nature of the scheme no objections have been raised by the Highways Authority. The proposed development therefore is considered to be in

accordance with Local Plan Policies GEN1, GEN2 and GEN8.

C Amenity

10.22 Third party representations have raised concerns about overlooking, the relationship of the car park to the dwellings, and loss of light from parked vehicles at the end of a cul-de-sac. The occupier raising these concerns is located on the new Persimmons site and the Homebase site is existing and dates back to the late 1980s, which is located further away from the Persimmon scheme. The points raised by the objection also relates to an existing situation, one mostly to do with difference in ground levels and a boundary treatment between the Elizabeth Close cul-de-sac and the consultee, which should have been taken into account when assessing the adjacent new housing. The points raised are not considered material to the proposal and the proposed development would not significantly exacerbate this to the detrimentally of the residential amenities of the surrounding occupiers. The proposed development is therefore considered acceptable and in accordance with Local Plan Policies GEN2 and GEN4.

11. CONCLUSION

The following is a summary of the main reasons for the recommendation:

- A The principle of the development is considered acceptable as the site lies within the development limits of Saffron Walden, within a sustainable location making full efficient use of an existing retail store. The scheme would require to utilise minimal floorspace catering for an online service, 'Click and Collect' providing alternative comparison goods from that which the town centre currently provides. The proposal would secure a degree of footfall leakage from the town/district and create a possible 15 new jobs. In consideration of the above the proposal accords with Local Plan Policies S1, RS2, and SW1 and NPPF in terms of sustainable economic development.
- B There is no additional car parking provision required due to the nature of the use. Whilst some addition vehicle movement would be generated from the proposed development this is considered to be negligible. No objections have been raised by the Highways Authority. This is in accordance with Local Plan Policies GEN1, GEN2 and GEN8.
- C No unacceptable amenity issues are considered to arise from the proposed development in accordance with Local plan Policies GEN1, GEN2, and GEN4, and in accordance with the NPPF.

RECOMMENDATION – APPROVES SUBJECT TO THE FOLLOWING CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This DIY building shall be used only for the sale of items which are required for repair or maintenance, alterations or improvement of premises, including bathroom and kitchen, fixtures and fittings. The following items shall NOT be sold from these premises without the written consent of the planning authority;

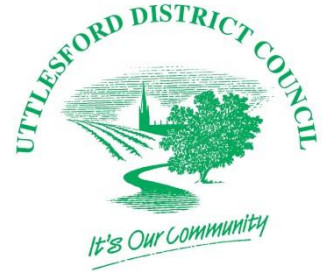
- (i) Electrical appliances including refrigerators, freezers, cookers, washing machines, dishwashers, TV and video equipment, radio and record and tape playing equipment;
- (ii) Carpets and curtains
- (iii) Textiles, plants, domestic appliances car accessories, carpets, furniture, food, home brew, toys, confectionary, books, hobby kits, telephones or any other consumer durables

Notwithstanding the above, a floorspace of up to 185 square metres within the existing sales area shall be used by a Catalogue Showroom Retailer for the sale and display of any A1 non-food goods.

REASON: To define the scope of the permission and to specify the sale of goods so as to not cause unacceptable harm to the vitality and viability of the town centre, in accordance with the National Planning Policy Framework (May 2012).

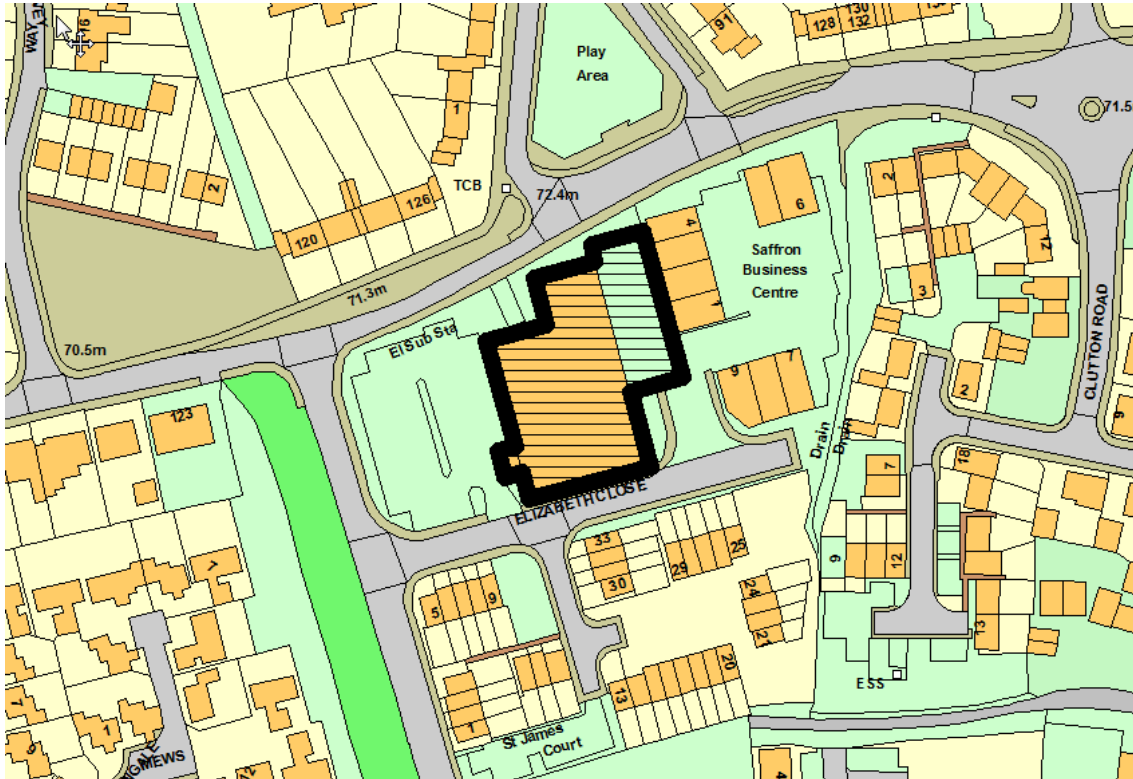
3. There shall be no external storage of any materials, goods, equipment or machinery of any description in any of the areas reserved for car parking, access, loading and unloading, on any part of the site unless otherwise approved in writing by the Local Planning Authority.

REASON: In order to protect the provision of car parking spaces and to safeguarded the amenity of the surrounding area, in accordance with Policies GEN1, GEN2, and GEN8 of the Uttlesford Local Plan Adopted 2005.



Application no.: UTT/14/3763/FUL

Address: Homebase Elizabeth Way Saffron Walden



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Organisation: Uttlesford District Council

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