DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0819-18**	**Applicant:**	**B & M Retail Ltd**
Proposal:	Demolish existing buildings and erect two non-food retail warehouse units, external garden centre, 24 one and two-bedroomed flats, parking for 161 cars and associated works approved under H16-0610-05. Modification of Condition 2 to allow beneficial occupation of vacant store by B & M Retail Ltd		
Location:	Former Homebase Store 70 Westlode Street Spalding		
Terminal Date:	13th November 2018		

Planning Policies

Local Plan July 2016:

SG1	General Sustainable Development
EC1	Major Employment Areas - Sites Allocated for Employment Use
EC5	Development Within Retail Town, District and Local Centres
EC6	Development in Primary Shopping Areas
EC8	Small Scale Retail Development
TC4	Roadside Services
SG17	Protection of Residential Amenity

National Guidance

National Planning Policy Framework 2018

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 6 Building a strong, competitive economy
Section 7 Ensuring the vitality of town centres

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
SHDC INTERNAL	0	0	1	1
OTHER STATUTORY BODIES	0	0	1	0

CASE OFFICER ASSESSMENT

Site

The building the subject of this application is a large retail store, formerly occupied by Homebase, which is now occupied by B&M.

This building was part of a wider development of land in this location.

Proposal

Modification of Condition 2 of H16-0610-05 to allow beneficial occupation of vacant store by B & M Retail Ltd.

History

H16-0610-05 - Demolish existing buildings and erect two non-food retail warehouse units, external garden centre, 24 one and two-bedroomed flats, parking for 161 cars and associated works. Approved (June 2005)

H16-0011-15 - Demolish existing buildings and erect two non-food retail warehouse units, 24 one and two-bedroom flats, parking for 161 cars and associated works - approved under H16-0610-05. Modification of condition 2 to allow the sale of A1 non food goods by a catalogue showroom retailer of up to 185sm of existing Homebase sales area. Approved 28 April 2018.

This consent varied condition 2 to

The retail warehouses hereby permitted shall not be used for the sale of food and drink for consumption off the premises (other than confectionery and pet foods), clothing, fashion accessories (including handbags, luggage, watches and jewellery), footwear, sports goods (equipment and clothing), books, stationery, toiletries and perfume, audio and visual recordings, cutlery, crockery or glasswear, unless any of the above are ancillary to, and related to the main ranges of goods permitted for sale.

Notwithstanding, the above the sale and display of any A1 non-food goods will be permitted from up to 185 square metres of the existing Homebase sales area only if occupied by a Catalogue Showroom Retailer. For the avoidance of doubt a Catalogue Showroom Retailer is defined as a retailer 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.

Reason: To ensure that the development does not adversely affect the vitality and viability of Spalding town centre, in accordance with Policy EC8 of the South Holland Local Plan 2006.

Consultation Responses

SHDC EHO. No objection.

SHDC EPO. No comment re. condition 2. Please note that H16-0610-05 Condition 40 remains outstanding.

Considerations and Conclusion

The current wording of the relevant conditions seeks to control the use of the retail warehouses as follows:

The retail warehouses hereby permitted shall not be used for the sale of food and drink for consumption off the premises (other than confectionery and pet foods), clothing, fashion accessories
(including handbags, luggage, watches and jewellery), footwear, sports goods (equipment and clothing), books, stationery, toiletries and perfume, audio and visual recordings, cutlery, crockery or

glasswear, unless any of the above are ancillary to, and related to the main ranges of goods permitted for sale.

Reason: To ensure that the development does not adversely affect the vitality and viability of Spalding town centre, in accordance with Policy STC4 of the South Holland District Local Plan.

The current application seeks to vary this condition to The planning application seeks a variation in the terms of condition No. 2 to permit the sale of food and drink from 340sqm. in order for the new user, B&M to offer the usual facilities within their stores, as per their chosen business model.

amended wording suggests, specifically:

The retail warehouses hereby permitted shall not be used for the sale of food and drink for consumption off the premises (other than confectionery and pet foods), clothing, fashion accessories (including handbags, luggage, watches and jewellery), footwear, sports goods (equipment and clothing), books, stationery, toiletries and perfume, audio and visual recordings, cutlery, crockery or glassware, unless any of the above are ancillary to, and related to the main ranges of goods permitted for sale.

Notwithstanding the above up to 340 sq.m. net of food and drink products can be sold from the retail warehouse. The sales of these products on an ancillary basis only while the primary use of the premises is a DIY and Home Improvement store with garden centre.

Reason: To ensure that the development does not adversely affect the vitality and viability of Spalding town centre, in accordance with Policy STC4 of the South Holland District Local Plan.

It is considered that the variation of this condition to the form requested would not impact upon the intention of the original permission significantly, and would not impact upon the viability and vitality of Spalding as a retail centre for the District.

The inclusion of Policy EC8 is suggested in the reason, rather than Policy SC4, which is not a saved policy.

In the light of this it is recommended that consent be granted.