

AGENDA



SOUTH KESTEVEN DISTRICT COUNCIL

For a meeting of the
DEVELOPMENT MANAGEMENT COMMITTEE
to be held on
TUESDAY, 5 FEBRUARY 2019
at
10.00 AM
in the
**BALLROOM, GUILDHALL ARTS CENTRE, ST. PETER'S HILL,
GRANTHAM. NG31 6PZ**

Aidan Rave, Chief Executive

Chairman	
Councillor Martin Wilkins	
Councillor Ashley Baxter	Councillor Mrs Judy Smith
Councillor Phil Dilks	Councillor Judy Stevens
Councillor Mike Exton	Councillor Adam Stokes
Councillor Mrs Rosemary Kaberry-Brown	Councillor Ian Stokes (Vice-Chairman)
Councillor Michael King	Councillor Brian Sumner
Councillor Robert Reid	Councillor Mrs Brenda Sumner
Councillor Jacky Smith	Councillor Paul Wood

Committee Support Officer: Jo Toomey Tel: 01476 40 60 80 (Ext. 6152)
E-mail: democracy@southkesteven.gov.uk

Members of the Committee are invited to attend the above meeting to consider the items of business listed below.

1 MEMBERSHIP

The Chief Executive to notify the Committee of any substitute members

2 APOLOGIES FOR ABSENCE

3 DISCLOSURE OF INTERESTS

Members are asked to disclose any interests in matters for consideration at the meeting

4 MINUTES OF THE MEETING HELD ON 15 JANUARY 2019

(Pages 5 - 13)

5 PLANNING MATTERS

To consider applications received for the grant of planning permission – reports prepared by the Case Officer.

The anticipated order of consideration is as shown on the agenda, but this may be subject to change, at the discretion of the Chairman of the Committee.

(a) **Application S17/2155** (Pages 15 - 173)

Proposal: Outline planning permission for the erection of a Designer Outlet Centre of up to 20,479 sqm (GEA) of floorspace comprising retail units (A1), restaurants and cafes (A3), and storage. Additional large goods retail (5,574 sqm GEA), garden centre (5,521 sqm GEA) and external display area for garden centre (1,393 sqm), tourist information and visitor centre, training academy, leisure unit and offices including high-tech hub/start-up offices. Demolition of existing garden centre and sales area and existing warehouse. Improvements to existing Downtown Grantham store elevations. Reconfigured car parking and provision of new multi-storey car park. Increased coach parking. Access improvements, drainage works, hard and soft landscaping and all ancillary works. All matters reserved with the exception of access

Location: Downtown Garden Centre, Old Great North Road, Great Gonerby, Lincolnshire, NG32 2AB

Case Officer: Justin Johnson

Recommendation: That the application is approved subject to the completion of a Section 106 planning obligation and providing that the Secretary of State does not call the application in for determination.

Adjournment

Following consideration of agenda item 5a, the meeting will adjourn until 13:30.

(b) **Application S18/2171** (Pages 175 - 184)

Proposal: Installation of statue, plinth and paved surround

Location: Land at St. Peter's Hill, Grantham, NG31 6PZ

Case Officer: Phil Jordan

Recommendation: Approved conditionally

(c) **Application S18/1979** (Pages 185 - 203)

Proposal: Conversion of existing barn to single dwelling, erection of new hay barn and stable block and paddocks

Location: Brandon Barn, Hall Road, Brandon, Lincolnshire, NG32 2AT

Case Officer: Shelly Delderfield

Recommendation: Approved conditionally

(d) Application S18/1561

(Pages 205 - 217)

Proposal: Erection of a single storey convenience store

Location: Land at Hanbury Avenue, Grantham, NG31

7GQ

Case Officer: Phil Jordan

Recommendation: Approved conditionally

(e) Application S18/2265

(Pages 219 - 226)

Proposal: Single storey glazed link extension, including conversion of attached outbuildings and addition of roof lights

Location: White Farm Cottage, 16 Pond Street, Harlaxton, NG32 1HW

Case Officer: Miranda Beavers

Recommendation: Approved conditionally

6 ANY OTHER BUSINESS, WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT

PUBLIC SPEAKING

Anyone who would like to speak at the meeting should notify the Committee administrator one working day before the time of the meeting. The deadline by which you must notify us for the 2018/19 meetings are:

Meeting Date	Notification Deadline
Tuesday 5 February 2019, 1pm	Monday 4 February 2019, 10am
Tuesday 5 March 2019, 1pm	Monday 4 March 2019, 1pm
Tuesday 2 April 2019, 1pm	Monday 1 April 2019, 1pm
Tuesday 23 April 2019, 1pm	Thursday 18 April 2019, 1pm

If you would like to include photographs or other information as part of your presentation to the Committee, please send the information in an electronic format (e-mail with attachments, memory stick or disc) to the relevant case officer at least one working day before the meeting. If you are submitting hard copy information, please send it to the relevant case officer at least two working days before the meeting.

All speakers are at the Committee Chairman's (or Vice-Chairman's) discretion. Each person is allowed to speak for 3 minutes. Members of the Council are allowed to speak for 5 minutes in accordance with Council Procedure Rules.

Only one speaker for the applicant or the town and parish council will be allowed to speak. If there are several supporters or objectors to an application, they are encouraged to appoint a representative to present a joint case.

Committee members may only ask questions of the applicant, the applicant's agent or technical experts speaking for or against an application.

The Chairman and Vice-Chairman of the Committee may ask questions of members of the public but only to verify the source of any material facts stated by a public speaker.

ORDER OF PROCEEDINGS

1. Short introductory presentation by the case officer
2. Speakers (Committee members will ask questions after each speaker)
 - a. District Councillors who are not Committee members
 - b. Representative from town/parish council
 - c. Objectors to an application
 - d. Supporters of an application
 - e. The applicant or agent for the applicant
3. Debate – Councillors will discuss the application and make proposals
4. Vote – the Committee will vote to agree its decision

MINUTES

DEVELOPMENT MANAGEMENT COMMITTEE

TUESDAY, 15 JANUARY 2019



SOUTH
KESTEVEN
DISTRICT
COUNCIL

COMMITTEE MEMBERS PRESENT

Councillor Ashley Baxter
Councillor Phil Dilks
Councillor Mike Exton
Councillor Mrs Rosemary Kaberry-Brown
Councillor Michael King
Councillor Jacky Smith
Councillor Judy Stevens

Councillor Adam Stokes
Councillor Ian Stokes (Vice-Chairman)
Councillor Brian Sumner
Councillor Rosemary Trollope-Bellew
Councillor Martin Wilkins (Chairman)
Councillor Paul Wood

OFFICERS

Head of Development Management (Sylvia Bland)
Principal Planning Officer (Phil Moore)
Assistant Planning Officer (Craig Dickinson)
Legal Adviser (Colin Meadowcroft)
Principal Democracy Officer (Jo Toomey)

47. MEMBERSHIP

The Committee was notified that under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990, notice had been received appointing: Councillor Trollope-Bellew for Councillor Brenda Sumner.

48. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Reid and Judy Smith.

49. DISCLOSURE OF INTERESTS

No interests were disclosed.

50. MINUTES OF THE MEETING HELD ON 11 DECEMBER 2018

The minutes of the meeting held on 11 December 2018 were agreed as a correct record subject to the following addition.

One Member asked when the Committee would receive an update on a planning application that was submitted in respect of Easton Cold Store. Members were advised that the Committee would not receive an update because the matter had been determined.

51. PLANNING MATTERS

(a) Application ref: S18/0937

Description: Reserved matters application for 174 dwellings and associated infrastructure pursuant to SK94/0125/12

Location: Elsea Park - Zone 9, Land east of A151, Raymond Mays Way, Bourne

Decision:

To grant the application subject to conditions.

As the application was part-heard and Councillors Jacky Smith and Wilkins had not been present when it had been considered previously, they did not participate in discussion or vote on the application.

Noting:

- Reasons for refusal submitted by those Members who voted to support the Committee's decision that it was minded to refuse the application with officer comment thereon
- Comments from the Environment Agency
- No objection from Cadent Gas Limited
- Comments from the SKDC Affordable Housing Officer
- Comments from the Welland and Deeping Internal Drainage Board including additional comments relating to the ongoing maintenance of the watercourse to the south of Harvey Close
- No comments from Natural England
- Comments from SKDC Street Scene
- Concerns raised by the Elsea Park Community Trust
- An objection and concerns raised by Bourne Town Council
- No objection from Lincolnshire County Council Highways and SUDS Support
- 9 representations received as a result of public consultation together with additional letters submitted by residents of Harvey Close and officer comment thereon
- Provisions within the National Planning Policy Framework and the South Kesteven Core Strategy and supplementary planning documents
- A meeting held between planning officers, local Councillors and local residents, which was held in Bourne on Friday 11 January 2019
- Site visit observations
- Comments made by Members at the meeting

- The additional information report from the meetings held on 13 November and 11 December 2018
- Comments made during the public speaking session on 13 November 2018
- Comments made by Members on 13 November and 11 December 2018 when the application was previously considered
- Additional information received on surface water drainage following consideration by Committee on 13 November 2018
- Proposed changes to the scheme to address the Committee's concerns regarding design

After the meeting of the Committee on 11 December 2018 at which members decided that they were minded to refuse the application, they were required to submit, within five working days, their reasons for refusal to the Head of Growth. These were listed in the case officer's report together with officer comment thereon. Officers did not consider the reasons that were put forward were sufficient to warrant refusal. The officer recommendation remained to approve the application.

It was proposed and seconded that the application be approved for the reasons listed in the case officer's report and subject to the conditions and notes on pages 23 to 27 of the case officer's report (as amended by the additional items paper issued in respect of the Committee held on 11 December 2018).

As, at the previous meeting, the Committee had been minded to refuse the application, the Council's Constitution required that any vote at the subsequent meeting at which the application was considered should be a recorded vote:

For: Councillors Exton, King, A Stokes, I Stokes and Trollope-Bellew

Against: Councillors Baxter and Wood

Abstain: Councillors Dilks, Kaberry-Brown, Stevens and Brian Sumner

With five votes to two and four abstentions, the proposition was carried and the application was approved subject to the following conditions:

Approved Plans

- 1 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - i. Site Location Plan Drawing No. APP206-04 received 27 September 2018
 - ii. Planning Layout Drawing No. APP206-01 Rev E received 22 November 2018
 - iii. Materials Dispersion Layout Drawing No. APP206-07 Rev C received 22 November 2018
 - iv. Residential landscaping details Drawing Nos. 18-017-03 Rev C, 18-017-04 Rev C, 18-017-05 Rev C received 6 December 2018

- v. Pond landscaping details Drawing Nos. 18-017-10 and 18-017-11 received 23 October 2018
- vi. Tree Survey and Constraints Plan Drawing Nos. 18-017-02 received 27th September 2018 and 18-017-12, 18-017-13 received 23rd October 2018
- vii. Proposed Finished Floor Levels Drawing No. E3714/600 Rev B received 22 November 2018
- viii. Vehicle Access for Fire Appliances Drawing No. APP206-42 Rev C received 22 November 2018
- ix. Refuse Collection Plan Drawing No. APP206-06 Rev C received 22 November 2018
- x. Proposed Surface Finishes Plan Drawing No. E3714/770 Rev E received 6 December 2018
- xi. Drainage Strategy Plan - Sheet 1 Drawing No. E3714/510 Rev B received 22 November 2018
- xii. Drainage Strategy Plan - Sheet 2 Drawing No. E3714/511 Rev B received 22 November 2018
- xiii. Floor and elevations plans Drawing Nos: 1906/Z9/PL.1, D1906/Z9/PL.6, NB51/Z9/PL.1, NB51/Z9/PL.2, NB51/Z9/PL.3, PT43/Z9/PL.1, PT43/Z9/PL.5, ND43/Z9/PL.1, ND43/Z9/PL.2, ND43/Z9/PL.3, PD49/Z9/PL.1, PD49/Z9/PL.2, PD49/Z9/PL.3, PD49/Z9/PL.4, PT42/Z9/PL.1, PT42/Z9/PL.5, PA44/Z9/PL.1, PA44/Z9/PL.2, PA44/Z9/PL.2.5, PA44/Z9/PL.3, PA44/Z9/PL.4, PB33-G/Z9/PL.1, PB33-G/Z9/PL.2, PB33-G/Z9/PL.4, PA34/Z9/PL.1, PA34/Z9/PL.2, PA34/Z9/PL.4, AA43/Z9/PL.1, AA43/Z9/PL.2, AA31/Z9/PL.1, AA31/Z9/PL.2, AA23/Z9/PL.1 and AA23/Z9/PL.2 received 22 November 2018

Unless otherwise required by another condition of this permission.

Before the Development is Commenced

2 Before the development hereby permitted is commenced, all existing trees shown to be retained on the following drawings shall have been fenced off to the limit of their branch spread in accordance with BS 5837:

- Drawing No. 18-017-02 received 27 September 2018
- Drawing No. 18-017-012 received 23 October 2018
- Drawing No. 18-017-013 received 23 October 2018

No works including:

- i. removal of earth,
- ii. storage of materials,
- iii. vehicular movements or
- iv. siting of temporary buildings

shall be permitted within these protected areas.

During Building Works

3 No development consisting of construction of the highways proposed for adoption, as well as any shared private roads/drives and foot/ cycle paths shall be commenced until full engineering, drainage, street lighting and construction details of these works have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details

- 4 Following the implementation of the surface water attenuation ponds, all soft landscape works shall have been carried out before the end of the first planting/seeding season in accordance with the approved soft landscaping details as shown on the following:
 - i. Drawing No. 18-017-10 received 23 October 2018
 - ii. Drawing No. 18-017-11 received 23 October 2018
- 5 The development hereby approved shall be carried out in accordance with the following approved surface and foul water drainage details:
 - Drainage Strategy Technical Note 1 ref: E3714/TN1/tjw/21112018 received 22 November 2018
 - Drainage Strategy Plan sheet 1 of 2 ref: E3714/510/B received 22 November 2018
 - Drainage Strategy Plan sheet 2 of 2 ref: E3714/511/B received 22 November 2018
- 6 The development hereby approved shall be carried out in accordance with the recommendations contained within the following reports:
 - Badger mitigation report ref: 17-1039.02 received 27th September 2018
 - Preliminary Ecological Appraisal and Confidential Badger Survey Report received 27th September 2018
 - Preliminary Ecological Appraisal ref: 17-1039.03 received 23rd October 2018
- 7 The development hereby approved shall be carried out in accordance with the recommendations contained within the following reports:
 - Phase I Site Appraisal ref: GRM/P8211/DS.1 Rev C received 22 November 2018
 - Phase II Site Appraisal ref: GRM/P8211/F.1 received 22 November 2018
- 8 Before the works to provide the drainage ponds hereby permitted are commenced, a plan indicating the heights, positions, design, materials and type of any safety fencing around the ponds and any boundary treatment to the north of the pond area shall have been submitted to and approved in writing by the Local Planning Authority.

Before the Development is Occupied

- 9 No dwelling shall be occupied until details of the timetable for and any phasing of the implementation for the drainage scheme have been submitted and approved by the Local Planning Authority. The drainage scheme shall be implemented in strict accordance with any such details as may be approved.
- 10 Before each dwelling hereby approved is occupied, all hard landscape works associated with the dwelling or its access shall be carried out in accordance with the approved hard landscaping details as shown on Drawing No. APP206-01 Rev E received 22 November 2018.

- 11 Before each dwelling hereby approved is occupied, the external elevations of that dwelling shall have been completed using only the materials stated on Drawing No. APP206-07 Rev C received 22 November 2018.
- 12 Prior to the occupation of each dwelling the works to provide the boundary treatments for that dwelling shall have been completed in accordance with the details as shown on Drawing No. APP206-01 Rev E received 22 November 2018.
- 13 Before any dwelling hereby permitted is occupied, the finished floor levels for that building shall have been constructed in accordance with the approved details shown on Drawing No. E3714/600 Rev B received 22 November 2018.
- 14 Before any part of the drainage ponds hereby permitted are brought into use, any works to provide the safety fencing around the ponds and any boundary treatment to the north of the pond area shall have been completed in accordance with the approved details.
- 15 The foot/ cycle paths as shown on the following plans shall be completed in accordance with the details approved by condition 3 of this permission before occupation of the 50th dwelling:
 - i. Drawing No. 18-017-10 received 23 October 2018
 - ii. Drawing No. 18-017-04 Rev C received 6 December 2018
 - iii. Drawing No. 18-017-05 Rev C received 6 December 2018
- 16 No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets and foot/ cycle paths within the development have been submitted to and approved by the Local Planning Authority. The streets shall be maintained in accordance with the agreed details.
- 17 Before each dwelling (or other development as specified) is occupied the roads and/or footways providing access to that dwelling, for the whole of its frontage, from an existing public highway, shall be constructed in accordance with the approved details, less the carriageway and footway surface courses.

The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling.

Ongoing Conditions

- 18 Within a period of five years from the first occupation of the final dwelling/unit of the development hereby permitted, any trees or plants provided as part of the approved soft landscaping scheme, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species as was approved in condition above unless otherwise agreed by the Local Planning Authority.
- 19 Following the occupation of the last dwelling, all soft landscape works shall have been carried out before the end of the first planting/seeding season in

accordance with the approved soft landscaping details as shown on the following:

- i. Drawing No. 18-017-03 Rev C received 6 December 2018
- ii. Drawing No. 18-017-04 Rev C received 6 December 2018
- iii. Drawing No. 18-017-05 Rev C received 6 December 2018

13:40 – Councillor Ian Stokes left the meeting and did not return

(b) Application ref: S18/2003

Description: Erection of single storey side and rear extensions and detached garage

Location: 21 Village Street, Frognall, Lincolnshire, PE6 8RS

Decision:

To grant the application subject to conditions.

Noting comments made during the public speaking session by:

Against Julie Farley

Together with:

- An objection from Deeping St. James Parish Council
- No objection from Lincolnshire County Council Highways and SUDS Support
- 5 representations received as a result of public consultation
- Provisions within the National Planning Policy Framework and the South Kesteven Core Strategy and supplementary planning documents
- Site visit observations
- Comments made by members at the meeting

It was proposed, seconded and agreed that the application be approved for the summary of reasons set out in the case officer's report and subject also to the following conditions:

Time Limit for Commencement

1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Approved Plans

2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:

- i. Proposed elevations - dwg no. SW/11/A - received 08/10/18
- ii. Proposed ground floor plan - dwg no. SW/10A - 08/10/18

Unless otherwise required by another condition of this permission.

Before the Development is Occupied

- 3 The storage container located in the front garden shall cease to be used and be removed within 1 calendar month following the substantial completion of the approved detached garage.
- 4 Before any part of the development hereby permitted is occupied/brought into use, the external elevations shall have been completed using only the materials stated in the planning application forms unless otherwise agreed in writing by the Local Planning Authority.
- 5 Before any construction work above ground is commenced, details of the new boundary hedge planting shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include:
 - i. planting plans;
 - ii. written specifications (including cultivation and other operations associated with hedge establishment);
 - iii. schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;

Ongoing Conditions

- 6 The new section of boundary hedge shall be planted in the first planting season following the substantial completion of the approved garage, and shall be allowed to grow to a height of at least 2m. The hedge shall be retained as such thereafter unless the garage is removed.

(c) Application ref: S17/1900

Description: Residential development of up to 35 dwellings, associated

estate roads, open space and Sustainable Drainage System (outline)

Location: Old Langtoft Gravel Pit, land to the south of Stowe Road, Langtoft

Decision:

To grant the application subject to conditions and completion of a Section 106 Agreement.

Noting comments made during the public speaking session by:

Applicant's Agent

Robbie Doughty

Together with:

- Comments from Heritage Lincolnshire

- Comments from the SKDC Arboricultural Consultant
- A request for a Section 106 contribution from Lincolnshire County Council Education and Cultural Services
- No objection subject to conditions from the Environment Agency
- Comments and a request for conditions from Lincolnshire Wildlife Trust
- Affordable housing provision of 35% as set out by the SKDC Affordable Housing Officer
- A request for a Section 106 contribution from NHS England
- Comments and a requested condition from Anglian Water Services
- No comments from Natural England
- Comments from the Welland and Deeping Internal Drainage Board
- Objection and comments from Langtoft Parish Council
- No objection subject to conditions from Lincolnshire County Council Highways and SUDS Support
- A requested condition from SKDC's Environmental Protection Services
- No mineral safeguarding objection from Lincolnshire County Council Minerals and Waste Planning
- Comments from Lincolnshire Fire and Rescue
- Confirmation from the applicant that it is intended that the estate roads will be adopted by Lincolnshire County Council
- 13 representations received as a result of public consultation
- Provisions within the National Planning Policy Framework and the South Kesteven Core Strategy and supplementary planning documents
- Site visit observations
- Comments made by members at the meeting

It was proposed, seconded and agreed that the application be approved for the reasons set out in the case officer's report and subject to the conditions set out on pages 51 to 55 of the case officer's report subject to the omission of Condition 16 and the addition of a Condition relating to the provision of a fire hydrant and subject also to prior completion of a Section 106 agreement to secure the requirements specified in the additional items paper, which was issued on Friday 11 January 2019. Provided that if the Section 106 Agreement has not been completed within 6 weeks of the date of this meeting and the Head of Development Management, after consultation with the Chairman or Vice Chairman of the Development Management Committee, considers there are no extenuating circumstances which would justify an extension (or further extension) of time, the Head of Development Management be authorised to refuse the application on the basis that the necessary infrastructure or community contributions essential to make the development acceptable have not been forthcoming.

52. CLOSE OF MEETING

The meeting was closed at 14:56.

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Agenda Item 5a

JJ	S17/2155	Target Decision Date: 22nd February 2018 Committee Date: 5 February 2019
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Applicant	Oldrid & Co. Ltd Oldrid & Co. Ltd 11 Strait Bargate Boston Lincolnshire PE21 6UF
Agent	Ms Angela Smedley Fisher German LLP The Estates Office Norman Court Ashby De La Zouch LE65 2UZ
Proposal	Outline planning permission for the erection of a Designer Outlet Centre of up to 20,479 sqm (GEA) of floorspace comprising retail units (A1), restaurants and cafes (A3), and storage. Additional large goods retail (5,574 sqm GEA), garden centre (5,521 sqm GEA) and external display area for garden centre (1,393 sqm), tourist information and visitor centre, training academy, leisure unit and offices including high-tech hub/start-up offices. Demolition of existing garden centre and sales area and existing warehouse. Improvements to existing Downtown Grantham store elevations. Reconfigured car parking and provision of new multi-storey car park. Increased coach parking. Access improvements, drainage works, hard and soft landscaping and all ancillary works. All matters reserved with the exception of access.
Location	Downtown Garden Centre Old Great North Road Great Gonerby Lincolnshire NG32 2AB
Application Type	Outline Planning Permission with EIA
Parish(es)	Great Gonerby Parish Council Allington Parish Council Sedgebrook Parish Council Barrowby Parish Council Foston Parish Council Marston Parish Council Belton & Manthorpe Parish Council
Reason for Referral to Committee	This application is for a major retail development and includes a S106 planning obligation
Recommendation	That the application is:- Recommended for approval subject to the completion of a Section 106 planning obligation and providing that the Secretary of State does not call the application in for determination
Report Author	Justin Johnson - Planning Operations Lead 01476 406080 Ext: 6392 j.johnson@southkesteven.gov.uk
Report Reviewed By	Sylvia Bland – Head of Development Management 01476 406080 Ext: 6388 S.Bland@southkesteven.gov.uk

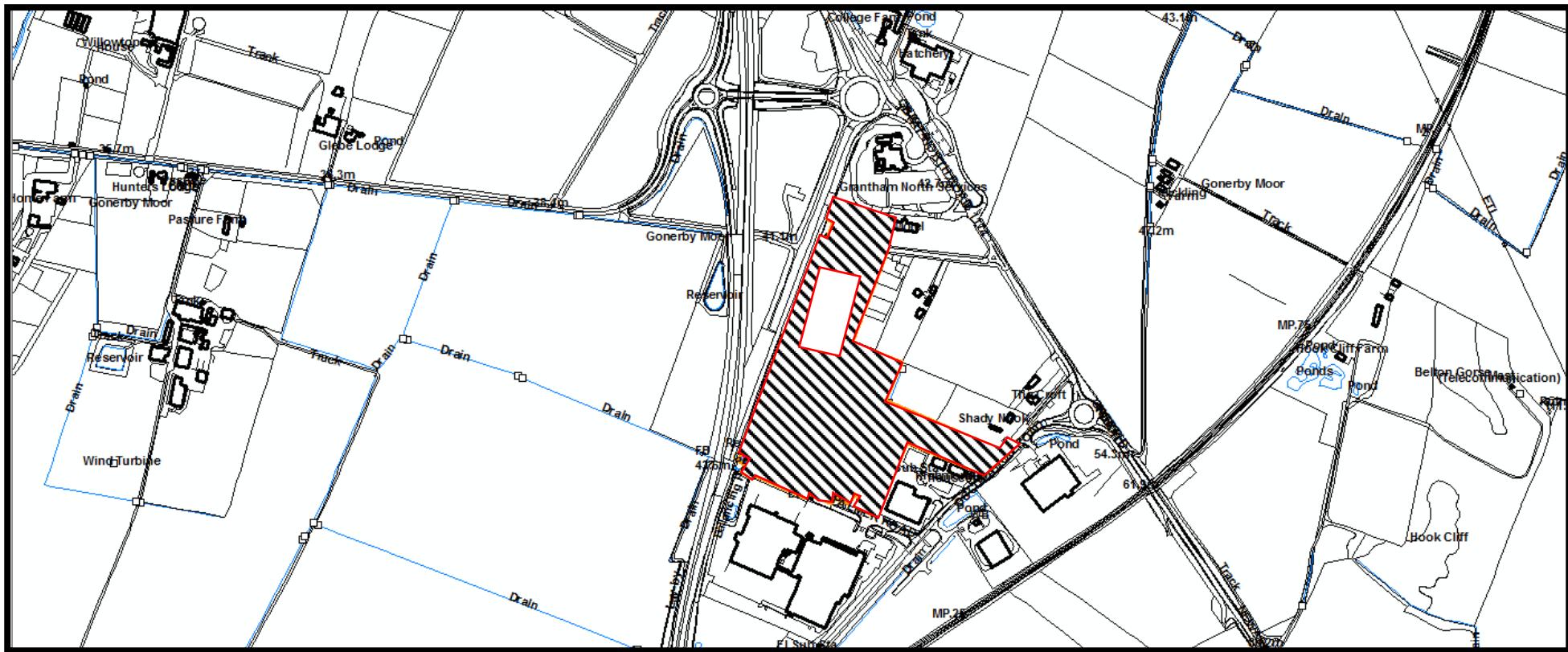
Key Issues

- Principle of Development
- Loss of Employment Land
- Retail Impact
- Socio Economic Considerations
- Visual Impact
- Highway Safety Historic Environment
- Residential Amenity
- Ecology
- Design

- Crime Prevention
- Fire Safety
- Noise
- Air and Water Quality
- S106 Contributions

Technical Documents Submitted with the Application

- Environmental Statement and Appendices
- Non-Technical Summary of the Environmental Statement
- Supporting Plans
- Transport Assessment
- Travel Plan
- Design and Access Statement
- Draft Heads of Terms
- Employment Land Statement
- Planning Statement
- Retail Impact Assessment
- Socio-economic Impact Statement
- Statement of Community Involvement
- Sustainability Statement



Key



Application Boundary



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EXECUTIVE SUMMARY

This is a complex major application that proposes the creation of a Designer Outlet Centre, with an amount of associated retail and leisure focused development including additional car parking, on brownfield land at the existing Downtown retail site which is located off the Old Great North Road at Great Gonerby. The application is in outline and because of its scale and complexity it is also accompanied by an associated EIA.

The applicants propose that the Designer Outlet Centre (DOC) would be a Tier 1 premium operation that would seek to attract upscale brands to the location and they are suggesting conditions and obligations which are intended to ensure that the DOC is of the intended quality. Because of the specialized nature of the material planning considerations the Council, acting in respect of its role as the Local Planning Authority, has retained expert retail and legal advisors to support its consideration and determination of this application.

Planning permission was granted in April 2018 for a Tier 1 Designer Outlet Village by Rioja Developments on land to the south of Grantham and that permission is a material consideration in the determination of this current proposal.

A considerable number of representations, both in support of and objecting to the proposals, have been received including a number of objections from nearby local authorities and retail operators. Neither Highways England or Lincolnshire Highways have objected.

The key planning considerations are:

- Potential retail impact on vitality and viability of nearby town and city centres
- Cumulative retail impact with the Rioja DOC
- Loss of employment land
- Socio-economic considerations
- Landscape and visual impact
- Transport and access
- Ecology, drainage and other considerations
- Mitigation measures via planning condition or s106 obligation

Taking into account all of the conclusions arrived at regarding the material planning considerations, the planning balance concludes that whilst the development would not be in accordance with the development plan taken as a whole and there are some identified issues regarding the anticipated impact of the proposal; the proposal would deliver significant benefits to the wider area, to Grantham and its economy. Therefore on that basis it is considered that the application can be supported.

The application is recommended for approval subject to the Secretary of State, upon referral, not calling in the application for determination and subject to the completion of a related S106 Planning Obligation Agreement.

1.0 Description of proposal

1.1 The application is a major outline planning application accompanied by an Environmental Statement for the development of a Designer Outlet Shopping Centre (DOC), large goods retail unit, replacement garden centre, tourist information centre, training academy, leisure unit, offices, multi storey car park and associated development on the existing Downtown site at Occupation Lane, Gonerby Moor, Grantham.

1.2 The proposed development includes the following elements:

1.2.1 Retention and Demolition

- The existing Downtown Grantham / Boundary Mill retail store and café, totalling 18,580sqm will remain and its floorspace is excluded from the application site. Improvements to the south, south-eastern and south-western elevations are however proposed as part of the application. The application redline site boundary is set back into the fabric of the building allowing for the proposed upgrades to be included within this application.
- The existing distribution warehouse and garden centre will be demolished. (The garden centre will be replaced with a small unit as detailed below)

1.2.2 Designer Outlet Centre (discounted goods)

- The erection of a Designer Outlet Centre comprising of up to 20,479 square metres of gross external area (GEA) / 17,704 square metres gross internal area (GIA) of floorspace across 107 units comprising:
 - 15,305sqm (GIA) of retail (Class A1) floorspace
 - 1,252sqm (GIA) of Café/restaurant (Class A3) floorspace
 - 1,147sqm (GIA) of storage

1.2.3 Large Goods Retail (full price goods)

- A new Large goods 'Downtown@Home' flagship store comprising:
 - 5,574sqm (GEA) over two storeys

1.2.4 Garden Centre (full price goods)

- The existing garden centre will be demolished and replaced with a new, smaller, garden centre consisting of:
 - 5,521sqm floorspace over two storeys
 - 1,393sqm outdoor display area

1.2.5 Tourist Information and Visitor Centre

- A Tourist Information and Visitor Centre will provide information to visitors to the site and encourage them to visit Grantham and surrounding attractions:
 - 62sqm floorspace

1.2.6 Training Academy

- A training academy facility will be provided to help deliver learning and development programmes in association with local educational establishments and businesses. The developer is working with Grantham College to assist in the delivery of skills training at the proposed venue. The unit will comprise:
 - 439sqm floorspace

1.2.7 Leisure

- An indoor leisure unit (Class D2) to complement the retail offer on-site providing visitors the opportunity to combine shopping and leisure in a single destination.
 - 2,096sqm floorspace

1.2.8 High Tech Hub / Incubator Start-up Offices

- A range of small office units (Class B1) are proposed above the large goods retail unit. These would be start-up offices for new and small businesses.
 - 2,455sqm floorspace

1.2.9 Offices

- Additional offices will also be provided above the garden centre unit.
 - 2,796sqm floorspace

1.2.10 Access

- The proposed development will use the existing vehicular access points to the site. However the access strategy for the proposed development includes:
 - The realignment of the existing eastern access off Occupation Lane, so that priority is given to vehicles entering/exiting the site with the southern Occupation Lane arm giving-way.
 - Access will also be available from the northern entrance, which takes the form of a roundabout junction. This provides access to the site from the A1 southbound on-slip and Allington Lane East.
 - The main access point for deliveries to the proposed garden centre and retail units will be via the existing service road off Palmer Road located to the south of the site.
 - The service yards for the retail units towards the north of the site will be accessed via the roundabout to the north of the site.

1.2.11 Parking

- The proposed masterplan indicates a total of 1,979 parking spaces on site comprising:
 - 959 surface car parking spaces
 - 1,020 multi –storey car parking spaces (provided across four levels).
 - 11 coach parking spaces
 - Cycle spaces
 - New bus stop to facilitate an enhanced bus service
 - Electric vehicle charging spaces will also be provided

1.3 All matters are reserved for subsequent approval apart from access, however, parameter plans have been submitted showing the indicative scale and heights for the proposed buildings. Building heights will vary across the site up to a maximum of 20 metres.

1.4 On a day to day basis the proposed Designer Outlet Centre would trade as per the following:

Monday	9:30am – 7pm
Tuesday	9:30am – 7pm
Wednesday	9:30am – 7pm
Thursday	9:30am – 9pm
Friday	9:30am – 7pm
Saturday	9:00am – 6pm
Sunday	10:00am – 4pm

1.5 It is also proposed that the A1 units would be able to trade until 10pm on up to 12 occasions in a calendar year. This would normally be in association with seasonal activities (such as Christmas and Halloween etc.)

1.6 The applicants have indicated that the proposed Designer Outlet Centre (DOC) would be provided by a partnership between Oldrids and Freeport Retail. The term DOC refers to a managed, purpose-built shopping centre development where a range of quality brands operate selling products and merchandise at discounts to regular prices. Often this may incorporate excess stock, discontinued lines, end-of-season products and imperfect / factory seconds. The applicants have indicated that they are seeking to develop a premium Tier 1 DOC which would seek to attract upscale brands to the site. The development could therefore potentially attract visitors from beyond Grantham and its immediate hinterland.

1.7 The DOC would sit alongside the existing Downtown Store, replacement garden centre and the proposed large goods retail unit which will sell goods at full prices. Whilst the existing Downtown store includes the sale of discounted goods within the Boundary Mills section of the store the only restriction on the use of the building for retail purposes is that it can only be used for the sale of non-food products

1.8 Some of the plans and supporting information submitted with the application refer to an aspirational 'Northern Gateway' to Grantham which include a potential Downtown Grantham Railway Station and a Park & Ride area. However it is important to note that these aspirations do not form part of the development being considered under this application and should not be afforded any weight in the determination of the application.

2.0 Description of site

2.1 The site is located on a brownfield site within an existing well-established retail and employment area at Gonerby Moor approximately 3 miles north-west of Grantham and 1.3 mile north of Great Gonerby. The site which was considered as part of the Environmental Statement measures 10.26 hectares. This differs slightly from the planning application site which specifically excludes the Downton Grantham Superstore and measures 9.24 hectares. The application site comprises the area of land around the existing Downtown Grantham retail superstore as well as the adjacent garden centre and distribution warehouse, associated hardstanding and parking areas.

2.2 The site is currently designated as part of a wider employment allocation, Policy SAP5 / ExE LSC1, which comprises a triangle of land south/west of the Great North Road (B1174), west of the railway line and east of the A1. The site covered by the allocation is occupied by various companies including a Travelodge and petrol filling station, the Downtown / Boundary Mill Superstore and garden centre, some warehousing as well as some vacant land, which is yet to be developed. There are also three residential properties within close proximity of the site.

2.3 Planning permission was granted in September 2017 for the erection of two units for the manufacturing of pre-cast concrete and pre-fabricated products and associated offices (Ref:S17/0158) on the allocated employment land located to the east of the application site adjacent to the B1174 Great North Road. The permission has not yet been implemented.

2.4 To the south east lies a small component plastic manufacturer, a door supplier and manufacturer, and a furniture store. To the south lies Brakes PLC, with Northgate Vehicle Hire and Treasure Transport beyond. To the east of the site on Occupation Road is Tegometall and Lincolnshire County Council's waste Transfer site, beyond which there is a railway line, approximately 200 metres from the sites boundary.

2.5 There are multiple points of access to the site including:

- a) Occupation Lane, via the B1174 Great North Road/Newark Hill;
- b) Access slip road from the A1 South slip road via Gonerby Moor roundabout;
- c) Separate access is provided to the site via the B1174 with links to the Moto Service Station and Travelodge hotel; and
- d) Service access for the garden centre is taken from Palmer Road.

2.6 There are a number of public footpaths and a bridleway in close proximity to the site. Great Gonerby Public Footpath No.2 runs parallel to the site's southern boundary adjacent to Palmer Road. There is also a Public Bridleway which runs along the western side of the A1.

3.0 Relevant History

Reference	Proposal	Decision	Date
S17/1626	EIA Scoping Opinion for a Designer Outlet Centre	Opinion Issued	28/09/2017
S16/1909	Siting of Ice Rink and chillers	Approved Conditionally	07/10/2016
S15/1498	Use of land for car washing and erection of canopy and portable building	Approved Conditionally	04/09/2015
S15/0064	Demolition of brick building with display conservatories attached	Details Not Required	05/02/2015
S13/1722	Erection of 4 internally illuminated fascia signs	Approved Conditionally	05/09/2013
S13/1043	Non material amendments to S13/0196 (Amendments to steel and wall cladding details and removal of old plant screen on the roof)	Approved	17/05/2013
S13/0241	New signs to proposed new cladding on walls stating name of stores and erection of flag	Approved Conditionally	18/03/2013
S13/0196	Re-building of entrances and re-cladding roof and walls including cladding parapet wall	Approved Conditionally	14/03/2013
S11/0678	External alterations to allow sub-division into two units	Approved Conditionally	02/06/2011
S09/1871	Formation of farmshop/coffee tea room and erection of orangery and formation of doorway	Approved Conditionally	01/06/2010
S09/1870	Variation of Condition 2 of Planning Permission S99/0560 to allow storage and sales of caravans, motor homes and associated products	Approved Conditionally	05/01/2010
S07/1187	Variation of condition 2 (sale of garden related products only) on p/p S99/0560	Refused	15/10/2007
S02/1682	Conservatory display area	Approved Conditionally	12/02/2003
S01/0866	Change of use of part of 1 st floor coffee shop to travel consultancy bureau	Approved Conditionally	20/08/2001
S01/0542	Extension of open display area to garden centre	Approved	18/06/2001
S01/0212	Extension to garden centre building	Approved Conditionally	02/04/2001

S01/0026	Extension to existing garden centre	Approved Conditionally	13/02/2001
S00/0833	Fascia sign advertisements	Approved	26/09/2000
S00/0832	Customer entrance/exit building	Approved Conditionally	26/09/2000
S00/0101	Creation of car park and access	Approved Conditionally	21/09/2000
S00/0488	Alterations to form exit to garden centre building	Approved Conditionally	12/06/2000
S99/0560	Erection of garden centre	Approved Conditionally	28/07/1999
SK.98/0190	Garden Centre	Approved Conditionally	26/10/1998
SK.97/1193	Erection of warehouse	Approved Conditionally	27/01/1998
SK.97/1192	Alterations to south elevation of retail premises	Approved Conditionally	27/01/1998
SK.97/0708	Industrial development (warehousing)	Approved Conditionally	16/09/1997
SK.97/0197	Illuminated site signs	Approved	22/04/1997
SK.95/798(18890)	Change of use of land to car/coach parking	Approved Conditionally	24/10/1995
SK.95/982(18884)	Replacement signage	Approved Conditionally	24/10/1995
SK.95/797(18888)	New entrance canopies to shop (x2)	Approved Conditionally	03/10/1995
SK.95/816(18883)	Additional signage to retail unit	Refused	03/10/1995
SK.94/1364	Change of use of part of 1 st floor stockroom to retail and additional new store entrance	Approved Conditionally	24/01/1995
SK.94/0349	Fascia sign advertisements	Approved	10/05/1994
SK.93/1201	Advertisements (fascia signs)	Approved	04/01/1994
SK.93/1149	Site access road, drainage system and lagoons for surface water	Approved Conditionally	04/01/1994
SK.93/0829	Non-illuminated advertisements	Refused	05/10/1993
SK.92/0619	Amendment to condition 2 from previous approval (37/1076/91 – Trading hours for Sunday Market)	Approved Conditionally	04/08/1992
SK.1076/91(18669)	Change of use of superstore rear car park	Approved	10/12/1991

	to Sunday Market	Conditionally	
SK.947/90(18671)	Access, estate road, infrastructure and landscaping for industrial warehouse park	Approved Conditionally	06/11/1990
SK.916/90(18670)	Change of use of part of furniture retail area to Café, Downtown Furniture Superstore	Approved Conditionally	07/08/1990
SK.515/90(18442)	Advertisement	Approved Conditionally	26/06/1990
SK.480/89(18443)	Non-illuminated flat surface mounted signs	Approved Conditionally	06/06/1989
SK.2181/88(18673)	Industrial and warehousing development	Approved Conditionally	27/02/1989
SK.2266/88(18441)	Externally illuminated fascia and non-illuminated sign	Refused	14/02/1989
SK.1380/87(18444)	Erection of furniture retail warehouse	Approved Conditionally	27/05/1988

3.1 Planning permission was granted on 6th April 2018 for a similar proposal on land off Tollemache Road North, Spittlegate, Grantham for a Design Outlet Village (application reference 17/1262). This application is a material consideration in the determination of this current proposal.

4.0 Policy Considerations

4.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that proposals are determined in accordance with the development plan unless material considerations indicate otherwise. Other material considerations to be taken into account include the National Planning Policy Framework (NPPF) and associated Planning Policy Guidance.

4.2 Paragraph 11 of the NPPF states plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

4.3 National Planning Policy Framework – July 2018 (NPPF)

Section 2 – Achieving sustainable development

Section 4 – Decision-making

Section 6 - Building a strong, competitive economy

Section 7 - Ensuring the vitality of town centres

Section 9 - Promoting sustainable transport

Section 11- Making effective use of land

Section 12 – Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Enhancing the natural environment
Section 16 – Conserving and enhancing the historic environment
Section 17 - Facilitating the sustainable use of minerals

4.4 The Development Plan comprises the South Kesteven Core Strategy 2010 (CS), South Kesteven Site Allocation and Policies Development Plan Document 2014 (SAP), saved Local Plan Policies 1995 and Lincolnshire Minerals and Waste Core Strategy 2016. Significant weight can be attributed to policies contained in the Core Strategy, SAP and the Lincolnshire Minerals and Waste Core Strategy which comply with the NPPF. 14 policies in the 1995 Local Plan were saved in 2007 and are read alongside the Core Strategy. The 1995 Local Plan is largely out of date; however, appropriate weight should be given to those saved policies which are considered to be consistent with the NPPF.

4.5 South Kesteven is in the process of preparing a new Local Plan to replace the adopted Core Strategy. The emerging Local Plan has recently been submitted for examination. It is relevant to note at this point that the applicants have objected to policy E3 of the emerging Local Plan which relates to the protection of the existing employment site at Gonerby Moor and includes the application site. Limited weight has been attached to the emerging Local Plan policies as the plan preparation is not sufficiently advanced and there are still outstanding objections to the relevant policies.

4.6 **Submission Draft Local Plan**

Policy SD1: Presumption in Favour of Sustainable Development
Policy SD2: The Principles of Sustainable Development in South Kesteven
Policy SP1: Spatial Strategy
Policy SP2: Settlement Hierarchy
Policy E3: Protection of Existing Employment Sites
Policy E4: Expansion of Existing Businesses
Policy E5: Loss of Employment Land and Buildings to Non-Employment Uses
Policy E7: Other Employment Proposals
Policy E8: Visitor Economy
Policy EN1: Landscape Character
Policy EN2: Protecting Biodiversity and Geodiversity
Policy EN4: Pollution Control
Policy EN5: Reducing the Risk of Flooding
Policy EN6: The Historic Environment
Policy DE1: Promoting Good Quality Design
Policy SB1: Sustainable Building
Policy GR2: Sustainable Transport in Grantham
Policy GR4: Grantham Town Centre Policy
Policy ID1: Infrastructure for Growth
Policy ID2: Transport and Strategic Transport Infrastructure

4.7 **South Kesteven District Council Core Strategy (2010)**

Policy SP1 - Spatial Strategy
Policy SP3 - Sustainable Integrated Transport
Policy SP4 - Developer Contributions
Policy EN1 - Protection and Enhancement
Policy EN2 - Reduce the Risk of Flooding
Policy EN4 - Sustainable Construction and Design
Policy E1 - Employment Development
Policy E2 - Retail Development

4.8 **Site Allocation and Policies Development Plan Document (2014)**

Policy SD1 - Sustainable development
Policy SAP5 - Locally important employment site – ExE LSC1 Gonerby Moor, Grantham
Policy SAP8 – Town Centre Opportunity Areas

4.9 **South Kesteven Local Plan (1995)**
 Policy E1 – Employment Allocation (Grantham)
 Policy S1 – Town Centre Shopping Areas (Grantham)
 Policy S2 – New Shopping Development in and Around Town Centres (Grantham)

4.10 **Lincolnshire Minerals and Waste Local Plan**
 MW8 - Safeguarding Waste Management Sites
 SL3 – Waste Site and Area Allocations

4.11 **Planning Obligations Supplementary Planning Document (SPD)**
 This document provides the framework for the consideration of potential planning obligations.

5.0 SKDC Corporate Priorities

Growth - a growing population and a growing economy creates jobs, secures infrastructure and attracts investment

6.0 Representations Received

North Kesteven District No objections to the proposed development.
 Council

Newark & Sherwood District Council Raise strong objections to the proposed development at Downtown Garden Centre raising concerns that cumulatively the Downtown proposal with that of the recently approved Designer Outlet Village (DOV) at the King 31 site could have significant adverse impacts on the retail vitality of the Newark District Centre

Newark and Sherwood District Council formally request attendance by both an Officer and elected Member to speak at South Kesteven District Council's Planning Committee to set out the reasons Newark and Sherwood District Council are objecting to the scheme (due to the retail impact on Newark town centre as per advice set out by Carter Jonas as retail consultant to Newark and Sherwood District Council). (See Appendix A for a full copy of the comments)

Melton Borough Council No objections.

Nottinghamshire County Council NCC have reviewed the TA attached to this application. The impacts in Nottinghamshire will be principally be on the A52 and the A1, both of which are trunk roads and managed and operated by Highways England, NCC trust that any matters arising on the SRN will have been satisfactorily addressed by Highways England. There is not likely to be any discernible impact on the local highway network in Nottinghamshire given the distance involved and the multiple routes available for traffic to gain access to the trunk road network when travelling to and from the Downton site.

NCC has no additional comments to make on the amended plans.

Peterborough City Council Peterborough City Council object to this proposal, as it would have an impact on the viability Peterborough City Centre, and could have an impact on future proposals for the City Centre redevelopment allocated in the Local Plan. (See Appendix B

for a full copy of the comments)

Anglian Water Services	<p>Anglian Water has advised that the development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures. Anglian Water has therefore requested a condition requiring the drainage strategy covering the issues to be agreed.</p> <p>The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. Anglian Water therefore recommend that the applicant needs to consult with them and the Environment Agency.</p> <p>They have however indicated that these issues can be suitably controlled by way of conditions being imposed on any grant of planning permission.</p>
Historic England	Do not wish to offer any comments.
Heritage Trust Lincolnshire	of Advise that there is a low potential for archaeological remains to be encountered during the development. Archaeological investigation work is not required.
City Of Lincoln Council	<p>Have concerns that the development could be harmful to retail trading in Lincoln. They argue that it would not be appropriate for either of the proposed developments (this proposal or the application for the Designer Outlet Village on the King 31 site) to go ahead, and that it would certainly be unsustainable for both proposals to go ahead together. Moreover, the establishment of both proposals would significantly undermine retailing in Grantham and would be to the detriment of sustainable development and the wider growth of other centres in the County of Lincolnshire.</p> <p>They suggest that SKDC consider the cumulative impact of both schemes upon the basis that they are both granted permission. Similarly, they strongly advised SKDC to liaise with the Planning Casework Service to establish whether the Secretary of State would need to call-in the applications for determination.</p> <p>City Of Lincoln Council advise that if SKDC is minded to grant planning permission for one of the proposals, they suggest that it should be for amended proposals for Downtown. This stems from the fact that those proposals would be in connection with similar development and would be more sustainable in general terms than the development to the south of Grantham. (See Appendix C for a full copy of the comments)</p>
Crime Prevention Design Advisor	Lincolnshire Police do not have any objections to this development but make general recommendations in relation to the safety and security of this development which applies to all or any phases subject to amendments or variations.

Environmental Protection Services (SKDC)	Environmental Protection has reviewed the documents in respect of the application and has no further comments to make
Cadent Gas Limited	<p>The apparatus that has been identified as being in the vicinity of the proposed development is:</p> <p>Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity)</p> <p>Above ground gas sites and equipment</p> <p>No objections have been raised to the development.</p>
Western Power Distribution	Western Power Distribution have rights to retain electricity cables over this land and their easement prevents the building or altering of ground levels. Any alterations would therefore require an application to Western Power Distribution.
Highways England	Highways England has no objections to the amended proposals subject to conditions being attached to any planning permission that may be granted
Upper Witham Drainage Board	<p>The Board has no objection to the proposed development provided it is constructed in accordance with the principles of the Drainage Strategy.</p> <p>No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system.</p>
Welland & Deeping Internal Drainage Board	The site falls outside of both the Board's area and extended area.
Historic Buildings Advisor (SKDC)	<p>As part of the environmental statement a study area of 5km of the site has been adopted. Belvoir Castle (Grade I) and its registered park and gardens lie beyond this distance, but are the only heritage assets beyond this threshold which are affected by the proposed development in my opinion. This is due to having a significance which is partly contributed to by the landscape setting of the Belvoir Vale, with views from the site towards the Castle and gardens and vice versa being particularly important.</p> <p>On the whole the Council's Historic Building Advisor is in agreement with the assessment submitted for the heritage effects table, with all of the designated heritage assets having a neutral effect rating. Where there are effects, these relate to views mainly from the designated heritage asset towards the site, where it forms part of the Belvoir Vale, e.g. views from Allington Conservation Area or views from Barrowby</p>

Conservation Area. The views form part of a much wider setting and the development blends in with the existing development along this part of the A1 triangle and are therefore of negligible concern in heritage terms.

However, for Belvoir Castle the Historic Buildings Advisor has recommended that Melton District Council should be consulted.

Lincolnshire County Council - Footpaths Officers The proposed development layout affects Great Gonerby Public Footpath No. 2.

In the absence of any further information, it is expected that the definitive line and customary width of the path will not be affected by any proposed development.

During any works allowed by this proposal, users of the Public Right of Way should not be inconvenienced or exposed to hazards by any such works.

Minerals And Planning (LCC) Waste The proposed development is located in close proximity to an existing waste site (Grantham Waste Transfer Station - south of Occupation Road) which is safeguarded by Policy W8 (Safeguarding Waste Management Sites) of the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies, adopted June 2016.

This safeguarded waste site also sits within a larger area of land allocated as a waste site in Policy SL3 of the Lincolnshire Minerals and Waste Local Plan: Site Locations document, adopted December 2017 (allocation reference WS17-SK Vantage Park, Gonerby Moor). The Minerals and Waste Planning Policy Team have therefore requested that appropriate consideration is given to the need to safeguard these existing and allocated waste sites in line with the requirements of Policy W8.

Following the submission of additional information by the applicant the Minerals and Waste Planning Policy Team has confirmed that subject to the proposed acoustic glazing being included in the design of the proposed training centre they have no waste site safeguarding objections to the proposed development.

Lincolnshire Fire & Rescue Services Confirm that Lincolnshire Fire and Rescue Service has no objections to the planning application. They have confirmed that there is adequate water supplies with two hydrants in close proximity to the premises (which should remain unaffected by building works) as well as sufficient access for appliances. The Fire and Rescue Service have also highlighted the need for the development to comply with the relevant Building Regulations.

Natural England Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Natural England's advice on other natural environment issues is set out below:

Allington Meadows SSSI Site of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection for the following reasons:

- The Construction Environment Management Plan (CEMP) proposed in the Environment Statement (P129) will prevent adverse effects relating to contamination of the water environment during the construction phase.
- The run-off from the Sustainable Drainage System (SuDS) will be discharged into a beck as shown in Appendix 3 of the Sustainable Drainage Statement (which is appendix 10.2 of the Environmental Statement). This beck is not part of the catchment for Allington Meadows and so the SSSI will not be impacted by changes to water volume.

Network Rail - Civil Engineering Network Rail notes from the Transport Assessment that enhancements to links between the site and Grantham Railway Station are proposed. Grantham Station is operated and maintained by Virgin Trains East Coast who should also be contacted in relation to this consultation in order that they may provide comment (niall.melvin@virgintrainseastcoast.com). It may be that station enhancements (e.g. bus shelters, cycle storage etc.) are appropriate to accommodate this aspect of the proposals.

Allington Parish Council The Parish Council has concerns that this development would create high traffic levels, with the accompanying noise and pollution that this would bring.

The highest predicted increase in traffic on any one link is 84% on Allington Road East (Gonerby Lane).

Parish Councillors comment that providing appropriate signage to guide traffic down the A52 and then down the A1 is unlikely to make much impact. A lot of road users using sat-nav devices, travelling to and from the A52, will undoubtedly travel through Allington village regardless of advisory signage.

With an increase in traffic the condition of the roads in the area would deteriorate even more. There is also a highway safety issue as Allington with Sedgebrook Primary School is in very close proximity to Gonerby Lane and at school times the roads become single file due to parking.

The County Council's publication "The 4th Long Term Vision for Transport in Lincolnshire" comments upon "a well-managed and safe road network to maximise the reliability of journeys and reduce the impacts on communities". It is questionable whether this application fulfils this objective.

The Parish Council concludes that should this application be

approved it strongly requests restrictive traffic calming measures for all roads which would be a route to the development.

Belton and Manthorpe Parish Council All the Councillors are concerned and worried about the entry/exit, to/from the site from the east. People travelling from the east will have to use A607 through Belton and Manthorpe, and Belton Lane, Great Gonerby.

Belton Lane is quite unsuitable for the anticipated increase in traffic flow, and will make this location a real road safety risk. A607 junction with Belton Lane is an identified collision site, and an increase in the traffic flow will heighten the risk at this location.

Belton Lane in its present state is not suitable for any increase [in] traffic flow. If traffic flow does increase it increases the risk on this road in general and the junction (Belton Lane / A607) in particular.

There is also concern that placing traffic lights at the junction of Belton Lane/Newark Hill, Great Gonerby is creating an unnecessary risk to motorists as the approach to this junction, from the north will be blind and is on a national speed limit road.

Regarding the B1174/Belton Lane Junction, Tables 12,13 and 14 of the amended Transport Assessment states that this junction is running at near capacity and is likely to fail in the near future even without increased traffic from their development. They propose a mitigation scheme in the form of a three-arm signalled junction to alleviate the build-up of traffic on Belton Lane, all this will do in our opinion is spread the queues and hold ups over three lanes and cause a back log of southbound traffic from the Occupation Lane roundabout to the B1174/Belton Lane junction which is ludicrous and please bear in mind that their Transport Assessment doesn't include Larkfleets development.

Foston Parish Foston Parish Council supports the application.

Great Gonerby Parish Council No objections with the development but Council has concerns over the long term capacity of the B1174/ Belton Lane junction. This junction is already overwhelmed and with this plan, the linking of the Pennine Way and the proposed Manthorpe development, this junction requires a complete redesign. This needs to be considered alongside these other applications.

There are also concerns about traffic levels through the village, traffic could be directed onto the A1.

Sedgebrook Parish Council With regard to this planning application the Parish Council is grateful for opportunity to make further comment on the additional revised proposals.

The Parish made a full response to this application in November 2017 when it highlighted a number of concerns of

which the potential additional traffic using Allington Road was the major one along with the inadequacies of the applicant's Transport Assessment. In its summary the Parish concluded that initial consultation response with the following: -

'The Parish Council would suggest that given the above and the overall vagueness of the current document it is clear that the applicant needs to carry out a far more encompassing Transport Assessment and give careful consideration as to how it might mitigate the issues that are likely to be caused by an increased patronage to the site. If the applicant is unwilling to do this or the Local Planning Authority unable to support the Parish Council's suggestion, the Parish Council would wish to record its objection to the proposal based on the likely highway impacts both within the village itself as well as the adjoining highway network.'

It is noted that the applicant has indeed updated their Transport Assessment but unfortunately only to take account of the now committed development related to the retail park being promoted by the Buckminster Group. Whilst the Transport Assessment makes a small mention of Allington Road and 'robust' signing to direct visitors to the proposed development via the A52 and A1 along with a note of having met with local residents at Allington to reassure them of the applicant's abilities and desire to prevent additional traffic using the road, it is noted that the application and supporting documents make no attempt to model the likely traffic flows on Allington Road and the potential impacts that these would have in relation to overall traffic levels particularly at the junction of Allington Road with the A52 at Sedgebrook. To highlight again the Parish Council would again draw attention to the fact that Allington Road has been subject to a recent comprehensive traffic survey carried out by Lincolnshire Highways which has shown that the road is already used by over 2000 vehicles a day.

Whilst the Parish is supportive of the local opportunities that the development may give rise to, given that the applicant has failed in his latest amended submission to address the serious concerns related to traffic that the Parish Council outlined in its initial consultation response, the view of the Council is that it formally objects to the proposals on the basis that the applicant has failed to fully and satisfactorily demonstrate either the potential impact of additional traffic that the development will generate on all the local road network that will be impacted or formally detailed any mitigation measures that would be included in the planning application either via the relevant planning condition or Section 278 Agreement.

Sedgebrook Parish Council have also commented on the additional information received in relation to the planning application. The comments raise concerns with the additional transport information. And the final paragraph of the letter states:

"In relation to the points made by the applicant it should be noted that in Section 3.3.2. above there is reference to the assignment presented in the TA to support the planning application indicating that the level of traffic that would potentially route through Allington is minimal. The Parish

would highlight that whilst the base data is accurate in that it has identified present traffic movements the subsequent modelling has assumed that vehicular traffic associate and generated as a direct result of the development will follow the A1/A52 and vice versa routes possibly assuming that the also aforementioned signing scheme will be successful. The modelling fails to take account of the attraction to drivers of the 'short cut' through Allington and Sedgebrook and the increasing reliance upon satnav systems which will direct vehicles through these villages as the shortest route. Unfortunately, whilst capacity improvements at the A52/A1 junctions, signing schemes and routing instructions will be welcomed they will not affect satnav operation and in the case of signing strategies and routing instructions these are legally unenforceable unless the signing strategy is backed up with relevant highway prohibitions of access or similar Traffic Regulation Orders. In view of the above the Parish formally objects to the applicant's proposals."

LCC Highways & SuDS Support	<p>The local highway authority has raised no objections to the proposed development but has requested that the developer enter into a planning obligation to secure improvements to the existing Bus Services between the site and Grantham town centre.</p> <p>The highway authority have also requested that a planning condition is also attached to any consent to secure the junction improvements at Belton Lane and Newark Hill</p> <p>The highway authority has also reviewed the objections made by Rioja and confirm that they have no objections to the proposal. Rioja raised concerns with the level of parking proposed, however, the highway authority are of the view that the level of parking is appropriate for the mix of uses proposed and that there can be cross use of spaces (ie retail customers will park in office spaces at the weekends).</p>
Environment Agency	No objections to the proposed development.

7.0 Representations as a Result of Publicity

- 7.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and a total of 272 representations have been received.
- 7.2 43 letters of representation raising concern/seeking further information have been received. The points raised can be summarised as follows:
 1. Concerns about increase in traffic that will be generated between the A52 and the proposed development.
 2. If the development is approved signage should be installed on the A52 directing traffic away from the villages of Sedgebrook and Allington. Traffic calming should be introduced in the villages to ensure that the route from the A52 to Downtown as a 'rat run' would be rendered undesirable.
 3. Whilst not objecting to the development itself and welcoming the improvements to retail services I am extremely concerned about the how this development will adversely impact on my family's life, namely through increase traffic, noise and air pollution.
 4. Concerns about increase in traffic through Allington.

5. As local residents we are already faced with roads covered in pot holes, the incredibly poor condition of Gonerby Lane and the already dangerous narrowing hair pin bridge along it, we already face damage to our cars because of these issues. Imagine how much worse their condition will be if even more people use these roads or even cause accidents? School buses use these roads on a twice daily basis and we cannot have them in a worse condition.
6. Robust and enforceable measures must be used to protect the quality of life of Allington residents and ensure traffic through the village is controlled. Examples would include fixed penalty cameras.
7. The site is next to the A1 but there are no key East/West road connections close to the development meaning there will be issues in managing traffic travelling from those directions. The Traffic Assessment (TA) focuses on the immediate proximity of the site but traffic issues exist slightly further away.
8. Eastbound traffic must travel through the busy A607/Belton Lane junction or through the already congested Grantham town centre.
9. From the West (including Nottingham and Leicester) traffic will take the short route from the A52 using unclassified country lanes through Sedgebrook & Allington which are unable to absorb an increase in traffic.
10. The unclassified Allington lanes are narrow roads meant only for local traffic & are prone to standing water & icing, there are also documented issues of speeding. The lanes are used by cyclists, horses & by farm machinery & parking by parents leaving/collecting children at Allington school creates single file traffic at peak times.
11. The TA compares the Bicester Designer (BDO) village in terms of volumes but local press & Bicester Traffic Action Group information reveals the severe problems experienced there because of the unsuitable road network.
12. Given the above the application does not appear to fulfil the objective set out in the 4th Long Term Vision For Transport In Lincolnshire; a well-managed & safe road network to maximise the reliability of journeys & reduce the impact on communities.
13. This application will have a massive impact on a struggling Grantham town centre causing a further depletion of the already run-down, empty, shopping areas.
14. The development will increase traffic from all directions impacting severely on the road networks in the area.
15. Road signage directing traffic away from Sedgebrook and Allington will not be effective as people will use satellite navigation to find the quickest journey.
16. Traffic measures will simply slow traffic and not reduce the volume. Pollution will be increased.
17. Downtown Designer Village will be on a similar theme to Bicester Village, in Oxfordshire, there are details that can be viewed on line of the devastation caused to the local communities.
18. Downtown will naturally advertise their presence and welcome the traffic increase (from all over the country) as they will want a return on their huge investment.
19. Grantham High Street and the George centre are already significantly underused with a predominance of empty shops. This will further drain Grantham's retail business trade.
20. The North-South traffic flows will put a real strain on the A1 which is only dual carriageway, and already carrying a high density of traffic.
21. Bottom Street should be made into a one-way street, being closed to traffic coming from Sedgebrook.
22. Fundamental repair is needed on Bottom Street from Sedgebrook Road turn, and Gonerby Lane through to Gonerby Moor A1 junction. It would be better to build a loop road connecting Sedgebrook Road to Gonerby Lane to take traffic entirely away from the village; or to close Gonerby Lane to through traffic at some point near the nook.
23. Another traffic count should be done as the last one was 8 years ago.
24. There is a local primary school situated on School Lane. Any extra traffic in this area would increase road safety issues for the school.
25. The present Downtown store is brightly lit at night and the lights can be seen quite clearly from the village (Allington). Additional lighting due to a larger complex wouldn't be welcome especially in this day and age of environmental issues.
26. The current road infrastructure from Sedgebrook through Allington to Gonerby Moor is incapable of supporting any extra traffic.

27. The road from Sedgebrook to Allington is not gritted at present which regularly results in vehicles in the ditches at the side of the road.
28. The bridge height markings at Sedgebrook are too late for high sided vehicles resulting in pandemonium as they try to reverse back.
29. The condition of Bottom Street in Allington is in a terrible state with the road surface breaking up and with numerous potholes that reappear every year.
30. Bottom Street in Allington is subject to regular flooding due to damaged drains.
31. The school is accessed around a blind bend without suitable crossings for young children and parental parking makes the situation worse.
32. Residential access along Bottom Street would suffer to any increase in traffic.
33. Gonerby Lane already suffers from significant, i.e. dangerous, subsidence from the current level of traffic.
34. Access in and out of Peach Lane to the Park Homes is already difficult at peak times and would suffer greatly if the traffic levels increased.
35. Signage on the A52 and at Downtown indicating access and egress to the A52 via the A1 might mitigate this.
36. Traffic calming measures in the form of road narrowing into and out of Allington as well as on Bottom Street might help alleviate the situation and reduce speed thus increasing safety aspects for pedestrians along Bottom Street and to/from the school.
37. Roads leading to and from Allington are unsuitable to high volumes of traffic, being largely unmarked, with soft verges, and with a significant narrowing of the route on Gonerby Lane at the water gauging station over Foston Beck. Verges are already in a very bad state because of horsebox traffic accessing Arena UL, and HGV traffic accessing the Kestrel Distribution centre near Arena UK.
38. There is already too much rubbish along the verges in the area and the development will add to this pollution problem.
39. Downtown products on sale are at a similar level to those sold in Grantham town centre and are therefore in direct competition and will cause more shop closures in the town centre.
40. The proposed outlet village on the site is unlikely to attract designer labels as the store so far has not managed to do this.
41. The environmental statement does not mention the issues of traffic coming from the A52 and through Allington.
42. More traffic will lead to an inevitable increase in anti-social behaviour such as littering, noise, theft and general environmental damage.
43. There will be increased traffic flow through Grantham, Gonerby and Allington as staff commute to work due to the lack of adjacent housing. This will continue to drive business from Grantham.
44. The proposals come at a time when Grantham High Street, and the George centre are already significantly underused with a predominance of empty shops. My experience of other such developments (such as that at Bicester in Oxfordshire) is that these proposals will do nothing to help this situation and is highly likely to further drain Grantham's retail businesses of trade. I do understand that the proposals would bring a number of new jobs to the area - this I think is the biggest positive of the scheme as this would no doubt bring a slight element of stimulus to the local economy but if the jobs drive people out of the town centre then we will further lose the heart of the town. I would be far more positive about any proposal (including radical rebuilding) that sought to stimulate the town centre into an attractive place to live and work.
45. Out of town centres have surely had their day. Such a design as this must surely have a very large carbon footprint and yet offer no advantage to Grantham as all of the amenities it offers could be housed in the town itself.
46. Better things to spend money on.
47. One supporter of the scheme also raised concerns that there are several properties already lying empty in the town centre.
48. If approved this scheme will adversely impact on the sales from the Buckminster designer outlet development.
49. Buckminster may pull out of their proposed development if this application is approved.
50. A full retail assessment must be carried out before this development is considered. It is unclear how the original store got permission in 1989 for retail development outside of the town centre.

7.3 229 representations in support making the following comments:

1. I fully support this application as long as traffic is kept to main roads. It would bring about many jobs to the area for young people. This could be a good opportunity to enforce Arena UK's planning rule that their traffic should use the A1 too (which a lot doesn't)
2. Will be a real asset to nearby towns.
3. Site is well positioned with great link roads.
4. I would be more likely to visit Grantham if this development is allowed as it would make the journey worthwhile and Grantham would overall be a more appealing destination.
5. Having been to similar centres it will be great not to have travel and to have one in Grantham.
6. Environmentally it makes sense given the infrastructure is already practically there and employability wise even better.
7. Anything that can create jobs on that scale and more importantly save jobs on that scale can only be a huge plus for the future.
8. Surely it is better to back an application with a proven retail history and infrastructure in place with good access to the A1.
9. The fact that there are possibilities to open a rail link and then the possibility of park and ride into the historic centre of Grantham is another reason to support the application.
10. The new retail outlet will keep the people of Grantham spending within our town and not having to go further afield.
11. The alternative scheme, being on a green field site, with no sufficient existing road infrastructure would surely be better suited to housing.
12. To refuse planning permission would endanger existing jobs.
13. The development would draw customers from across the country to Grantham.
14. The Downtown site already has a good bus link to Grantham and has everything in place to support this development.
15. This is a real opportunity to develop local businesses and create jobs.
16. The proposed railway link will be a major benefit.
17. The development will bring much needed investment to the area.
18. Like the idea of adding a new training academy, office space and tourist information centre to promote the many other attractions in the area.
19. The Downtown scheme is superior to the competing scheme, as the Downtown proposal will create more jobs, further investment, and improve transport links.
20. Makes use of an existing 'brownfield' site
21. The development would be a catalyst for much needed redevelopment of the existing service station.
22. Local businesses which supply Downtown will hopefully see demand increase in the future as a result of the development.
23. The proposal is well thought out and addresses aspects of access and tasteful design sympathetic to the identity of Grantham as a key regional destination for investment, shopping, hospitality and tourism.
24. What good sense to increase the size/facilities of an existing unit where there is already good road access from the A1?
25. Oldrids are a major local employer and have operated in Grantham for many years and shown a commitment to local people and the economy which would only be enhanced if the development went ahead.
26. Concerned that if the development does not go ahead 700 people could be out of work. Can the Council accommodate 700 people if they cannot pay the mortgage or council tax?
27. The development will make Grantham a place to come and visit to spend time and money.
28. Would add additional retail units to a site which is already commercially viable with existing infrastructure.
29. Development and additional passing trade would help to support existing car wash business.

30. Grantham Museum submitted a representation supporting the proposals especially the development of a visitor and tourism centre.
31. Buckminster have sent out letters implying that local residents support their application. This is not the case. Several residents supporting the proposed development have suggested that they consider this to be an underhand tactic by Buckminster to promote their own scheme.

7.4 Objection from Lichfields:

- 7.4.1 Lichfields have objected to the proposed developments on behalf of their client, intu Properties Plc (intu), Intu owns and manages 17 prime regional shopping centres in the UK, including intu Victoria Centre and intu Broadmarsh in Nottingham city centre and intu Derby in Derby city centre.
- 7.4.2 Lichfields have raised concerns that the Retail Impact Assessment does not consider the impact on existing committed planned investment in Nottingham City centre (i.e. the intu Broadmarsh redevelopment and extension and the intu Victoria Centre extension).
- 7.4.3 They have also suggested that the Council should impose suitably worded conditions to ensure the development is implemented in accordance with that described in the application, and to ensure that development does not adversely impact on the vitality and viability of Nottingham or Derby city centres or other centres. (See Appendix D for a full copy of the comments)

7.5 Centrebus:

- 7.5.1 Has advised that they fully support the proposed development. Centrebus currently provide the 14 and 24 services to the Downtown site, which run regularly from Newark, through the villages, on to Downtown and into Grantham town centre and Grantham bus station, via Great Gonerby.
- 7.5.2 They have advised that the increase in visitors to the Downtown site would increase occupancy on existing routes and that they envisage a real potential to increase the frequency and extend the existing 14 and 24 services in future.

7.6 East Midlands Trains:

- 7.6.1 East Midlands Trains (EMT) is the incumbent franchised passenger operator on the Nottingham-Grantham-Skegness route. Its franchise is currently contracted to 3rd March 2019. Therefore, EMT does not consider that this proposal will have an impact on its current operations. EMT has recommended that Oldrids & Downtown engage with the Department for Transport (DfT) and prospective bidders for the next East Midlands Franchise, for which the procurement process is anticipated to be commencing in spring 2018.
- 7.6.2 EMT have advised that it is vital that Oldrids & Downtown work closely with Network Rail and the future East Midlands Franchise operator to ensure that any future aspirational scheme for a new station delivers a station at which stops can be accommodated in the timetable.

7.7 Pyle Own (Commercial property advisers to the freeholder of the moto Grantham north service stations)

- 7.7.1 "The site is adjacent to the MOTO A1 / Gonerby Moor services. As landowners of the MOTO site, we fully support these development proposals. Given the complimentary nature of sites, together we can provide a more comprehensive development option. We have also reviewed the recently approved Grantham Designer Outlet Village at Spittlegate (LPA Ref: S17/1262) and feel the Downtown application represents a more comprehensive DOV and mixed use development. Together with the Gonerby Moor site it will provide a northern gateway into Grantham as well as a welcome facility for users of the A1.

There is significant opportunity for the regeneration of this site to assist in establishing a gateway, including the opportunity to upgrade our own site. We believe granting planning permission for the designer outlet will act as an important catalyst to the wider upgrade of facilities at this strategic location, which we would fully embrace."

7.8 **Grantham College:**

- 7.8.1 Grantham College has indicated that they fully support Downtown's planning application. The college has been in ongoing discussions with Downtown over the last year regarding the proposed development and in particular the proposed establishment of a Training Academy at the site.
- 7.8.2 They have agreed the principle of working in partnership with the applicants to plan, deliver and operate a Training Academy at the site.
- 7.8.3 The college has indicated that the Training Academy would become a centre of excellence for training and apprenticeships and would also give them scope to significantly extend their educational programmes.

7.9 **Buckminster and Rioja Developments:**

- 7.9.1 Buckminster and Rioja have objected to the proposed developments and a full copy of their submissions is provided at Appendix E. Buckminster's comments included correspondence from a transport consultant and William Hicks QC in support of their objection. The comments for Rioja also took into account the advice of both FSP and CACI (retail research advisors).
- 7.9.2 The objections from both Buckminster and Rioja include concerns about the following points:
 1. The threat that the development will pose to Grantham Town Centre.
 2. Given the very limited nature of the restrictions offered by the applicant in the Oldrid application together with the five year limit on those restrictions it is clear that they will be ineffectual in achieving the objective of protecting the Town Centre.
 3. The scheme cannot be considered the same or similar to the Rioja and Buckminster development.
 4. The full retail impact of the development has not been assessed by the applicant or the Local Planning Authority.
 5. The proposed development will not achieve the critical mass required for a tier 1 operation.
 6. There are concerns about the accuracy of the information contained in the Transport Assessment and that not enough car parking has been provided, that there is insufficient space for manoeuvring of delivery vehicles.
 7. Concern has also been raised that data and information has been copied from the Rioja and Buckminster application.
 8. Grantham already has an approved Tier 1 Outlet Village Scheme
 9. The Grantham Designer Outlet Village (Rioja Development) would be a Tier 1 Outlet; the Downtown scheme could never become a Tier 1 Outlet.
 10. The planning assessment of the two different schemes by SKDC needs to be different.
 11. Granting permission to the Downtown scheme would at best result in Grantham not securing the benefits of a Tier 1 Outlet Village on either side and at worst, if the Downtown scheme hybrid 'non-Tier 1' scheme was built, the town centre, already struggling, would be severely impacted.
 12. Questions Freeport Retail's role and function in the development

8.0 **Officer Evaluation**

8.1 Principle of the use

- 8.1.1 Government policy seeks to promote the efficient use of land by locating developments, wherever possible, on previously developed land in sustainable locations. The council's

adopted Core Strategy (CS) sets out the authority's overarching framework for development within the District, providing the locational strategy to be adopted when allocating land for development, and when considering specific development proposals. The Council's spatial strategy for development is set out in CS Policy SP1 which indicates that the majority of all new development should be focused upon Grantham in order to support and strengthen its role as a Sub-Regional Centre. The policy specifically adds that "New development proposals shall be considered on appropriate sustainable and deliverable brownfield sites and appropriate greenfield sites (including urban extensions), sufficient to ensure the achievement of growth targets."

- 8.1.2 When the Core Strategy was published in 2010 it was envisaged that detailed policies would be set out in two further development plan documents, the Site Allocations and Policies DPD (SAP) covering the whole district (with the exception of Grantham) and the Grantham Area Action Plan (GAAP) covering the town of Grantham only. Whilst the SAP was adopted in 2014 the GAAP did not progress beyond draft stage. Work has now ceased on the GAAP and future allocations in Grantham will be considered as part of a new district wide Local Plan.
- 8.1.3 Policy SP1 states that "In all cases planning permission will only be granted on a less sustainable site where it has been proven that there are no other more sustainable options available or there are other overriding material considerations."
- 8.1.4 In terms of the principle of development the proposal relates to retail development on a site which is identified as a locally important existing employment site. Nonetheless, there has been a retail presence on the site since the early 90's. In order to assess the principle of development relevant retail and employment policies will be considered, the loss of employment land assessed and consideration given to whether the site selection meets the sequential test set out in paragraphs 86 and 87 of the NPPF. The impact of the proposal on the vitality and viability of nearby town centres and the retail provision within them will be assessed along with the socio-economic benefits of developing a DOC on this site. The conclusion will then draw these elements together to form a balanced judgement on the planning merits of the scheme taking into account all relevant material considerations.

8.2 Loss of Employment Land

- 8.2.1 CS Policy E1 Employment Development seeks to focus employment land in the first instance in Grantham and then in the three market towns of Bourne, Stamford and the Deepings and along the A1 corridor. Policy E1 states that the Council will seek to retain and enhance existing areas of employment use in Grantham, Bourne, Stamford, the Deepings and villages unless it can be demonstrated that:
 - The site is vacant and no longer appropriate or viable as an employment allocation; and
 - Redevelopment will deliver wider regeneration benefits; or
 - An alternative use would not be detrimental to the overall supply and quality of employment land within the district; or
 - An alternative use would resolve existing conflicts between land uses.
- 8.2.2 Policy E1 goes on to indicate that locally important existing employment areas which are suitable, sustainable and attractive to the market and which can continue to meet modern employment needs will be identified within the Site Specific Allocations and Policies DPD.
- 8.2.3 Paragraph 6.1.6 of the CS indicates that the allocation of employment land in Policy E1 encompasses all types of employment generating development, other than retail which is the focus of Policy E2. The policy, therefore, covers development within the B Use Classes as well as public and community uses and other town centre uses including: leisure, entertainment and intensive sport and recreation facilities, arts, cultural and tourism development which provide employment opportunities.

8.2.4 In addition to the above part of the application site is located within an area identified by saved Policy E1 of the Saved Policies from the South Kesteven Local Plan 1995 for industrial and business development. Although policy E1 of the 1995 local plan is a saved policy the area of land allocated under policy E1.1 of the 1995 local plan has been deleted and superseded in relation to the application site by the publication of the South Kesteven Site Allocation and Policies DPD (SAP). The Site Allocations and Policies Plans show that employment allocation E1.1 of the 1995 Local Plan was deleted when the South Kesteven Site Allocations and Policies DPD was adopted in 2014. At that time it was replaced with Policy SAP5 (ExE LSC1) which identify the application site as part of a wider locally important existing employment site. Saved policy E1 of the 1995 Local Plan cannot be therefore viewed as in any sense up to date.

8.2.5 Policy SAP5 indicates that non-employment generating proposals within the allocated areas will only be considered acceptable if it is clearly demonstrated that alternative uses will not have an adverse effect on the primary employment uses of the area; will not reduce the overall supply and quality of employment land and premises with the area; will deliver economic regeneration benefits to the site and/or area; and resolve existing conflicts between land uses. In addition Policy SAP5 states that retail and town centre uses on these areas will also be subject to the requirements of Policy E2 of the Core Strategy.

8.2.6 The site is identified for employment development and should the site be developed for retail purposes this would necessarily result in a reduction in the amount of land available for employment development. It is therefore necessary to assess the employment land availability for the district to assess whether the loss of this site for employment purposes would undermine CS Policy E1 and Policy SAP5 of the Site Allocations and Polices DPD relating to the provision of employment land across the district. As already explained above Saved Policy E1.1 of the 1995 local plan is considered to be out of date.

8.2.7 The most up-to-date picture of employment land supply is set out in the South Kesteven Employment Land Study October 2015 (ELS), which was prepared to inform the emerging Local Plan. The survey identified 57 employment clusters totalling 547 hectares of allocated or potential employment land in the district. Of this 93 hectares is vacant land within employment clusters. However, this does include unimplemented planning permissions such as the 32 hectare KING 31 site. There are also a number of greenfield sites which are either allocated or with potential for employment, totalling 119 hectares.

8.2.8 The applicants have submitted an Employment Land Statement in support of the application. The statement considers whether the loss of the site would have an adverse impact on the provision of employment land within the district. The applicants have referred to the Council's Employment Land Study 2015 which identifies three scenarios for land requirements: a low scenario of 46.7ha, a central scenario of 62.1ha and a high scenario of 79.1ha.

8.2.9 The applicants have indicated in their supporting Employment Land Statement that the supply of potential employment land (93 hectares) is approximately 50% greater than the 'central scenario' requirement for land for industrial and distribution uses identified in the ELS (62.1 hectares). The ELS assessment of the supply of employment land includes Gonerby Moor (including the application site). The 'vacant developable land' part of the Gonerby Moor site, EMP R3, extends to 9.1 hectares. The wider, existing employment land in this location covers approximately 46 hectares.

8.2.10 Given that the application site comprises previously developed land, it cannot be considered as part of the 9.1 hectares of vacant developable land. This is further confirmed by the Employment Land plans contained in Appendix A of the ELS 2015 which clearly show the application site within an area of land identified as existing employment land.

8.2.11 Notwithstanding the above, it is acknowledged that the proposed development would result in the loss of land protected for employment generating uses within a wider employment allocation (Site Allocation and Policies DPD SAP5 EXE LSC1). This allocation measures approximately 46 hectares, of which 9.24 hectares includes the application site. Therefore

approximately 20% of the total employment allocation would be lost as a result of the proposed development. The majority of the site is, however, in retail use presently and the proposed development would not therefore result in any significant loss of employment land. Thus whilst the criteria of the policy might not have all been passed, the underlying objectives of the policy are not undermined (ie to protect employment uses which are important to retain in employment use) and on balance it is considered to conform with the objectives of the policy as a matter of judgment, even if there is some limited tension with its criteria. Moreover, the proposed development includes an element of office accommodation and training academy floor space which further reduces the employment land impact.

8.2.12 It is also necessary to consider the cumulative impact of the loss of the employment land from this site together with the recently approved King 31 Designer Outlet Village located on a site off Tollemache Road North (S17/1262). When the Council considered application S17/1262, the applicant Rioja Developments, identified 93.1ha of vacant developable land for employment within the district in their Employment Land Statement. This exceeds all scenarios including the low and central industrial/distribution land scenario identified in the Council's Employment Land Study 2015. It was noted at the time that if the King31 Designer Outlet Village site was removed from the employment land supply then 79.4ha of vacant developable land within the district would remain. This exceeded the central scenario by c17.3ha and exceeded the requirements under the high scenario by 0.3ha. It was therefore found to be acceptable.

8.2.13 Given that the site which is the subject of this application is not land identified as being vacant developable land in the Employment Land Study and the fact that the majority of the site is already in retail use; it is considered that this proposal will not result in any significant cumulative adverse impact on the future supply of employment land in the district.

8.3 Conclusion on the Loss of Employment Land

8.3.1 In conclusion, the site is no longer considered to be allocated under Policy E1.1 of the Saved Policies of the 1995 Local Plan as this allocation was deleted and replaced by Policy SAP5 (ExE LSC1) when the Site Allocations and Policies DPD was adopted in 2014. The site is allocated for employment land but the majority of the site has been used for retail purposes for the last 20 years. Taking the proposed development into consideration, along with the development of the Grantham Designer Outlet Village approved under application S17/1262 on the King 31 site it is considered that there would still be adequate available employment land to meet the Council's identified needs. The existing site is not vacant and it has not been demonstrated that the site is no longer appropriate or viable as an employment allocation. The proposed development would therefore be contrary to the requirements of policy E1 of the Core Strategy. The development would also result in a reduction in the overall supply of employment land within the area contrary to the requirements of Policy SAP5. It is however considered that the reduction in employment land resulting from this proposed development would not undermine the Council's overall aims and objectives to ensure that there is an adequate supply and quality of employment land within the district. The proposed development will also deliver wider regeneration benefits which outweighs the small loss of employment land. The socio-economic benefits are discussed in detail later on in this report.

8.3.2 In terms of the emerging local plan Policy E3 seeks to protect the site for employment use and Policy E5 relates to the loss of employment land and buildings to non-employment uses. The emerging local plan has been submitted for examination. There are however objections to these policies and it is therefore considered that they should only be given limited weight.

8.3.3 This proposal needs to be appropriately assessed against a complex set of policy considerations. If the council wishes to support the proposed development it will amount to a departure from the Development Plan that would need to be the subject to a referral to the Secretary of State.

8.4 Sequential Test for Main Town Centre Uses

8.4.1 Paragraph 86 of the NPPF states that 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 Local Plan. 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 expected to become available within a reasonable period) should out of centre sites be considered.

8.4.2 Paragraph 87 states when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

8.4.3 The National Planning Practice Guide (PPG) advises that it is for the applicant to demonstrate compliance with the sequential test and that the test should be proportionate and appropriate for the given proposal. The PPG states that the following considerations should be taken into account in determining whether a proposal complies with the sequential test:

- with due regard to the requirement to demonstrate flexibility, has the suitability of more central sites to accommodate the proposal been considered? Where the proposal would be located in an edge of centre or out of centre location, preference should be given to accessible sites that are well connected to the town centre. Any associated reasoning should be set out clearly.
- 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.
- if there are no suitable sequentially preferable locations, the sequential test is passed.

8.4.4 The PPG also recognises that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. The PPG advises that robust justification must be provided where this is the case.

8.4.5 Policy E2 of the Core Strategy states that the town centres of Grantham, Stamford, Bourne and the Deepings will be strengthened and regenerated and uses and activities which sustain and improve their vitality and viability will be supported. The scale of development should be appropriate to the role and function of the centre where it is to be located, having regard to Policy SP1. Large scale developments should be located in Grantham and all proposals should support and enhance the town's status as a sub-regional centre and growth point.

8.4.6 Policy E2 goes on to state that town centre developments should be focused in identified town centres. Where developments cannot be identified within defined town centres a sequential approach will be followed with preference first to sites on the edge of the defined town centre prior to consideration of out-of-centre sites.

8.4.7 Saved Policy S1 of the 1995 Local Plan states that retail development will normally be concentrated within or adjacent to adjoining town centre shopping areas. At the time the local plan was being prepared it was not anticipated that a designer outlet centre would be provided within the plan period and no allocation was made for such land uses.

8.4.8 For the purposes of the sequential test the application site is considered to be situated in an out-of-centre location. It is therefore necessary to consider if there are any other more preferable site within existing town centres, edge-of-centre locations and other out-of-centre site, which are more accessible and well connected to the town centre.

8.5 Expert Evaluation of the Sequential Test

8.5.1 The applicant has submitted a Retail Impact Assessment (RIA) in support of the application, as part of this they undertook a sequential assessment. The Council engaged a specialist retail consultant, Peter Brett Associates (PBA), to assess the submission. The consultant's initial assessment was received and following this the applicant submitted an Addendum to the Retail Impact Assessment (Addendum RIA). The submitted RIA and Addendum RIA consider the retail impacts of the development.

8.5.2 In order to undertake an assessment, a catchment area covering a drive time of approximately 60 minutes was considered. For the purposes of the sequential approach and assessing the impacts of the proposed development on existing centres, the catchment area was separated into the Primary Catchment Area (PCA) and the Secondary Catchment Area (SCA) as follows:

- PCA based on 30 minute drive time
- SCA based on 30 to 60 minute drive time

8.5.3 The RIA indicates that the proposed development is based on the DOC business model and requires a level of 'critical mass' to draw trade from a wide area. It goes on to state that any alternative sites should be capable of serving substantially the same catchment area, and that locating the development on the edges of the identified 60-minute drive time catchment area would exclude large parts of the scheme's catchment area 'because it would involve substantially longer drive times'. As such, the applicant's sequential assessment only considers alternative sites within the proposed primary catchment area (PCA), which is defined by a 30-minute drive time from the application site. This includes Bingham, Bourne, Grantham, Melton Mowbray, Newark-on-Trent, Oakham, Sleaford and Stamford. The Council's retail consultant has indicated that this is an appropriate area of search and that locations within the secondary catchment area are unlikely to serve substantially the same catchment area as the application site.

8.5.4 The applicant's RIA sets parameters for the assessment of sequentially preferable sites, having regard to the requirements of paragraph 24 of the NPPF (2012) (now covered in paragraphs 86 and 87 of the recently published NPPF - July 2018) and the need to demonstrate that a flexible approach to issues such as format and scale has been taken. The applicants have considered the potential to reduce the footprint of proposed buildings using mezzanine floorspace, reducing the size of the proposed replacement garden centre (approximately 34% smaller than the existing garden centre), making use of first floor trading within the garden centre and @Home store and providing a multi storey car park. The applicants have therefore sought to ensure the most efficient use of land, and reduce the overall footprint of the development. Taking this into account the application site extends to 9.24 hectares comprising 39,517sqm of new floorspace. In undertaking the sequential assessment the applicants considered that reducing the minimum site area to around 45% of the application site (4 hectares) was a reasonable approach. However in order to demonstrate further flexibility and robustness they considered sites as small as 2 hectares within existing centres.

8.5.5 The Council's retail consultant agrees that the parameters set out within the RIA represent a significant degree of flexibility and a reasonable basis on which to assess the suitability of sequentially preferable sites. They did however suggest that the applicant should provide clearer explanation of the relationship between the DOC and the expansion of other retail uses that form part of the application scheme, which the RIA describe as 'essential' and 'complementary'. In particular, further detail was requested in terms of the relationship between the DOC, existing retail floorspace and the proposed @Home unit, and the requirements for co-location. This is important in terms of confirming that reasonable flexibility has been applied and that sequentially preferable sites have been considered on an appropriate basis.

8.5.6 In response to this the applicants in their Addendum RIA refer to the existing outlet and full price retail offer at the site, comprising Boundary Mill stores and the Downtown Superstore, and states that a 'substantial proportion' of the comparison retail turnover of these existing

stores is derived from residents within the secondary catchment area that has been identified for the proposed development (i.e. within a 30 to 60 minute drive time of the application site). The applicant considers that this underlines opportunities for future linked trips between the existing and proposed outlet and full-price shopping offer.

8.5.7 The Addendum RIA goes on to confirm that the applicant is seeking to deliver a premium 'Tier 1' DOC at the site and that this will '*future-proof the Downtown business against the challenges of online retailing and make it fit for the 21st Century*'. The proposed new Downtown@Home store is also expected to fit into this wider strategy seeking to provide a better showroom for Downtown's bulky goods and creating a '*more experiential retail environment to satisfy the desires of today's consumer and the requirements of the retail brands themselves*'. The Addendum RIA concludes that '*this is a site-specific proposal and no other site would satisfy this commercial requirement*'.

8.6 Representation on the Sequential Test

8.6.1 Newark and Sherwood District Council (NSDC) raised an objection to the proposed development (see appendix A). NSDC appointed their own retail consultants Carter Jonas (CJ) to review the application. In its advice to NSDC, CJ contends that the application scheme is capable of being considered as separate elements for the purposes of the sequential test. Whilst the applicant has adopted a threshold of 2 ha for the consideration of sequentially preferable sites, CJ considers that elements such as the large-format retail units, proposed leisure unit and proposed offices could be accommodated on smaller sites if disaggregated from the wider application scheme.

8.6.2 The applicant has sought to provide further clarification in respect of the functional relationship between the proposed full-price and DOC retail floorspace, describing this as an extension or evolution of the current retail offer at the application site which already includes elements of bulky, non-bulky and 'outlet' comparison goods. Whilst the applicant could have provided further justification and a more detailed explanation, the Council's retail consultants PBA consider that, on balance, this is a reasonable proposition.

8.6.3 Carter Jonas highlighted particular issues with the proposed leisure (Class D2) unit and the proposed office floorspace. In terms of the former, PBA agreed that the Class D2 unit should have a functional relationship with the proposed DOC but that, subject to the imposition of appropriate conditions (which restrict the type of D2 uses and the hours of operation to ensure the D2 use is complementary to the wider development, and limit the size of the building to 2,096 sq.m of gross external floor space) it should not be necessary to consider this separately as part of the sequential assessment. Insofar as the proposed offices are concerned, PBA agreed with Carter Jonas that there is no clear functional relationship between this element and the wider application scheme, especially given the size of the proposed office floorspace (5,250 sq. m). However, the application site is currently allocated for employment uses and, the proposed offices would accord with the provisions of the adopted Core Strategy and would not therefore be subject to the sequential test under the terms of paragraph 86 of the NPPF.

8.6.4 Overall the Council's retail specialists consider that, "on balance, a significant degree of flexibility has already been adopted in identifying sequentially preferable sites. We also consider that it is unlikely that it would be commercially viable for the applicant to deliver the proposed development as separate elements, and that it should not, therefore, be necessary for the applicant to consider smaller sites as part of its sequential assessment." The application is therefore considered to have complied with the requirements of the sequential test as set out in the NPPF.

8.7 Consideration of Other Candidate Sites

8.7.1 With regard to the search for sequentially preferable sites the applicant's RIA identified seven alternative candidate sites within the PCA. The applicant considered two sequentially preferable sites in South Kesteven. These were the Bourne Core Area within Bourne Town Centre and the King31 site to the South of Grantham. The King31 site

benefits from planning permission for the development of a large designer outlet village (application reference S17/1262).

- 8.7.2 The Council's Site Allocations and Policies DPD identifies the area to the west of Bourne Town Centre's Primary Shopping Area as the 'Bourne Core Area'. Policy SAP9 of the DPD states that planning permission will be granted for comprehensive mixed-use redevelopment of the area. The policy indicates that any redevelopment should include retail, leisure, business, office and cultural facilities. The policy goes on to say that any such development should provide a range of floor sizes to reflect the historic urban character of Bourne, noting that the site is located within and adjacent to the Bourne Conservation Area.
- 8.7.3 The RIA discounts this site as unavailable (due to it containing multiple land ownerships in a range of active uses) and unsuitable, on the grounds that at 2 ha it is not large enough to accommodate the proposed development.
- 8.7.4 In terms of the King31 site, the RIA notes that the site is currently allocated for employment uses and that its development is dependent on strategic road improvements, the delivery of which is uncertain. As such, the applicant queries the suitability and availability of this site.
- 8.7.5 Planning permission has, however, recently been granted for the development of the King31 site as a designer outlet village. As such, the Council's retail consultants and Officers do not agree that this site can be considered unsuitable or unavailable.
- 8.7.6 Notwithstanding this, the RIA goes on to state that, unlike the King31 site, the application site is an established retail destination with existing public transport connections to Grantham Town Centre and surrounding areas. As such, it is argued that 'any reasonable judgement in terms of 'preference' between the two sites clearly favours the application site'. Officers do not agree with this assessment either and do not consider the application site to be sequentially preferable to the King31 site.
- 8.7.7 When considering application S17/1262 officers considered whether or not the King31 site was more sequentially preferable to the Downtown site and concluded that "The Downtown application is further from the town centre and travel distance by all means of transport are longer and take more time, however, given the distances involved, the two applications are viewed as similar in terms of the sequential tests set out in the NPPF". It is therefore considered that both sites would have similar status in sequential terms. The King31 site should not therefore be considered sequentially preferable to the application site at Old Great North Road.
- 8.7.8 In terms of settlements in neighbouring districts the RIA identified five candidate sites, two in Newark-on-Trent and three in Sleaford. Newark-on-Trent is located approximately 25 miles to the north of Grantham. The RIA considers two alternative sites in Newark at Jessop Way and the site of the NSK factory on Northern Road.
- 8.7.9 The RIA notes that the NSK site is an out-of-centre site that is allocated for mixed use development including '*around 4,000 square metres (net)*' of comparison retail floorspace. Policy NUA/MU/3 of the Newark and Sherwood Allocations and Development DPD states that future redevelopment of the site is dependent on the preparation of a masterplan and the relocation of the current industrial occupier (NSK) to a new location within the Newark Urban Area. Any retail development is expected to come forward in the post-2019 period. The council's retail consultants note that in January 2017 the Newark and Sherwood District Council published a paper on its preferred approach to Town Centre and Retail issues for public consultation which proposed changes to Policy NUA/MU/3. This included setting back the anticipated date for any retail development at the NSK site to post-2031.
- 8.7.10 The RIA states that the local planning authority's aspirations for the NSK site are not in accordance with the type and amount of retail development proposed by the application scheme. It goes on to say that the site is also unsuitable due to its lack of accessibility

from the strategic road network, and that redevelopment is subject to the existing occupier relocating to an alternative site. Given that the site is not being actively marketed, the RIA concludes that this site is not available. It is therefore considered that this site is unlikely to be available within reasonable timescales.

8.7.11 The RIA indicates that the site at Jessop Way, Newark, is an out-of-centre site and that it is currently being marketed for Class B2 and B8 uses in accordance with an existing planning permission and the site's allocation as employment land. Whilst available (albeit for alternative uses) the applicant discounts this site on the basis of its '*unsatisfactory access from the strategic highway network*'. Carter Jonas in their assessment for NSDC also conclude that the site does not appear to be sequentially preferable for retail use, by virtue of its out-of-centre status. The Carter Jonas assessment did however indicate that it may be able to accommodate the office element of the proposed development. The council's retail consultants have confirmed that they have previously found that there would be difficulty accessing this site from the A1 and therefore agree with the applicant's assessment that the site at Jessop Way is unlikely to provide a suitable alternative to the application site.

8.7.12 Sleaford is the main centre within North Kesteven, located around 14 miles to the north east of Grantham. The RIA has considered three sites at Sleaford; the Bass Maltings and Advanta Seeds sites to the south of the town centre; and a site at East Road to the north of the town.

8.7.13 The RIA considers the Advanta Seeds site to be an edge-of-centre site and notes that it is allocated within the Central Lincolnshire Local Plan for mixed retail, leisure, office and residential uses (Policy LP45). Planning permission has previously been granted for the development of a Tesco foodstore at the site but the permission was not implemented. The Advanta Seeds site extends to 4.64 ha which the RIA states is not large enough for the proposed development, despite being above the 4 ha search criterion. Notwithstanding this, the applicant goes on to argue that the site would be unsuitable due to its limited connections to the strategic road network. The council's retail consultant has advised that there may be various issues with access to this site (including a level crossing on the B1517) and, that on balance, this site is likely to be unsuitable for the proposed development.

8.7.14 The applicant has also identified another site to the south of the town centre at Bass Maltings. The former Maltings buildings provide over 50,000 sq. m of floorspace and are Grade II* listed. Planning permission was granted in 2011 for the change of use, alteration and extension of the Maltings to provide over 200 residential units, together with offices, healthcare and community facilities and just under 1,400 sq. m of retail and restaurant floorspace. The planning permission has not yet been implemented, although the developer has sought to lift restrictions on implementation that relate to the delivery of a new link road which was expected to be part funded by the Tesco development at the Advanta Seeds site (this application 16/0323VARCON is understood to be pending determination).

8.7.15 The RIA states that the type and amount of development proposed is not in accordance with North Kesteven District Council's 'policy aspirations' for the Bass Maltings site and that it is considered to be unsuitable and unavailable. The listed Maltings would pose a significant constraint on the proposed development and that the existing structures are unlikely to be suitable for the proposed development. It is also unlikely to be feasible to amalgamate the site with the Advanta Seeds site as the two are separated by a railway line.

8.7.16 In terms of the site at East Road, Sleaford, the RIA states that this site is allocated as an employment area within the Central Lincolnshire Local Plan and that available plots would provide only 3.34 ha of land. It goes on to say that the site has poor accessibility from the strategic highway network. Although it is considered that the East Road site has better access to the strategic highway network than is indicated by the applicant's RIA (given its

proximity to the A17), it is considered that the site is likely to be too small to accommodate the proposed development, even allowing for a reasonable degree of flexibility.

8.7.17 Following advice from the Council's specialist retail consultants the applicants were asked to check that there are no other sequentially preferable sites available in the search area. The applicants confirmed that they had checked with the Council and that there were no further sequentially preferable sites available in the District. Notwithstanding this as the Primary Catchment Area (PCA) extends beyond the boundaries of the district, the Council's consultants undertook their own updated, high-level search focussing on Newark, Melton Mowbray, Oakham and Stamford. The only other site identified was the 'Future Point' site at Fernwood, Newark, which has outline planning permission for over 185,000 sq. m of Class B floorspace. However, this site would also be out-of-centre and cannot be considered sequentially preferable to the application site.

8.7.18 The Carter Jonas assessment prepared on behalf of Newark and Sherwood noted that the applicant had not considered the former highways depot at Great North Road or land at Northgate. PBA have advised that the former is no longer on the market, would provide less than 2ha and is currently compromised by proposals to dual the A46 which would require a portion of the site for junction improvements. In terms of land at Northgate, the availability of this site is not certain and, would require the significant disaggregation of the proposals, it is not therefore considered to be a suitable alternative due to its size. Given the uncertainty of the availability of the site it is considered that this site would not meet the sequential test requirement set out in paragraph 86 of the NPPF which requires alternative sites to be available or expected to become available within a reasonable period.

8.8 Conclusions on the Sequential Test for Main Town Centre Uses

8.8.1 The RIA and Addendum RIA have been fully assessed and scrutinised in detail by the Council's specialist Retail Consultant and Officers and it is concluded that there are no suitable sites occupying a sequentially preferable location to the application site. It is considered that the applicant has adopted an appropriate search area for the development and has demonstrated flexibility in the scale and format of the proposals.

8.8.2 Taking all of this into account it is considered that the sequential test set out in paragraphs 86 and 87 of the NPPF and required by Policy E2 of the South Kesteven Core Strategy has been passed. The proposal is not in conflict with Policy S1 of the 1995 Local Plan. Although the site does not occupy a town centre location the policy does not specifically preclude non-town centre retail development. In any case greater weight is given to CS Policy E2 than to the Policy S1 of the 1995 Local Plan as Policy S1 is considered to be out of date, making no reference to the sequential test.

8.9 Impact Assessment

8.9.1 Paragraph 89 of the NPPF states 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 (if there is no locally set threshold, the default threshold is 2,500m Sqm of gross floorspace). This should include assessment of:

- The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider retail catchment (as applicable to the scale and nature of the scheme)

8.9.2 The proposed retail floorspace within the application would exceed the locally set threshold of 1,000sqm, as well as the default threshold, and is located in an out-of-centre location.

8.9.3 Policy E2 of the Core Strategy states that the town centres of Grantham, Stamford, Bourne and the Deepings will be strengthened and regenerated and uses and activities which

sustain and improve their vitality and viability will be supported. Policy E2 indicates that large scale developments should be located in Grantham and all proposals should support and enhance the town's status as a sub-regional centre and growth point.

8.9.4 The submitted Retail Impact Assessment (RIA) and subsequent Addendum RIA assessed the impact of the proposed development on the vitality and viability of existing retail provisions. This process includes an assessment of the catchment area of the study to ensure it is appropriate, the current performance of retail centres within the study area together with existing shopping patterns and expenditure. This establishes the baseline against which the impact of the proposals is assessed. The turnover of the proposal and where trade may be drawn from to the proposal are then considered in order to form a conclusion on whether the proposed retail element of the development would have an acceptable impact on the vitality and viability of existing retail offerings. In line with paragraph 8.6.3 the controls on the leisure element of the development and its functional relationship with the proposed DOC mean that it is considered that there would not be a significant impact on the town centre leisure economy.

8.9.5 The submitted RIA adopts a base year of 2017, which is when the household survey of existing shopping patterns within the proposed catchment area was undertaken. The proposed development is expected to be completed as a single phase and to be trading by the end of 2020. The adopted design year for the assessment of impacts is 2022 (two years after opening at which point trading patterns are expected to have become established). The Addendum to the RIA extended the design year for impact testing to 2025. These timeframes are consistent with the requirements of the NPPF and advice contained within the Planning Practice Guidance.

8.9.6 The primary catchment area (PCA) for the development is based on a 30 minute drive time and the secondary catchment area (SCA) is based on a 30 to 60 minute drive time. The RIA explains that the identified catchment area is the same as that adopted for the King31 planning application (S17/1262). The Council's retail consultants have confirmed that the catchment area is extensive and reflects their understanding of the wide trade draw of large-scale DOCs. They have, however, noted that they anticipate that the proposed bulky goods floorspace will predominantly draw trade from a smaller catchment area, but will benefit from linked trips with the DOC. The catchment area is therefore considered to be appropriate.

8.9.7 The RIA addresses future population and retail expenditure within the catchment area. The population of the catchment area is estimated to be 3.53 million in 2017 increasing to 3.65 million in 2022. These figures are similar to the population data presented as part of the King31 development and are considered to be robust figures for the purposes of the assessment.

8.10 Expert Consideration of Impact

8.10.1 The RIA calculates that the total available comparison goods expenditure for the whole of the catchment area would be £11,548 million in 2017, rising to £13,761 million in 2022. This is an expected increase of approximately £2.2bn (about 19.2%) over the period 2017 to 2022. Following receipt of the additional information contained within the Addendum RIA the Council's retail consultant confirmed they are content that the expenditure growth figures utilised in the applicant's assessment are broadly in line with those from other published sources and are therefore acceptable.

8.10.2 The RIA also contains an assessment of the health of the town centres within the catchment area. The Council's retail consultants have made the following comments having regard to the applicant's RIA and the assessment they undertook as part of the review of the King31 application:

- "We remain of the view that Grantham Town Centre is performing relatively weakly when compared to other centres within the PCA. Sleaford is another more vulnerable

town centre and whilst we note that investment in the Riverside Shopping Centre is now complete, we understand that the vacancy rate remains relatively high.

- Other town centres within the PCA are generally performing well, especially Stamford, Newark and Oakham.
- Within the SCA, the main city centres are generally performing strongly. We consider that Derby still faces some challenges in terms of the regeneration of its city centre but note that it is located on the peripheries of the proposed development's catchment area.
- Elsewhere within the SCA, the performance of smaller town centres varies quite considerably. Whilst we note that there are a number of strong town centres within the SCA, there are also centres that face a number of challenges, including Corby and Mansfield.”

8.10.3 In order to estimate the impacts of the proposed development on retailing within the specified catchment area the applicant commissioned NEMS Market Research to undertake a telephone household survey. This included 2,000 interviews, with a minimum of 100 interviews being undertaken in each of the 20 survey zones. The Council's retail consultant has confirmed that NEMS is the UK market leader in undertaking this type of survey and that they have a high degree of confidence in the results provided.

8.10.4 The RIA shows comparison market shares for the main destinations within the catchment area (excluding special forms of trading (SFT) such as non-store based expenditure such as internet sales, mail order and temporary market stalls). Across the entire catchment area, Grantham is estimated to have a comparison retail market share of 1.6 per cent, ahead of Stamford (1.3 per cent) and Newark (1.3 per cent). No other centre within the PCA has an overall market share of more than 1 per cent. Of the centres within the SCA Nottingham City Centre holds the highest overall market share (12.3 per cent), followed by Leicester City Centre (9.8 per cent) and Derby City Centre (6.8 per cent). Peterborough City Centre and Lincoln City Centre held market shares of 5.4 per cent and 5.2 per cent respectively.

8.10.5 The RIA shows that Grantham Town Centre draws a turnover of approximately £188 million from the PCA and just under £200 million from the entire catchment area. Stamford Town Centre has the second highest turnover of any centre within the PCA, drawing approximately £93 million from the PCA and a total of £160 million across the entire catchment area. The dominant centre within the SCA is Nottingham City Centre with an estimated comparison retail turnover of £1,392 million, of which only £86 million is drawn from the PCA. In comparison Lincoln City Centre has an estimated turnover of £689 million from the entire catchment area of which a significant £333 million is drawn from residents of the PCA. There is also significant comparison retail expenditure 'leakage' from the PCA to Peterborough City Centre (£75 million) and Leicester City Centre (£34 million). It should be noted that the turnover figures represent trade drawn from the catchment area of the proposed development and do not necessarily reflect the total comparison retail turnover of these destinations, especially those located on the edges of the catchment area of the proposed development and whose own catchment area may extend beyond the catchment area used for this assessment.

8.10.6 The RIA sets out the estimate turnovers of existing destinations within the catchment area in the 'no development' scenario. The 'no development' scenario is the future baseline position in which the turnover of existing centres and destinations is estimated on the basis of population and expenditure growth within the catchment area and excluding the impacts of new retail floorspace development over the assessment period. The RIA estimates the comparison retail turnover of Grantham Town Centre would grow to £237.9 million in 2022.

8.10.7 The proposed DOC retail turnover is based on a total gross internal floorspace of 15,305sqm which is expected to equate to a net sales area of 11,479sqm. This assumes a net/gross floorspace ratio of 75 per cent. The net sales floorspace within the DOC is expected to trade at a sales density of £5,814 per sqm in 2017 (this is based on the figure of £5,700 in 2016 adopted by the King31 planning application and grown at a rate of 2 per cent per annum). This sales density figure is considered to be consistent with other

designer outlet centres within the UK. Based on this the RIA shows that the proposed DOC is expected to generate turnover of £66.74 million in 2017 rising to £73.68 million in 2022 (which is again based on a sales density growth rate of 2 per cent per annum).

- 8.10.8 The proposed Downtown@Home unit is expected to provide a gross internal area of 4,819sqm. The RIA applies a net/gross ratio of 80 per cent to calculate an estimated net sales area of 3,855sqm. The council's retail consultants have confirmed that this is an appropriate approach based on the fact that the unit will be used for the sale of bulky goods. A sales density of £2,734 per sqm has been applied to the net sales area. This figure is based on the average sales density for 'Grantham Out of Centre Floorspace' identified by the Council's Retail Study. The Council's retail consultants have indicated that the sales of bulky goods from this unit would need to be controlled by way of a planning condition.
- 8.10.9 The Downtown@Home unit is expected to generate total comparison retail turnover of £10.54 million in 2017 rising to £11.64 million in 2022. The combined turnover of the proposed retail floorspace is therefore expected to be £77.28 million in 2017, rising to £85.32 million in 2022. As such, the proposed Downtown@Home unit will account for approximately 14 per cent of total turnover in 2022, with the proposed DOC accounting for the remaining 86 per cent. The council's retail consultants have confirmed that the assumptions applied in calculating these figures are robust and that the estimated turnover figures are realistic.
- 8.10.10 The RIA states that the future turnover from the proposed redeveloped Downtown Garden Centre facility has been excluded from the quantitative assessment of retail impacts. This is on the basis that the replacement Garden Centre will be approximately 34 per cent (2,882sqm GEA) smaller than the existing facility and is expected to offer a similar range of goods. As such, the RIA states that 'at best, we expect it will trade at 'equilibrium' with impact thus within existing levels'. The Addendum RIA provides further justification for excluding the Garden Centre from the impact assessment and the Council's retail consultant has concluded that so long as the sales floorspace to be provided as part of the new Garden Centre is not used for the sale of a significant range of non-bulky goods, such as clothing and giftware, the Garden Centres does not need to be included as part of the quantitative assessment of retail impacts.
- 8.10.11 The RIA estimates that the proposed development will draw 37.5 per cent of its total comparison retail turnover from residents within a 30 minute drive time from the application site (the PCA), 55 per cent from residents within a 30 minute to 60 minute drive time (the SCA), and 7.5 per cent from outside the catchment area. These assumptions are the same as applied within the retail impact assessment prepared to support the King31 planning application.
- 8.10.12 The Council's retail consultant has queried these assumptions and considers it likely that a higher proportion of the proposed development's turnover would be drawn from the PCA (42.5 per cent from the PCA and 50 per cent from the SCA). The Council's consultant has advised that this is based on the fact that the proposed DOC would be smaller than the scheme allowed at the King31 site under planning application S17/1262, that it included new comparison retail floorspace for both full price and outlet goods, and that, in their opinion, the proposed DOC would be more likely to attract mid-market operators whose offer may more clearly overlap with that of nearby town centres. These concerns were also shared by Carter Jonas in the advice they prepared for Newark and Sherwood District Council.
- 8.10.13 The applicants responded to these comments in the addendum RIA and state that they are committed to the delivery of a 'Tier 1' DOC targeted at premium retailers and brands, that it will provide sufficient 'critical mass' of retail floorspace to attract such operators, and that the existing full price/outlet retail facilities at the application site also draw trade from a wide catchment area. The addendum to the RIA indicates that the existing Downtown and Boundary Mills stores draw 72 per cent of their turnover from the PCA and 28 per cent from the SCA.

8.10.14 The Council's retail consultant has noted the applicant's commitment that the proposed DOC will operate as a premium retail destination and confirmed that if the development is approved it will be necessary to apply appropriate controls to ensure that future trading from the development reflects the assumptions contained within the applicant's submissions which form the basis on which the application has been assessed.

8.10.15 The Council's retail consultant, however, remain of the view that the application scheme is likely to draw a higher proportion of its future turnover from residents within the PCA (42.5 per cent) and consequently a smaller proportion from the SCA (50 per cent). They agreed with the applicant's assumptions that there would be a 7.5 per cent 'inflow' from outside of the catchment area given the location of the site close to the A1. The Council's retail consultants have taken this into account when they considered the applicant's revised assessment of trading impacts.

8.11 Summary of Cumulative Retail Impacts

8.11.1 The Addendum to the RIA provides an updated quantitative assessment of the impacts of the development. This takes into account the King31 Designer Outlet Centre that was approved under application S17/1262. The assessment adopts four scenarios for cumulative trade impacts which, in summary, cover aggregate trading impacts (the highest cumulative retail impact – assuming no trading interactions between the two DOCs) and three other scenarios whereby each of the DOCs trades at lower sales densities due to competition between the two destinations. These reduced sales densities have been set at 50 per cent, 70 per cent and 75 per cent of the assumed benchmark sales densities. The assessment period has also been extended to 2025 to account for the future implementation of the second phase of the King31 development.

8.11.2 The table below sets out a summary of the estimated trade impacts on key defined centres under the four scenarios. This indicates that under the 'worst case' scenario trade impact on Grantham Town Centre would total 4.7 per cent, this reduces under the other scenarios. The highest cumulative impact would fall on Newark-on-Trent Town Centre with a 'worst case' figure of 6.5 per cent.

8.11.3 The other centres expected to experience a 'worst case' impact greater than 4 per cent include Melton Mowbray (5.3 per cent) and Oakham (4.1 Per cent). In terms of other town centres within South Kesteven, Bourne Town Centre is expected to experience trade impacts of up to 2.9 per cent and Stamford Town Centre impacts of up to 3.5 per cent. Other main destinations would experience impacts of less than 3 per cent, with Lincoln City experiencing the highest potential level of trade impact at up to 2.8 per cent.

Copy of Table B from Addendum to the RIA – Summary of cumulative retail impacts, 2025

	Aggregate (Worst Case) Impact 2025	Impact assuming 25% less 'DOC' Sales 2025	Impact assuming 30% less 'DOC' Sales 2025	Impact assuming 50% less 'DOC' Sales 2025
	%	%	%	%
Zone 1				
Grantham Town Centre	4.7	3.7	3.4	2.6
Zone 3				
Bourne Town Centre	2.9	2.2	2.1	1.6
Sleaford Town Centre	3.3	2.6	2.4	1.8
Zone 4				
Stamford Town Centre	3.5	2.7	2.6	1.9
Zone 5				
Bingham Town Centre	2.2	1.7	1.6	1.2
Newark-on-Trent Town Centre	6.5	5.0	4.7	3.5
Zone 6				
Melton Mowbray Town Centre	5.3	4.1	3.9	2.9
Zone 7				
Oakham Town Centre	4.1	3.2	3.0	2.3
Uppingham Town Centre	0.1	0.1	0.1	0.0
Zone 8				
Lincoln City Centre	2.8	2.1	2.0	1.4
Zone 10				
Market Deeping Town Centre	1.5	1.2	1.1	0.8
Peterborough City Centre	2.0	1.5	1.4	1.1
Zone 11				
Huntingdon Town Centre	1.0	0.8	0.7	0.5
Zone 12				
Corby Town Centre	1.2	0.9	0.8	0.6
Zone 13				
Leicester City Centre	1.0	0.8	0.7	0.5
Zone 15				
Nottingham City Centre	1.6	1.2	1.1	0.8

8.12 Representations on Impact

8.12.1 As already mentioned Carter Jonas (CJ) prepared their own impact assessment on behalf of Newark and Sherwood District Council (NSDC), focussing on the impacts of the development on Newark. This suggests the development would have higher trade impacts on Newark Town Centre than the applicant's revised impact assessment, including solus impact of 5.4% and cumulative impacts of between 7.1% and 8.6% in 2022. The main reason for these higher trade impacts is that CJ makes an allowance for uplift in the turnover of the existing retail floorspace at the application site which adds additional retail turnover of almost £24 million in 2022. The Council's retail consultant has advised that if the additional turnover included by CJ is removed they would expect that their model would indicate similar levels of trade impact to the applicant's revised assessment.

8.12.2 In order to limit the potential for the scenario modelled by CJ materialising (i.e. that bulky goods are moved from the existing downtown store in to the proposed Downtown@Home unit and the floorspace in the existing store being repurposed for the sale of non-bulky goods) the Council has sought legal advice and been advised that this can be controlled through a Section 106 planning obligation restricting the use of an area of floorspace in the existing store equivalent to the sales area of the proposed Downtown@Home unit to bulky goods sales only. This would mitigate some of the impact envisaged by Newark and Sherwood District Council in that the existing area of floorspace used for bulky goods sales

in the existing store would be retained and could not be used for the sale of non-bulky goods (A total area equivalent to 3,149 sqm).

8.12.3 The city of Lincoln Council and Peterborough City Council has also raised objections to the proposed development on the grounds that it will impact on the vitality and viability of the City Centres. The proposed development could result in Lincoln City experiencing a potential level of trade impact up to 2.8 per cent and Peterborough City experiencing a trade impact of up to 2.0 per cent. It is considered that such levels of impact would not significantly harm the vitality and viability of these centres.

8.12.4 Lichfields have objected to the proposed development on behalf of their client intu Properties Plc who own and manage the intu Victoria Centre and intu Broadmarsh in Nottingham. They have raised concerns that the applicants submitted retail impact assessment does not consider the impact on existing committed planned investment in Nottingham City centre (i.e. the intu Broadmarsh redevelopment and extension and the intu Victoria Centre extension).

8.12.5 Council officers consider that the sequential assessment and retail impact assessment submitted by the applicant have been undertaken in accordance with the requirements of the NPPF. The Council's Retail Consultant has specifically considered the comments submitted by Lichfields and advised that it is not necessary for committed in-centre schemes such as the Victoria and Broadmarsh Centre developments to be included within the cumulative impact assessment set out in paragraph 89 of the NPPF and that such schemes are expected to promote trade within, and healthy competition between, town centres. The reason for this approach is that significant in-centre commitments will improve the turnover of existing centres, clawing back trade from and diluting the impact of out-of-centre retail destinations. If in-centre commitments were included in a cumulative impact assessment it becomes difficult to determine between trade impacts that are subject to the relevant policy tests and those that aren't. The Council's retail consultant has indicated that this reflects the approach to the assessment of cumulative impact undertaken in respect of the permitted proposals for a designer outlet village at Mill Green, Cannock, which was accepted by the Secretary of State when deciding not to call the application in for determination purposes.

8.12.6 The Council's consultant has also advised that they have considered the impacts of the proposed development on the intu proposals under the terms of the first criterion of paragraph 89 of the NPPF (impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal) and concluded that the application scheme would not give rise to significant adverse impacts. This conclusion is reinforced by the fact that intu has confirmed that they are proceeding with the implementation of the Broadmarsh scheme.

8.12.7 Buckminster Estates and Rioja Developments (the promoters of the Grantham Designer Outlet Village (GDOV) at the King 31 site) have also submitted objections to the proposed development. A full copy of the objections is available at appendix E, however the key concerns can be summarised as follows:

1. Concerns over the validity of the applicants supporting retail impact assessment (RIA) and in respect of the cumulative impacts of existing and proposed retail floorspace at the Downtown site on town centre vitality and viability.
2. Concerns in respect of the impact of the proposed Downtown development on investment within Grantham Town Centre.
3. Criticism of the design/format of the application scheme and the ability of the scheme to deliver a 'Tier 1' designer outlet development.
4. Concerns over the scope of the planning obligations and conditions and the ability to control the development if the application was approved.

8.12.8 Following concerns raised by the Council's Retail consultant and the objections from Buckminster and Rioja the applicants retail consultants have updated their analysis to undertake additional retail impact sensitivity testing.

8.12.9 The objections from Buckminster suggest that there are two scenarios that require further consideration. The first scenario suggests that the existing retail floorspace at the application site, within the existing Downtown store, could be subdivided and used by a range of different non-outlet retailers, thereby changing the overall nature of the Downtown development and potentially increasing trade impacts on nearby town centres. It should however be noted that there are currently no restrictions on the existing store and this scenario could therefore currently occur under the existing planning consent at the site.

8.12.10 Officers have discussed the issue with the applicants and propose a number of appropriate restrictions through a s106 agreement in order to control the ability of the applicants or future occupiers of the existing store to subdivide the building in to smaller units or to increase the proportion of floorspace used for the sale of non-bulky goods. On this basis, the Council's retail consultant has indicated that in their professional opinion this represents a benefit over the extant position. Third party objectors to the development have suggested the potential for the existing retail floorspace at the application site to be occupied by alternative retailers should be modelled as part of the retail assessment. However the Council's retail consultant has indicated that, in their opinion, in the context of the extant position, and, crucially the controls proposed such an assessment is unnecessary in determining the acceptability of the proposals, and officers concur with this position.

8.12.11 The second scenario proposes that the existing retail floorspace at the application site could be repurposed and used to provide additional outlet centre floorspace which would be beyond that envisaged by the current application. The Council's retail consultant has advised that the potential for any such impact would be significantly restricted by the proposed Section 106 obligation which would restrict the subdivision of the existing floorspace so that no units of less than 929 sq.m could be created. There would also be an obligation limiting the area of floorspace that could be used for the sale of non-bulky comparison goods in the existing store. The Council's retail consultant has indicated that even if some of the existing retail floorspace was to be occupied by outlet retailers it is unlikely that this would result in higher trade impacts on nearby town centres given that such retailers would be expected to trade at lower sales densities and draw trade from a wider area than full-price retail operators. The comparative position invited by the Applicant is little different from the extant baseline therefore.

8.12.12 Additional Retail Impact Assessment Sensitivity Testing

8.12.13 Following concerns raised by the Council's retail consultant and third parties, the applicants have undertaken additional Retail Impact Assessment Sensitivity Testing. The RIA Sensitivity Testing applies amended assumptions in relation to trade draw to the application scheme. The additional testing considers the potential for a higher draw of 42.5% from the primary catchment area and 50% from the secondary catchment area and 7.5% from beyond the overall catchment area.

8.12.14 The results of the additional testing, utilising the revised assumptions identified in the above paragraph were in a 'worst case' scenario, whereby the two designer outlet schemes draw no trade from one another the RIA Sensitivity Testing indicates that the cumulative trade impacts of the proposed development on Grantham Town Centre in 2025 would be -5.26%, -5.72% for Melton Mowbray Town Centre and -6.79% for Newark Town Centre. In reality it is implausible that there would be no trading interactions between the two outlet facilities that could be developed at Grantham and the Council retail consultants have indicated that a cumulative impact scenario whereby both designer outlet centres trade at 25% below benchmark levels is far more realistic.

8.12.15 Taking account of the 'worst case' scenario even though it is highly unlikely that both outlet developments would be constructed, operate at full capacity and have no trading impact on one another it is still considered that the proposed development would not result in significant adverse impacts in terms of the criteria set out in paragraph 89 of the NPPF and would not significantly impact the vitality and viability of adjacent town centres, subject to the control measures outlined in this report being imposed on any planning consent.

8.12.16 Concern has also been raised in relation to the design and layout of the proposed scheme and the future relationship between the full price and outlet retail provision proposed at the site. A key component of this argument is that the application scheme will not be attractive to premium outlet operators due to its design and its proximity to the full –priced and middle-market outlet retail offer currently provided by Downtown and Boundary Mills. Buckminster and Rioja, promoting the King31 site, have therefore indicated that in their opinion the proposed development would not be capable of operating as a 'Tier 1' designer outlet centre that is capable of attracting the premium brands.

8.12.17 The applicant's agent has responded along with Freeport Retail who are working in partnership with Oldrids & Downtown to deliver the proposed development. They have indicated that they are confident that they can deliver a scheme which will be attractive to 'Tier 1' retailers. Freeport have indicated that they have a proven record of delivering retail outlet centres across Europe. Most recently The Village in Villefontaine, France which opened in May 2018.

8.12.18 The applicant's agent has also pointed out that the development at Cheshire Oaks sits immediately adjacent to full price retail and has worked successfully.

8.12.19 The Council's retail consultant has indicated that they have some sympathy with the view of third party objectors that the delivery of two 'Tier 1' developments at Grantham would not be a commercially viable proposition. However Rioja have acknowledged that 'it is not the function of the UK planning system to regulate market competition issues and that if the two schemes were similar it could be considered right to grant permission for both and 'let the market decide'. However Rioja go on to set out why the schemes should not be considered comparable. Notwithstanding this, both the development proposed at the King 31 site and the development the subject of this application will require significant investment to be implemented and investors will be aware of the planning restrictions placed on both schemes. It is the Council's retail consultant's opinion that in reality only one of the schemes is ever likely to be implemented, built and let and that it will be the most commercially viable of the two proposals which is ultimately developed.

8.12.20 Notwithstanding this point both officers and the Council's retail consultants are satisfied that appropriate controls have been recommended to ensure that the proposed retail development at the site would operate in the manner envisaged regardless of whether the King 31 development is delivered.

8.12.21 With regard to the proposed controls, concern has been raised in relation to the proposed 'no poaching clause' which would form part of the S106 obligations. A 'no poaching clause' was imposed on the planning permission for the designer outlet village at the King 31 site. This prevents any retailer present within Grantham Town Centre from occupying space within the proposed development unless they commit to maintaining a Town Centre presence whilst they occupy a retail unit on the King 31 site. In the case of this current application it is proposed that the 'no poaching' clause will apply to the town centres at Grantham, Newark and Balderton, and that the town centre retailers would only be able to occupy space within the proposed development if they commit to maintaining a town centre presence for at least five years. The clause would relate to both the existing retail building and the proposed new DOC development.

8.12.22 Some of the objections have raised concerns about the proposed wording of this clause, in particular the fact that it would be limited to a 5 year period. The applicant's agent has indicated that the proposed approach has been endorsed as lawful by recent planning decisions and case law including the High Court decision in *R (Skelmersdale) v West Lancashire BC [2016] EWHC 109 (Admn)* and the Scotch Corner Designer Outlet Village decision of the Secretary of State. Given that similar worded restrictions, including the 5 year time period, have been used and upheld in law it is considered that the proposed wording can be considered an acceptable mechanism for controlling the proposed development, including the minimum five year time limit which is considered to be proportionate and to act as a considerable deterrent to the relocation of existing town centre retailers. The Council's Retail Consultant has considered the use of a 5 year period

and in the context of this proposal considers that to be acceptable. It is therefore considered that such a restriction should form part of the suite of planning controls and that this should apply to both the existing floorspace as well as the proposed designer outlet centre.

8.12.23 In addition to the above, the objection from Buckminster also included a legal opinion from Bill Hicks QC in relation to the proposed application, to which the promoters have provided advice from Richard Harwood QC. The Council's own legal advice has been sought which has concluded that there is no in principle objection to the favourable determination of this application. That determination is essentially based upon a series of planning judgments which are discussed within this report. Moreover it is important to remember that there is a commercial motivation behind the competing representations, in particular some degree of caution has to be applied to the complaints of the operator of the consented scheme that a rival scheme cannot be controlled to operate in a similar way. Officer's view is that that similar controls are proposed in both cases. Accordingly the counsel's own legal advice is that there is no legal impediment to the grant of permission in this case based upon the representations founded upon Mr Hick's opinion.

8.13 Conclusion on the Impact Assessment

8.13.1 The application has been assessed on the basis of the 'worst case' scenario in retail impact terms where both the King31 and the Downtown designer outlet centres are constructed and operated and sensitivity testing has also been carried out. This assessment has taken into account the third party objections to the development and the additional information and addendums provided by the applicant. Whilst there has been criticism of the submitted supporting information the Council's consultants and Officers are nonetheless satisfied that a robust assessment has been undertaken.

8.13.2 Taking all of the above into account and the specialist advice provided by the Council's retail consultants PBA, Officers concluded that the proposal would not significantly harm the vitality or viability of any existing retail centres. The proposed development would support and enhance Grantham's status as a sub-regional centre and growth point. The proposals therefore comply with the requirements of the NPPF and Policy E2 of the adopted Core Strategy.

8.13.3 In terms of the emerging local plan, Policy GR4 relates to Grantham Town Centre and requires a sequential approach to the location of retail development and a retail impact assessment for developments for main town centre uses outside of the town centre. In this respect the emerging policy is similar to that of the current adopted policy.

8.13.4 Whilst it is unlikely that two large DOCs aimed at high-end retailers and brands in close proximity would be commercially viable (it is likely that the market will deliver only one of the schemes) nonetheless the Council is obliged to carry out the assessment on the basis of both DOCs being fully operational and consider their cumulative effects, since that prospect cannot be ruled out.

8.14 Socio-economic considerations

8.14.1 The applicant has submitted a Socio-Economic Impact Statement and a subsequent Addendum Assessment in support of the application. The study considers the net social and economic impacts of the proposed development, and specifically seeks to quantify the:

- Direct retail impact in terms of additional local retail jobs;
- Direct employment impact from new local jobs from other uses in the development;
- Indirect / wider social and economic impacts from the scheme; and
- Temporary construction jobs enabled through the scheme.

8.14.2 The Socio-Economic Impact Statement seeks to establish a baseline socio-economic position for the local area. The main findings were:

- “South Kesteven’s predominant industry is wholesale and retail trade and repair of motor vehicles and motorcycles;
- Wage levels for those living in South Kesteven are lower than those living in the East Midlands or in Great Britain more generally;
- Those working in South Kesteven have lower wages than those who work in the Wider Impact Area (North Kesteven District, Newark & Sherwood District, Rutland Unitary and Melton Borough), the East Midlands and Great Britain;
- Unemployment in South Kesteven is lower than in the East Midlands and nationally;
- The number of people claiming work related benefits in South Kesteven is also lower than both the East Midlands and the national average;
- Overall, South Kesteven’s population is less skilled than that of the East Midlands and Great Britain; and
- A greater number of people are travelling out of South Kesteven to find work than are travelling in.”

8.14.3 The applicant’s socio-economic report highlights the importance of construction jobs to the national economy in terms of helping to drive the economic growth and improve productivity. The report indicates that as construction employment is very mobile and often involves large construction companies, it is likely that a large proportion of the construction job will be filled by people outside of the local area (50%). The development is likely to generate 480 construction jobs. As a result the net local construction jobs per annum for the build period would therefore be 240 over 2.5 years.

8.14.4 In terms of direct employment benefits it is estimated that the proposed development will generate approximately 1,300 Gross Additional Full Time Equivalent (FTE) jobs. This equates to 1,730 gross additional total jobs (i.e. full and part time). The report states that Oldrid & Co have a demonstrable record of recruiting and retaining local employees (currently 90% in this location). Given this record it is assumed that there will be 10% leakage of the jobs outside of the district.

8.14.5 Taking the above into account and relevant displacement and multiplier effects the Addendum Socio-Economic Impact Assessment indicates that the development would result in an estimated net additional FTE jobs figure of 1,239 and a net additional total jobs figure (full & part time) of 1,648 within South Kesteven.

8.14.6 In terms of wider benefits the report indicates that there is significant ‘leakage’ of spend to DOCs outside of the Primary Catchment Area, including Bicester Village Outlet, East Midlands Designer Outlet, Springfields Outlet Shopping Centre and York Designer Outlet. The provision of a high quality DOC in Grantham would therefore facilitate competition with other DOCs and help ‘clawback’ some of this spend. The report also indicates that Designer Outlet Centres have a proven track record of attracting tourists and it is expected that the application scheme will target the tourist market with its marketing mix. . Although no specific data has been provided at this stage it is considered extremely likely that some visitors will make linked trips to Grantham and other nearby towns and therefore helping to support the local economy further by spending on the other attractions in the area.

8.14.7 The proposals also include a new Training Academy which aims to support the development of local residents and businesses. The Training Academy will introduce opportunities for further learning and career development and will be provided in association with local educational establishments and business. Grantham College has confirmed that they have been in discussion with the applicants and that they fully support the proposals. The Training Academy would be secured via a planning obligation.

8.15 Conclusion on Socio-Economic considerations

8.15.1 The Council appointed AMION Consulting to undertake a review of the applicant’s Socio-Economic Impact Statement and its Addendum. Amion have advised that overall the Socio-Economic Impact Statement (October 2017) report combined with the Addendum Note (March 2018) provides a reasonable and fair assessment of the potential benefits from the proposed scheme.

8.15.2 Whilst it is difficult to definitively determine the likely socio-economic impacts of a development of this nature it is considered that there are reasonable prospects that the proposed scheme would provide the following socio-economic benefits:

- Up to 240 net local temporary construction jobs per year over the 2.5 year construction period
- Up to 1,239 full time equivalent or 1,648 total (full & Part-time) local jobs
- The opportunity to clawback spend currently 'leaked' to other Designer Outlet Centres outside of the district
- Increase tourism and visitor footfall to the local area
- Enhance the image of Grantham as a retail, leisure and visitor destination
- Provision of start-up office accommodation to support small businesses
- Planning obligations for town centre improvements within Grantham
- Educational links via the development of the Training Academy

8.16 Landscape and Visual Impact

8.16.1 Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

8.16.2 Paragraph 130 of the NPPF also states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

8.16.3 Policy EN1 of the adopted Core Strategy seeks to ensure that development proposals are appropriate to the character of the area in which they are to be situated and sets out a list of 14 criteria by which all development proposals are to be assessed against.

8.16.4 Chapter 8 of the supporting ES assesses the effects of the proposed development upon the surrounding landscape and visual environment. The assessment notes that with regard to the Council's Landscape Character Assessment (2007) the site lies on the boundary between the Trent & Belvoir Vale LCA and the Grantham Scars and Valleys LCA.

8.16.5 The Council's Landscape Character Assessment considers the sensitivity of the Trent & Belvoir Vale LCA and states that:

“The landscape of the Trent and Belvoir Vale is medium to large in scale, with a simple and sometimes weak landscape pattern. There are few woodlands, which ensures open views are possible. Powerlines and the A1 ensure human influences. There are few landscape features of intrinsic sensitivity.

Landscape sensitivity to new employment and residential proposals is likely to be medium. Whilst the landscape itself contains relatively few sensitive features, there is little structure to help assimilate new development. Woodlands and trees in the landscape are typically associated with the settlement, so new development assimilated within existing settlement edges, could be mitigated by appropriate landscape proposals in keeping with the established character.”

8.16.6 The Council’s Landscape Character Assessment considers the sensitivity of the Grantham Scarps and Valleys LCA stating the following:

“The Grantham Scarps and Valleys character area is a complex area influenced by the surrounding character areas, and depending on the topography, landscape and human influences. The landscape is generally small in scale, and areas of particular sensitivity includes the historic Belton Park and the wooded and parkland slopes to the east of the town. There are some areas closer to the edge of town, containing little of intrinsic landscape interest that would offer the scope for development. New development and associated landscape planting could soften some of the existing hard urban edges to the town. Other areas are of medium sensitivity because of the landscape elements, visibility or general character. These areas may offer some scope for development if sensitively designed and mitigated. The plan at Figure 17 shows a broad area of sensitivity to new employment and residential purposes. Sensitivity would range from low to high, depending on the nature of the site, and the scale and type of the development proposal. In general terms new development should avoid the higher valley slopes, and should not establish new built development on the skyline.”

8.16.7 The application site is identified in the LCA as having a Low-Medium landscape sensitivity for employment and residential development.

8.16.8 The proposed development would be located within an established area of development, namely the A1 Triangle. The proposal would not extend beyond the built edges of the A1 Triangle and would not introduce any new features that are not already characteristic of this area. Although this is only an outline application the application is accompanied by parameter plans which show that the proposed development will be in scale and character with the existing built form.

8.16.9 The ES notes that the construction phase of the development will result in some adverse temporary effects upon the visual amenity of the area due to the movement of construction traffic and associated works, together with a general disruptive immediate environment leading to a loss of tranquillity. In terms of the effect of the construction phase upon the landscape character of the area it is considered that the perceived effects will be localised to the site and its immediate setting. It is considered that the construction phase of the development will not significantly harm the character or sensitivity of the surrounding area. The supporting ES does acknowledge that the proposed construction works will give rise to some adverse effects upon the receiving landscape and visual environment, however these will be localised and for a temporary period.

8.16.10 The operational phase of the proposal would result in development located within an established area of development, namely the A1 Triangle. The proposals would not extend the prevailing built edges of the development in this area and would not introduce any feature that are not already characteristic of the development. The site is located at the bottom of the scarp slope that separates Grantham and Great Gonerby from the wider vale to the north. The proposals will therefore be viewed within the context of existing development and would not harm the prominent elevated landscape immediately to the north of the settlements.

8.16.11 Conclusion on landscape and Visual Impact

8.16.12 The proposed development replaces existing built form and garden centre trade areas with new contemporary built form and landscaped areas of public realm and parking. Although this is an outline application with the final detail design matters reserved for subsequent approval the parameter plans demonstrate that the scale and type of development would not appear out of character with the existing industrial and commercial development in the area. There are no significant landscape features of note on the site currently and the proposed development would provide an opportunity for improved landscaping across the site, which would help to soften the proposed built form. Overall it is considered that the proposal will not result in significant harm to the landscape character or visual environment and would provide opportunities for high quality design solutions which could enhance the visual amenity of the area. The proposed development would therefore comply with the requirements of the NPPF and those of Policy EN1 of the Core Strategy.

8.17 Ecology

8.17.1 Paragraphs 170 to 183 of the NPPF provide guidance and advice on how local planning authorities should consider conserving and enhancing the natural environment as part of the plan making and decision making process. Paragraph 175 of the NPPF advises that local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

8.17.2 Policy EN1 of the adopted Core Strategy relates to the protection and enhancement of the character of the district and states that all development proposals and site allocations will be assessed in relation to amongst other things biodiversity and ecological networks within the landscape.

8.17.3 The submitted ES considers and assess the likely significant impacts of the development on the environment in respect of ecology and nature conservation. The assessment has confirmed that there is one statutory protected site within 2km of the development site. Allington Meadows Site of Special Scientific Interest (SSSI), located approximately 1.53km to the west of the site. No non-statutory sites were identified within the 2km radius search area.

8.17.4 The application site is currently significantly developed and is occupied by the existing Downtown Store and Garden Centre, a distribution centre and a significant area of hardstanding used for car parking. There are a number of hedgerows running along the site boundaries.

8.17.5 The ES indicates that a limited range of birds was observed during the survey. No Species of Principal Importance for the conservation of biodiversity in England were recorded at the site. It is however noted that there is a small risk of Species of Principal Importance potentially breeding at the site boundaries e.g. dunnock or song thrush.

8.17.6 It was also noted that a range of common birds are likely to nest in areas of trees and ornamental shrubs within the site and also potentially within the buildings, although the buildings have been assessed as having negligible potential for nesting birds.

8.17.7 All of the built structures have been assessed as having negligible or zero potential to support bat roosts. This is based on the absence of any features likely to support bat roosts such as gaps at eaves or beneath roof tiles etc. All of the trees on the site were also assessed as having negligible to zero potential to support bat roosts.

8.17.8 There was no evidence of badger activity observed at the site.

8.17.9 A total of ten water bodies have been identified within 500m of the site. The assessment indicates that Great crested newts could potentially breed in six of the identified waterbodies and small numbers of great crested newts could potentially occur within the application site. The assessment does however note that given the amount of large buildings on the site, the actively used car parks and extensive areas of hardstanding the potential is significantly limited. Based the absence of previous records of great crested newts within 500m of the site and the distance between the site and the waterbodies the ES indicates that there is a low risk of great crested newts occurring within the site.

8.17.10 In order to mitigate the small potential for great crested newts being affected by the proposed development it is recommended that a condition requiring further survey work to be undertaken prior to any development taking place. If great crested newts were to be found mitigation measure such as amphibian-proof fencing and pitfall trapping could then be used under licence from Natural England to exclude the newts from the development site.

8.17.11 Conclusion on Ecology

8.17.12 The submitted ES indicates that the proposed development is unlikely to result in any significant adverse impact on the local ecology. Natural England has raised no objections to the proposed development. The development will not result in any significant impact on the local ecology and there will not be any significant cumulative impacts with other development in the area. Subject to the inclusion of a condition being imposed to mitigate the small potential for great crested newts to be found on the site it is considered that the development would comply with the relevant guidance contained in the NPPF and the requirements of policy EN1 of the Core Strategy.

8.18 Drainage

8.18.1 Section 14 of the NPPF (paragraphs 148-169) provides guidance on how planning can help meet the challenge of climate change, flooding and coastal change. Paragraph 157 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

8.18.2 Policy EN2 of the adopted Core Strategy indicates that planning permission will not normally be granted for development, in areas identified as being at risk from flooding.

8.18.3 The ES is supported by a Flood Risk Assessment and Sustainable Drainage Statement which assess the potential effects of the proposed development on water and drainage, including flood risk. The assessments indicate that the whole of the site is located within Flood Zone 1, and is considered to be at low risk from flooding. Much of the site is identified to be at very low surface water flood risk, although there are areas of low to high risk across the site, particularly along the western edge of the site.

8.18.4 The ES has identified that the proposed construction phase has the potential to result in some moderate adverse impacts prior to any mitigation measures being implemented. These are, however, considered to be temporary and short to medium in length. Some of the potential impacts noted include compacting of the soil which can reduce infiltration rates, suspended soils entering the water course, pollutants from construction vehicles operating during the construction phase.

8.18.5 During the implementation phase and prior to any mitigation measures being implemented it is considered that the increased impermeable surfacing has the potential to have a minor adverse impact on the surface water runoff regime at the site. In order to mitigate these issues the ES recommends that a Construction Environmental Management Plan (CEMP) is prepared which sets out detailed methodologies and monitoring requirements to prevent any adverse effects on the water environment. It is therefore recommended that the CEMP is secured via a planning condition if this application is approved.

8.18.6 The submitted Sustainable Drainage Strategy states that as this is an outline application an illustrative water strategy has been prepared to demonstrate that the necessary drainage parameters can be accommodated within the development. It is proposed that a 30% reduction in the site's runoff rates will be provided, reducing the rate at which water is released into the wider catchment area. Water will be attenuated at the site prior to discharge using Sustainable Drainage Systems with storage provided up to the 1 in 100 year plus climate change event. The applicants have indicated that permeable paving will be used across the parking areas. In addition bio-retention tree pits may also be located across the car park to add additional treatment, and amenity/ecological benefits.

8.18.7 Conclusion on Drainage

8.18.8 The Environment Agency, Anglian Water and the Lead Local Flood Authority have been consulted on the application and advised that subject to the inclusion of conditions securing detailed designs for the proposed surface and foul water drainage system they have no objections to the proposed development.

8.18.9 Given the existing nature of the site and that the proposed surface water drainage scheme would provide a betterment in limiting the runoff from the site, it is considered that the development complies with the guidance within the NPPF and the requirements of policy EN2 of the adopted Core Strategy.

8.19 Ground Conditions

8.19.1 A Phase I Ground Investigation has been submitted in support of the ES. The assessment has concluded that the proposed development is unlikely to pose any significant risk of significant harm to potential end users of the site or the controlled waters environment. However there is potential for contamination to be present at the site. It is therefore recommended that a Phase II ground investigation is undertaken and that further monitoring and risk assessments are undertaken at the detailed design stage. This can be controlled via the imposition of a condition requiring a phase II study to be undertaken prior to any development commencing on site. Subject to a condition being attached to any consent it is considered that the development is unlikely to result in any significant risk from ground contamination.

8.20 Transport and Access

8.20.1 The NPPF states in paragraph 108 states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be- or have been – taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

8.20.2 Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

8.20.3 Paragraph 111 states that all developments which generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

8.20.4 The Environmental Statement submitted in support of the application includes a section on Transport and Access and this has been prepared in conjunction with a Transport Assessment and a subsequent Addendum and Technical Notes (from now on these documents will be referred to cumulatively as the TA) undertaken by PTB Transport Planning Ltd on behalf of the applicants.

8.20.5 The indicative master plan shows a total of 1,979 parking spaces on site. This includes a four-level multi storey car park consisting of 1,020 parking spaces and 959 surface parking spaces. 11 coach parking bays are also proposed within the site. Provision will also be made for a new enhanced bus service between the site and Grantham Town Centre, cycle spaces and provision of electric vehicle charging spaces.

8.20.6 The existing eastern access to the site is taken from Occupation Lane in the form of a ghost island right turn. The proposed development will maintain this access. It is, however, proposed to amend the layout of the junction so that priority is given to traffic movements between Occupation Lane North and the site, with the southern section of Occupation Lane giving way. The dominant flow at the junction will be in and out of the proposed development site. As a result, the proposed improvements will assist the operation of the junction and help ensure queues and delays do not occur on the highway network.

8.20.7 Palmer Road is accessed via Occupation Lane and currently provides access for delivery vehicles to the existing garden centre and an adjacent industrial unit. It is proposed that Palmer Road will still provide access for delivery vehicles as part of the new development.

8.20.8 The existing northern access which takes the form of a roundabout junction will remain as is, with access to the site being available from the A1 southbound on-slip and Allington Lane East. Egress from the site in this location will be available via Allington Lane East. This entrance will also provide access to the service yards for the retail units located towards the north of the site.

8.20.9 The submitted Transport Assessment (TA) assessed the capacity of the following junctions:

- Eastern Access – Occupation Lane priority junction
- Northern Access – roundabout junction with Allington Lane East/Service station access
- Allington Lane East/B1174, left in, left out priority junction
- Occupation Lane/B1174 roundabout junction
- B1174/A1 southbound off-slip/on-slip roundabout junction
- B1174/A1 northbound off-slip/on-slip roundabout junction
- B1174/Belton Lane priority junction

8.20.10 The assessment of the highways impacts also considered the cumulative impact of other proposed or committed developments in and around Grantham including the Spitalgate Heath development - 3,700 dwellings, Poplar Farm - 1,800 dwellings, Manthorpe – 400 dwellings and the King31 DOV amongst others.

8.20.11 The TA indicates that the majority of the junctions would continue to operate within capacity when the development traffic was added to the network in the assessment year of 2031. Increase in delays and queues are predicted to be minimal and in most cases unlikely to

be perceptible to existing users of the junctions. With the exception of the B1174/Belton Lane junction, the maximum increase in delay during any peak period was predicted on Allington Lane East junction with the B1174, where an increase of 28 seconds per vehicle was predicted. It is generally considered that this will result in a negligible impact on driver delay.

- 8.20.12 The B1174/Belton Lane Junction is located to the south of the site, just north of Great Gonerby. The TA shows that this junction is already operating close to capacity. When base traffic was growthed to a future assessment year of 2031, and committed development traffic added to the network, the junction was predicted to operate well beyond capacity even before the development traffic is added. When the proposed development traffic was added this further increased the potential for queues and delays at the junction. The TA indicates that during AM peak periods (08:00-9:00), it is predicted that delays on Belton Lane would increase by 282 seconds per vehicle when development traffic is added to the network (from 1424 seconds to 1706 seconds in 2031). This is predominantly because the junction is already operating close to capacity.
- 8.20.13 In order to mitigate the impacts of the development on the B1174 junction an improvement scheme in the form of a three-arm traffic signal junction is proposed. Following the development, the proposed mitigation scheme would significantly reduce queues and delays on the Belton Lane arm of the junction. The TA predicts the future AM peak delays for the assessment year 2031 as 1,706 seconds per vehicle, when the development traffic was added to the existing junction. However, it is predicted that the proposed mitigation scheme will reduce the average waiting time to 31 seconds per vehicle.
- 8.20.14 The TA acknowledges that the proposed traffic signal scheme would require through traffic on the B1174 to stop, in order to release traffic from Belton Lane and that this would result in some dis-benefits in terms of delays to through traffic. However it considered that these would be outweighed by the benefits of reducing queues and delays on Belton Lane. The local highway authority has raised no objections to the proposed junction improvements subject to them being secured via a planning condition.
- 8.20.15 In addition to the above, the A1/A52 eastern and western junctions were also assessed in terms of traffic capacity. Both these junctions are proposed to be improved as part of the requirements for the DOV on the King31 site approved under application S17/1262. The applicants have had on-going discussions with Highways England with regard the capacity of these junctions. The impact of this current application on these junctions needs to be considered on its own and cumulatively with other development commitments.
- 8.20.16 Highways England has confirmed that they are satisfied that the proposed development traffic can be accommodated within the A52/A1 eastern junction mitigation scheme as proposed by the committed King31 DOV development approved under application S17/1262. The proposed mitigation includes a traffic signal arrangement. A cumulative assessment has been undertaken and demonstrates that the proposed Downtown DOC will not have a material impact on the operation of the proposed junction. Highways England has requested that if this application is approved a condition be attached to secure the junction and traffic signal improvements.
- 8.20.17 The development is predicted to have an impact on the western A1/A52 junction and therefore additional mitigation measures are proposed at this location. The mitigation takes the form of a proposed three arm traffic signal junction. This would mitigate the cumulative impact of the development at this junction. Highways England have confirmed that the proposed scheme is considered acceptable and that it will mitigate the future impacts of the proposed development.
- 8.20.18 As this is an outline application the applicants have provided a broad schedule of the vehicles and the likely number of movements within the Environmental Statement. Given the nature and scale of the site the TA indicates that it is unlikely that the volume of HGVs arriving at the site in the construction period would exceed the volume in the operational period and that if they did this would be for a limited period.

8.20.19 It is estimated that 20 to 100 construction employees will be on site at any one time during the construction phase. The number of vehicles arriving and leaving on a daily basis will be significantly lower than during the operational phase of the development. It is therefore considered that the construction traffic is only likely to result in a temporary minor impact.

8.20.20 To reduce the impact of the construction phase it is recommended that if the development is approved a condition should be attached requiring a Construction and Environmental Management Plan (CEMP) to be submitted. The CEMP would include:

- a) The overall strategy for managing environmental impacts which are likely to arise during the construction phase;
- b) Management of construction traffic and access/haul routes and parking;
- c) Storage of plant and materials used in constructing the development;
- d) A Site Waste Management Plan (SWMP) setting out a scheme for sorting/recycling/disposing of waste from construction works;
- e) A signage strategy for construction traffic.
- f) The parking of site operatives and visitor's vehicles;
- g) Loading and unloading of plant and materials;
- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) Wheel cleaning facilities;
- j) Measures to control the emission of water pollution, sediment, dust and dirt during construction;
- k) Working hours for earthworks and construction shall be restricted to between 07:00-20:00 Mondays to Fridays, 08:00-18:00 Saturdays and Sunday / Bank Holiday working unless pre-planned and agreed in writing with the Local Planning Authority.
- l) Community liaison initiatives;
- m) No open fires.
- n) Identification of the times when major items of plant and equipment are to be transported to and from the site;
- o) Identification of procedures for the notification and conveyance of indivisible 'out of gauge' loads. This includes any necessary measures for the temporary protection of carriageway surfaces; for the protection of statutory undertakers' plant and equipment; and for the temporary removal of street furniture;
- p) Description of the methods of transport to be used by personnel to minimise overall traffic impact on the corridor leading to the construction site;
- q) Proposals for communicating information to South Kesteven District Council, Lincolnshire County Council and Highways England.
- r) Details of any lighting to be used during the construction phase

8.20.21 The CEMP will therefore include a routing strategy for construction vehicles to ensure that they arrive and depart via the A1, therefore minimising the potential impact on residential areas.

8.20.22 Although this is an outline application the proposed masterplan illustrates that the development would provide a total of 1,979 parking spaces. 959 would be surface spaces and 1,020 spaces would be provided in a new multi storey car park across four levels. Provision would also be made for 11 coach parking spaces, cycle storage and a new bus stop facility would be provided to improve links to Grantham and the surrounding area. The enhancements to the existing bus service would be secured via a S106 planning obligation. The proposal also includes electric vehicle charging points.

8.20.23 A draft travel plan has been submitted with the application which seeks to help promote sustainable modes of transport including car sharing initiatives, improved facilities to promote cycling and walking, and promoting the use of public transport. Lincolnshire County Council has been consulted on the draft travel plan and suggested some amendments. The local highway authority has raised no objections to the proposed development subject to the final details of the travel plan been secured via a Section 106 agreement.

8.20.24 A number of concerns have been raised relating to the impact of the development on the road network and concerns that the development will result in a significant increase in additional traffic running through the surrounding villages. The Council has consulted with the Highways England and the local highway authority and they have both raised no objections to the proposed development. The ES also proposes a comprehensive signing strategy for the site on the A52/A1 and at the Moto Services roundabout in order to mitigate any potential impacts of traffic using alternative routes through the neighbouring villages, in particular Allington.

8.20.25 In relation to the potential impact on residential amenity from increase traffic the ES indicates that the proposed development is likely to have a negligible impact.

8.20.26 The objection letters from Buckminster and Rioja raise concerns about the accuracy of the Transport Assessment and its updates submitted in support of the application. Buckminster have appointed Mayer Brown as highway consultant to review the application and support their objections to the proposed development. There comments are set out in appendix E. The key concerns can be summarised as follows:

1. The Environmental Assessment is significantly flawed as it does not demonstrate that the period of greatest environmental impact has been assessed.
2. Baseline data for surrounding roads has not been collected in a typical “neutral” month. Consequently the EA is based on potentially skewed data.
3. By assessing a future year of 2031, the EA fails to consider the year of greatest impact (which would be the year of opening).
4. The “Grantham Designer Outlet Village” vehicle trip attraction has simply been copied from the Rioja scheme for the Applicant’s transportation assessment without any justification as to why this is appropriate.
5. The development will result in a significant shortfall in proposed parking at the site, which will lead to overspill parking occurring on the surrounding highway.
6. It has not been demonstrated that the servicing provisions are adequate, which could result in unsafe manoeuvring/loading of HGVs.

8.20.27 In response to the objections from Buckminster and Rioja the applicants provided additional information to address the points raised above. Highways England and the Local Highway Authority have raised no objections to the proposed development, subject to conditions being attached to any consent. Highways England has confirmed that the base line data has been collected in June 2017, which, in accordance with DfT’s TAG Unit M1.2 – Data Sources and Surveys, represents a neutral month for data collection. Highways England has also confirmed that the trip distribution used in the assessment is suitable and appropriate for the purposes of assessing the development’s impact on the Strategic Road Network. The supporting EIA and Addendums to it have been independently reviewed by the Highway Authority, Highways England and the Council’s Consultants Barton Wilmore all of which are satisfied with the Environmental Assessment. The site is currently used by HGV’s and it is considered that a reserved matters application would be able to accommodate for the safe manoeuvring and loading of HGVs. The proposed assessment have taken account of relevant parking considerations and the Local Highway Authority is satisfied with the proposed parking provision. Having considered each of the above points therefore, none are considered to be well founded.

8.20.28 In addition the Local Highway Authority has confirmed that in their opinion the level of parking proposed is appropriate for the mix of uses proposed at the site and that there can be cross use of spaces. It is also considered that issues relating to service vehicle movements can be suitably controlled at the reserved matters stage.

8.20.29 Conclusion on Transport and Access

8.20.30 In conclusion, taking into account the cumulative impacts of the development it is considered that subject to the proposed mitigation measures being secured by way of planning conditions and a S106 planning obligation the proposed development can be

considered acceptable in highway safety terms. Highways England and the local highway authority have been consulted on the proposed development and the accompanying ES and Transport Assessment and they have both raised no objections to the application. It has been demonstrated that effects have been satisfactorily mitigated and that the residual cumulative impacts on the road network arising from the development will not be severe and as such the development complies with the requirements of the NPPF and policy SP3 of the Core Strategy.

8.21 Air Quality, Dust & Odour

- 8.21.1 The ES considers the impacts of the development on air quality in the area. An addendum to the air quality assessment was produced in order to take account of the cumulative impacts of the development taking into account the King31 DOV (S17/1262) and the residential development of 480 dwellings approved at Manthorpe (S15/3189). The ES has considered the Grantham Air Quality Management Area (AQMA) which is described as 'Manthorpe Road, Wharf Road, High Street and London Road'. The proposed development is located approximately 3.7km north-west of the AQMA. As such it is considered that there is potential for vehicles travelling to and from the site to increase pollution levels in this sensitive area.
- 8.21.2 The ES has concluded that during the construction phase of the proposed development there is potential for air quality impacts as a result of dust emissions from the site. It is considered that this can be suitably mitigated through the use of a condition requiring a Construction and Environmental Management Plan to be approved and implemented.
- 8.21.3 The ES indicates that the proposed development will not have any significant impacts in relation to air quality. However measures are proposed in order to help mitigate the potential impacts for the development occurring due to road traffic exhaust emissions associated with vehicles going to and from the site. The measures include the implementation of a Travel Plan, improvements to public transport, walking and cycling including provision of secure cycle parking and the provision of electric car charging points. In addition, it is also recommended that conditions are attached in order to control odour abatement systems installed into the proposed A3 units.

8.21.4 Conclusion on Air Quality, Dust & Odour

- 8.21.5 The Council's Environmental Protection Team has raised no objections to the proposed development. The development would comply with the requirements of policy EN1 of the adopted Core Strategy it is therefore concluded that the development will not have a significant detrimental impact on air quality or result in any significant adverse pollution from dust or odours subject to the mitigation measures outlined above being secured via conditions.

8.22 Noise and Vibration

- 8.22.1 The ES considered the potential for noise and vibration impacts to arise as a result of the proposed development. The likely noise impacts from the development on nearby sensitive receptors are likely to result from, changes in traffic flows on surrounding roads; on-site commercial operational activities and fixed plant; and construction activities (including vibration).
- 8.22.2 Given the separation distances between the proposed site and the nearest residential property it is considered that the development will not result in any significant impacts resulting from vibration and as such no specific mitigation measures are required.
- 8.22.3 Although this is an outline application with the final detailed design of the buildings reserved for subsequent approval the noise assessment has indicated that some of the proposed units will require acoustically upgraded glazing in order to achieve desired internal noise levels. The noise assessment has also confirmed that no additional mitigation is required with regard to road traffic noise increases affecting existing sensitive properties in the area.

8.22.4 Conclusion on Noise and Vibration

8.22.5 The submitted noise assessment has demonstrated that the proposed development will not result in any significant adverse impact on adjacent sensitive receptors by way of noise or vibration from the proposal. The Council's Environmental Protection Team has considered the proposed application and supporting information and has raised no objections to the proposed development. It is however considered appropriate to attach conditions to any consent to ensure that suitable noise mitigation measures are implemented at the detailed design stage. General noise mitigation measures could include locating noisier commercial uses further from residential properties, restrictions on the operational hours, controls of noise limits from plant and equipment and the installation of acoustic barriers and screening if necessary. As already indicated above a condition requiring a Construction Environmental Management Plan is recommended and this will ensure noise from the proposed construction phase of the development is suitably mitigated. The proposals comply with the requirements of policy EN1 of the Core Strategy.

8.23 Utilities Infrastructure & Waste

8.23.1 Chapter 15 of the supporting Environmental Statement considered the effects of the proposed development in terms of existing utility infrastructure. The likely significant effects associated with the construction phase of the proposed development are considered to be temporary. The construction process is likely to give rise to a range of waste including from demolition spoil, soils, packaging, and liquids such as dirty water and fuel. The applicants have indicated that where possible materials arising from the demolition of buildings and breaking up of hard surfaces would be recycled and reused on-site or alternatively transferred to a licensed recycling facility. It is also intended to require the implementation of a Site Waste Management Plan (SWMP) via a condition in order to ensure that waste from the site is dealt with in accordance with best practice and relevant environmental management systems. The SWMP would set out procedures to sort, reuse and recycle construction waste helping to mitigate any impacts from the development.

8.23.2 Due to the size of the development Weston Power Distribution have confirmed in writing to the applicant that reinforcement works will be required to the existing high voltage infrastructure present along the site's eastern boundary on Occupation Road, within the site and along Palmer Road. A new substation will also be required on site to serve the proposed development. Western Power Distribution estimate the costs of this work to be approximately £86,829.12.

8.23.3 Cadent has been consulted and confirmed that there are Low or Medium pressure (below 2 bar) gas pipes and associated equipment within the vicinity of the site. They have confirmed they have no objections to the proposed development.

8.23.4 The submitted ES indicates that 3.5km of off-site reinforcement works will be required to the local clean water network. Anglian Water has estimated the total cost of these works at approximately £634,000.00. A 225mm foul sewer runs across the centre of the site from Palmer Road to the B1174. The indicative plans show that the site can be developed without impacting on this sewer and as long as a suitable protection zone is provided the development will not have any significant impact on the foul sewer.

8.23.5 Anglian Water has been consulted and advised that the existing waste water treatment works have capacity to accommodate the proposed development. Although they have raised some concerns about the flood risk and the proposed drainage strategy they have confirmed that this can be controlled by way of conditions being attached to any consent in order to ensure that there is suitable mitigation of surface water & foul water drainage from the site. The Environment Agency and Lead Local Flood Authority and raised no objections to the proposed arrangements.

8.23.6 Conclusion on Utilities Infrastructure & Waste

8.23.7 In conclusion it is considered that the proposed development will not result in any significant adverse impacts on existing or proposed utilities infrastructure or waste subject to the imposition of conditions to ensure that any impacts are suitably mitigated. The proposals comply with the requirements of policy EN2 of the Core Strategy.

8.24 Minerals and Waste

8.24.1 The proposed development is located in close proximity to an existing waste site (Grantham Waste Transfer Station - south of Occupation Road) which is safeguarded by Policy W8 (Safeguarding Waste Management Sites) of the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies, adopted June 2016.

8.24.2 Policy W8 states that the County Council will seek to safeguard existing and allocated waste management facilities from redevelopment to a non-waste use and/or the encroachment of incompatible development unless alternative provision in the vicinity can be made in accordance with the development plan; or it can be demonstrated that there is no longer a need for a waste facility at that location.

8.24.3 This safeguarded waste site also sits within a larger area of land allocated as a waste site in Policy SL3 of the Lincolnshire Minerals and Waste Local Plan: Site Locations document, adopted December 2017 (allocation reference WS17-SK Vantage Park, Gonerby Moor). The Minerals and Waste Planning Policy Team have therefore requested that appropriate consideration is given to the need to safeguard these existing and allocated waste sites in line with the requirements of Policy W8.

8.24.4 Conclusion on Minerals and Waste

8.24.5 The applicant has demonstrated through the submission of additional information which has been considered by the local minerals and waste authority that the proposed development will not result in any adverse impact on the operations of the existing waste site or impact on the wider site allocated under policy SL3. The local minerals and waste authority, Lincolnshire County Council has confirmed that they have no objections to the proposed development subject to conditions securing the implementation of noise mitigation measures. Officers therefore considered that the proposed development will not prejudice the operation of the adjacent waste site, subject to the imposition of conditions as requested by the County Council.

8.25 Lighting

8.25.1 Section 15 of the NPPF deals with Conserving and Enhancing the Natural Environment. Paragraph 180 of the NPPF states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or wider area to impacts that could arise from the development. In doing so they should, amongst other things, limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

8.25.2 Policy EN1 of the Core Strategy states that all development proposals will be assessed, amongst other things in relation to any potential impacts resulting from light pollution. In the absence of any other specifically relevant policy the applicants have also referred to Policy SAP3 'Supporting Local Business in Local Service Centres' which states that within, or on the edge of, Local Service Centres proposals for the expansion of existing employment development will be supported provided that the proposals meet all of the following criteria (for the purpose of this section of the report, only the points relating to light and light pollution have been listed):

- The proposed development will not negatively impact on existing neighbouring land uses through, noise, traffic, light and pollution impacts.

8.25.3 Whilst the site cannot be considered to be on the edge of Great Gonnerby for the purposes of policy SAP3. The assessment does take into account all necessary material planning considerations and in particular the requirements of policy EN1 of the Core Strategy, which indicates that all development proposals will be assessed in relation to light pollution.

8.25.4 The proposed development will feature external lighting in order to ensure a suitable safe environment for visitors and staff at night. A Light Impact Assessment has been submitted to support the application and the ES, in order to ensure that the lighting from the proposed development does not cause unacceptable impacts to nearby residential and non-residential receptors. The baseline measurements indicate that the existing area is well lit with an average after dark illuminance of 5.37 Lux on the perimeter. There are a number of commercial and industrial units on Occupation Lane and Palmer Road which are already well lit with a similar baseline lighting level to the site boundary.

8.25.5 As this is an outline application an indicative lighting scheme has been used to assess the potential impacts from the development. The design uses lighting with 0% upward lighting to minimise sky glow and promote a Dark Skies policy. A column height of 8 m was also used for the assessment.

8.25.6 The applicants have modelled the likely impacts of an indicative lighting scheme and this demonstrates that the light spillage from the development is predicted to be negligible at all potentially sensitive receptor locations. Light increase due to spillage from the development is considered to be minimal with a maximum increase of 3.48 Lux at measuring point 12 adjacent to Richmond House Furniture store to the south east of the site. This is due to the proximity of the column mounted luminaires for the car park but this is not considered to be a particularly sensitive location as there are only a few windows in the existing unit facing the site and these would be illuminated during trading hours when the proposed lighting would be in operation.

8.25.7 Conclusion on Lighting

8.25.8 The Council's Environmental Protection Team has been consulted and raised no objections to the proposed development. It has been demonstrated that the proposed development will not result in any significant adverse impacts as a result of light pollution. The proposals are therefore considered acceptable subject to the imposition of a condition requiring detailed lighting plans to be submitted prior to any development taking place. Subject to the imposition of conditions it is considered that the proposed development would comply with the requirements of policy EN1 of the Core Strategy and that any potential light pollution could be suitably mitigated such that the development would have a negligible effect on the surrounding area.

8.26 Heritage

8.26.1 The Environmental Statement which accompanies the planning application contains a section on the heritage impacts of the development. The application site does not contain any heritage assets. However the surrounding villages do have designated Conservation Areas and/or contain numerous Listed Buildings. There are also three Historic Parks and Gardens within the study area. The assessment has therefore focused on the setting of heritage assets in their wider surroundings and whether the proposed development will affect how these assets are experienced (and therefore their heritage significance) as a result of any changes to their setting.

8.26.2 When considering whether to grant planning permission for developments which affect a listed building or its setting, Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving the building or its setting. Similarly Section 72 of the Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

8.26.3 Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

8.26.4 Paragraph 195 of the NPPF states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or all of the following apply:

- The nature of the heritage asset prevents all reasonable uses of the site; and
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefits of bringing the site back into use.

8.26.5 Paragraph 196 of the NPPF makes it clear that where development proposals will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal.

8.26.6 Paragraph 197 of the NPPF indicates that the effect of an application on the significance of non-designated heritage assets should also be taken into account when determining planning applications. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

8.26.7 In addition to the above requirements Policy EN1 of the Core Strategy establishes that all applications should be considered in terms of their impact on 14 criteria including:

1. statutory, national and local designations of landscape features, including natural and historic assets
2. local distinctiveness and sense of place
3. historic character, patterns and attributes of the landscape
4. the layout and scale of buildings and designed spaces
5. the quality and character of the built fabric and their settings
6. the condition of the landscape
7. biodiversity and ecological networks within the landscape
8. public access to and community value of the landscape
9. remoteness and tranquillity
10. visual intrusion
11. noise and light pollution
12. Conservation Area Appraisals and Village Design Statements, where these have been adopted by the Council
13. impact on controlled waters
14. protection of existing open space (including allotments and public open space, and open spaces important to the character, setting and separation of built-up areas)

8.26.8 The EIA Scoping Opinion for the development noted that there are no heritage assets in the immediate vicinity of the site, but that there is potential for the development to impact those in the wider area such as Belvoir Castle, St Peter's Church at Foston, and Allington and Great Gonerby Conservation Areas. Having regard to the Scoping advice a study area approximately 5km from the site was adopted, with Belvoir Castle identified as the only heritage asset beyond the study area that is potentially affected by the proposed development.

8.26.9 The analysis demonstrates that for all of the examined heritage assets, the proposed development has no material adverse effect on their setting, and therefore none on their

significance. This is mainly on account of the fact that the identified heritage assets fall well outside of the development's zone of visual influence. The effect on the significance of the examined heritage assets is therefore considered to be Neutral in all cases.

8.26.10 The analysis does identify a visual connection between the application site and the Grade I listed Belvoir Castle, which is located approximately 9 km to the southwest of the site. This is on account of the Castle's hilltop location, making it a visible landmark across an extensive area within the Vale of Belvoir. Notwithstanding this the application site forms a very minor component within the panoramic views from the Castle and from vantage points within its extensive grounds. The assessment notes that the redevelopment of the site is unlikely to be a discernible change in the outlook and therefore concludes that the proposed development will have a neutral impact on the significance of Belvoir Castle and the Registered Park & Garden and that overall the proposed landscaping works could result in a negligible positive impact overall.

8.26.11 Conclusion on Heritage

8.26.12 The Council's Conservation Officer and Historic England have raised no objections to the proposed development. The application site is located within an existing employment area and would be viewed alongside the existing industrial units and the A1. The development will not result in any harm to the significance of nearby heritage assets and therefore complies with all relevant statutory requirements, advice contained within the NPPF and the requirements of Policy EN1 of the Core Strategy.

8.27 Residential Amenity

8.27.1 Section 12 of the NPPF set out how the government's approach to achieving well designed places and states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. At a local level Policy EN1 of the Core Strategy seeks to protect and enhance the character of the district and protect the amenities of the occupiers of existing and proposed developments.

8.27.2 The site is located within an existing employment land allocation and has a long established retail use. There are a number of large industrial warehouses adjacent to the site as well as a petrol filling station and hotel. The A1 trunk road is also located directly to the west of the site. There are three residential properties located adjacent to the application site boundary. Shady Nook which is located on the eastern edge of the site just north of the Occupation Lane access point, The Croft which is located to the north west of the roundabout junction between the B1174 and Occupation Lane and Homelands which is located to the north of the existing distribution centre accessed of Allington Lane East.

8.27.3 The site is already used for retail and distribution purposes and therefore already has a significant number of visitors. The proposed development will however significantly increase the number of visitors coming and going from the site. The submitted ES has demonstrated that the increase in traffic movements will not result in any significant additional noise and disturbance to the nearest properties.

8.27.4 Furthermore, as already detailed in this report the ES has demonstrated that any potential impacts from the proposed development relating to lighting, noise, air pollution, contamination and flood risk can all be suitably mitigated through the imposition of conditions.

8.27.5 Conclusion on Residential Amenity

8.27.6 It is therefore concluded that the development will not result in any significant adverse impacts on residential amenity and complies with the requirements of the NPPF and the relevant policies contained in the Development Plan.

9.0 Proposed Section 106 Obligations

9.1 The Council's adopted Planning Obligations SPD helps to ensure development proposals make a positive contribution to sustainable development by providing social, economic and environmental mitigation measures. The SPD seeks to ensure that contributions are sought from development where there is a recognised need to mitigate the impact of the proposal. Section 106 Planning Obligations must be in accordance with the Community Infrastructure Regulations 2010 and the relevant test for planning obligations. Regulation 122 sets out the relevant tests and states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligations is:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

9.2 Policy SP4 of the Core Strategy states that the Council will enter into planning obligations with developers to secure the provision of (or financial contributions towards) infrastructure and community benefits which the council considers are necessary in conjunction with development. The policy goes on to reiterate the planning obligation tests as set out in the CIL Regulations.

9.3 The applicant's submitted a list of draft S106 heads of terms as part of the application submission and following the Council's assessment, the following obligations are proposed:

9.4 **Tourist Information and Visitor Centre** – This will secure a 62 sqm unit on the site which will be used to support tourism initiatives, help to promote town centre events and to encourage tourists and visitors to extend their stay and visit Grantham town centre and the surrounding area. This will help to secure some of the benefits of linked trips from visitors coming to the development.

9.5 **Pop-up Shop** – A pop-up shop will be provided as part of the development in order to enable Grantham town centre retailers to be showcased and help promote the retailers within the town centre.

9.6 **Improved Bus Service** – The existing bus service to the site from Grantham town centre will be enhanced by way of increased frequency with one service every 30mins during the peak periods and one service every hour during off peak periods in order to provide improved sustainable transport connections between the site and Grantham town centre. This will provide improved sustainable public transport links between the site and the town centre enabling visitors and staff to access the site without relying on the private motor vehicle. This links in with the proposed Travel Plan details set out below.

9.7 **Travel Plan** – A detailed Travel Plan for both staff and visitors will be secured in order to help promote sustainable modes of transport and reduce the dependency on the car. A contribution of £1000 per annum would also be secured in order to ensure that the Travel Plan is effectively monitored.

9.8 **Directional Signage** – A contribution of £30,000 will be made towards improving directional signage and car park signage in the town centre. This will help to mitigate some of the potential impacts on Grantham town centre by promoting linked trips and improving signage facilities within the town centre.

9.9 **Car Park Signage** – A contribution of £150,000 is sought in order to provide improved live car parking signs within 5 car parking sites within Grantham. This will help to improve facilities in the centre helping to mitigate some of the impacts of the proposed development.

9.10 **Tourism Initiatives** – A contribution of £75,000 is required towards the promotion of tourism activities within Grantham town centre.

- 9.11 **Tourism Manager** – A contribution of £75,000 towards the employment and functions of the Grantham Town Centre tourism manager
- 9.12 **Town Centre Improvements** – A contribution of £150,000 towards Grantham town centre improvements in order to help improve facilities and the public realm in the town centre.
- 9.13 **A Retail Skills Academy** – The provision of a retail skills academy on site or a contribution of £65,000 in order to deliver learning and development programmes in association with local educational establishments and businesses. This will help to secure socio-economic benefits helping to address some of the skills issues within the district relating to the development.
- 9.14 **Occupancy Restrictions** – The proposed S106 will also include an occupancy requirements clause in order to ensure that the development takes the form of a ‘tier 1’ DOC ensuring that the development is only occupied by high end retailers. This is a crucial requirement as this is the basis on which the application has been assessed and is necessary to ensure that the DOC development does not operate as a direct rival to the town centre. A no poaching clause will also be required to ensure that no retail units are occupied by a retailer which occupies a retail unit in Grantham town centre, Newark or Balderton unless that retailer has submitted to the Local Planning Authority (and had approved) a scheme which contains a binding commitment on the retailer to retaining their presence as a retailer within that town centre. Such scheme shall require the retailer to continue to operate from Grantham town centre, Newark or Balderton for a period of five years.
- 9.15 **Restrictions on the existing Downtown Store** – In order to ensure that the existing store continues to operate on a similar bases and in line with the way in which the impacts of this development proposal have been assessed it is necessary to place controls on the existing store. These include restrictions to ensure that it is not sub-divided into smaller units and to prevent any significant increase in the proportion of floorspace that can be used for the sale of non-bulky comparison goods. A no poaching clause similar to that outlined above would also be required in relation to the existing store.
- 9.16 Appendix F set out the Council’s assessment of the measures proposed for the planning obligation against the CIL Regulation 122 tests and should be read in conjunction with this section of the report.
- 9.17 For the reasons set out in the appendix, it is considered appropriate and necessary to enter into a S106 planning obligation in order to ensure that the proposed mitigation measures of the proposed Designer Outlet Centre are secured and delivered.
- 9.18 The above required obligations are all considered to comply with the requirements of the Community Infrastructure Regulations 2010, in particular regulation 122 relating to the relevant tests for securing obligations and regulation 123 which restricts the pooling of obligations.

10.0 Conclusion and Planning Balance of the Principle of Development

- 10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the statutory position for the determination of planning applications and requires that proposals are determined in accordance with the development plan unless material considerations indicate otherwise.
- 10.2 The development would be contrary to the requirements policy E1 of the 1995 local plan which is still a saved policy. However saved policy E1 has been superseded in relation to the application site by the publication and adoption of the South Kesteven Site Allocation and Policies DPD (SAP) and cannot be viewed to be up to date. The Site Allocations and Policies Plans show that employment allocation E1.1 of the 1995 Local Plan deleted and replaced by Policy SAP5 (ExE LSC1) which now identifies the application site as part of a wider locally important existing employment site, and precludes non-employment uses

within such areas unless certain criteria have been met. It is considered that whilst the proposal complies with the general aims of the policy it is recognised that there is some tension with its criteria, in particular the reduction in the overall supply and quality of employment land and premises within the area, such that the policy is considered to be breached. The application has been advertised as a departure to the development plan given that tension.

- 10.3 Although the site is located outside of Grantham to the north of Great Gonerby at Gonerby Moor it is considered to function as part of the Grantham economy and it is considered that the development of a Designer Outlet Centre at the application site would help to support and strengthen Grantham's role as a Sub-Regional Centre. The development can therefore be considered to comply with the wider aims of policy SP1 of the Core Strategy even though the site is not located within or on the edge of the town itself.
- 10.4 With regard to policy SP3 of the core strategy which relates specifically to sustainable integrated transport the supporting ES has demonstrated that the traffic impacts from the proposal can be suitably mitigated through the use of conditions and a planning obligation. A number of junction improvements will be undertaken as part of the development and a Travel Plan will also be secured. Contributions will also be made to improve the signage and car parking within and around Grantham Town Centre as well as to enhance the existing bus service between the site and the town centre.
- 10.5 With regard to Policy EN1 of the adopted Core Strategy and taking into account the information contained in the supporting ES it is considered that subject to appropriate mitigation measures being secured through planning conditions, the proposed development will not result in any significant adverse impacts on the visual amenity of the area, pollution for light and noise or have any significant adverse impacts on the local ecology and heritage assets.
- 10.6 The site is considered to be at low risk of flooding and subject to conditions the proposed development is considered to be able to comply with the requirements of policy EN2 of the core strategy relating to reducing the risk of flooding from developments.
- 10.7 With regard to Policy E1 of the core strategy and policy SAP5 of the SAP it is noted that although the site is allocated for employment land the majority of the site has been used for retail purposes for the last 20 years. The application complies with the primary requirements of both policy E1 & SAP5 as it has been demonstrated that the redevelopment of the site would not be detrimental to the overall supply and quality of employment land within the district, albeit that it is judged that there is tension with some of the criteria of the policy. Specifically it has not been demonstrated that the site is vacant and no longer appropriate or viable as an employment allocation. The development would also result in a reduction in the overall supply of employment land in the area.
- 10.8 It is however considered that the development will deliver wide economic regeneration benefits to the site and surrounding area that outweigh any harm caused by the small reduction in the overall supply of employment land within the district. The significant benefits the scheme would deliver include the creation of up to 240 local temporary construction jobs per year over the 2.5 year construction period; up to 1,239 full time equivalent local jobs; the opportunity to clawback spend currently 'leaked' to other Designer Outlet Centres outside of the district; increase tourism and visitor footfall in the District by enhancing the image of Grantham as a retail, leisure and visitor destination; provide start-up office accommodation to support small businesses; help to deliver educational and skills improvements via the development of the Training Academy or the through the provision of a contribution to support the delivery of a training scheme targeted at assisting residents of the District to develop the skills and experience required to secure a job or apprenticeship in the retail or fashion or leisure industry and finally provide improvements to Grantham town centre as part of a comprehensive S106 planning obligation.

- 10.9 In relation to policy E2 of the adopted core strategy which relates to retail development and chapter 7 of the NPPF, the applicants have undertaken a detailed retail impact assessment which has been independently reviewed by the Council's professional retail consultants. A detail sequential assessment looking at alternative sites has been undertaken and reviewed and it is considered that there are no sequentially preferable site for the development. It is considered that the development would help to strengthen Grantham as a Sub-Regional Centre.
- 10.10 The proposed development would be contrary to policies E1 and SAP5 as detailed above and therefore represents a departure from the adopted development plan. Whilst the departure is limited to the employment policy section of the plan it is still considered to be contrary to the plan as a whole and in particular the criteria set out in policy E1 of the Core Strategy and policy SAP5. However, it is considered that the significant benefits which arise from the development identified at 10.8 above would nonetheless outweigh the policy conflict (having regard to the balance of harm and benefits) and therefore it is recommended that permission should be granted subject to the necessary referral to the Secretary of State.
- 10.11 In assessing this application and coming to these conclusions the Council has had regard to the submitted Environmental Statement, associated appendices and addendums as required by Regulation 3 and Regulation 26 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and the information submitted is considered acceptable in principle. The imposition of conditions and obligations will be necessary to ensure that the environmental effects of the proposed development are mitigated where necessary. The conditions are set out in the recommendation section of this report.
- 10.12 In reaching this conclusion officers have also had regard to the requirements of the Equalities Act 2010.

11.0 Crime and Disorder

- 11.1 It is considered that the proposal would not result in any significant crime and disorder implications.

12.0 Human Rights Implications

- 12.1 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.
- 12.2 It is considered that no relevant Article of that act will be breached.

13.0 Recommendation:

- 13.1 Defer to the Chairman or Vice-Chairman in consultation with the Head of Development Management for approval subject to the provision of a S106 planning obligation in accordance with the requirements set out within this report, final approval of the conditions below and providing that the Secretary of State does not call the application in for determination. Where the S106 planning obligation has not been provided prior to the Committee, a period not exceeding six months after the date upon which the Secretary of State has confirmed that the application will not be called in shall be set for the completion of that obligation.
- 13.2 In the event that the S106 planning obligation has not been submitted within the six month period and where, in the opinion of the Head of Development Management, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused planning permission for appropriate reason(s) on the basis that the necessary criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

14.0 Proposed Conditions

Defined Terms Used in This Decision:

“Enabling Works” include surveying, environmental and hazardous substance testing and sampling (including the making of trial boreholes, window sampling and test pits in connection with such testing and sampling), soil tests, remediation works, pegging out, tree protection, ecological survey and mitigation works, archaeological investigation, demolition and removal of buildings and other structures, not otherwise controlled by conditions.

“Retail Outlet Units” means any unit constructed within the area shown coloured pink on the Land Use Parameter Plan (drawing Number 16-1007-(08)AZ-00009).

Time Limit for Commencement

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters, whichever is the latter.

Reason: In order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 Details of the reserved matters set out below shall have been submitted to the Local Planning Authority for approval within three years from the date of this permission:
 - i. layout;
 - ii. scale
 - iii. appearance
 - iv. landscaping

Approval of all reserved matters shall have been obtained from the Local Planning Authority in writing before any development is commenced and the Development shall be carried out in accordance with the reserved matters as approved.

Reason: To enable the Local Planning Authority to control the development in detail and in order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

- 3 The development hereby permitted shall not be carried out except in accordance with the approved drawings and plans as set out below:
 - 16-1007-(08)AZ-00001C - Location Plan
 - 16-1007-(08)AZ-00002 - Existing Site Plan
 - 16-1007-(08)AZ-00003A - Block Plan (in respect of the position of the access only)
 - 16-1007-(08)AZ-00004A - Masterplan (in respect of the position of the access only)
 - 16-1007-(08)AZ-00009 - Parameters Plan - Land Use
 - 16-1007-(08)AZ-00010B - Parameters Plan - Building Heights
 - 16-1007-(08)AZ-00011 - Parameters Plan - Primary Circulation
 - 16-1007-(08)AZ-00012 - Parameters Plan - Landscaping

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

4. The development hereby approved shall not be carried out until a Construction Phasing Scheme has been submitted to and approved in writing by the Local Planning Authority.

The development shall only be implemented in accordance with the approved Construction Phasing Plans

Reason: In order to ensure that the construction phase of the development does not have any significant adverse impact on the local environment or residential amenity, in accordance with policy EN1 of the adopted South Kesteven Core Strategy 2010.

Before the Development is Commenced

- 5 No development hereby approved shall commence (other than Enabling Works) until details of the materials to be used for the external surfaces of the buildings forming part of the development have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the works are sympathetic to the visual amenities of the locality and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

- 6 No development hereby approved shall commence (other than Enabling Works) until a scheme detailing the external hard and soft landscaping and arboricultural works, including planting, works to existing and retained trees and hedges, fencing, walls, surface treatment and construction details, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the works are sympathetic to the site and surroundings, to enhance the biodiversity of the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

- 7 No development hereby approved shall commence (other than Enabling Works) until a programme detailing the phasing and timing of the delivery of the approved hard and soft landscaping works pursuant to Condition 6 has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the works are sympathetic to the site and surroundings, to enhance the biodiversity of the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

- 8 No development hereby approved shall commence (other than Enabling Works) until the signage strategy for the development including vehicular directional signage, has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a cohesive sign provision within the site, in the interests of visual amenity and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

- 9 No development (other than Enabling Works) shall commence until a comprehensive scheme for lighting of the external areas of the application site and proposed buildings

has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) updated lighting impact assessment taking into account the detailed design proposals;
- b) details of lighting of and luminance from buildings, store windows, service areas, car parks, under floor zones, signage and advertising boards;
- c) Measures to minimise light pollution or obtrusive light external to the development; and
- d) Timetable of the implementation of the approved lighting.

Reason: In order to provide a cohesive lighting provision within the site, in the interests of visual amenity and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

10 The development hereby approved shall not commence until, details of tree and hedge protection measures (in accordance with BS5837 (2012) Trees in Relation to Design, Demolition and Construction-Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate protection to retained trees and hedges and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

11 The development hereby approved shall not commence (other than Enabling Works) until details of the on-site public transport facilities and infrastructure have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide adequate infrastructure and facilities for public transport to serve the development.

12 No Enabling Works shall take place until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority in relation to those Enabling Works. No development (other than Enabling Works) shall take place under this planning permission until a CEMP has been submitted to and approved in writing by the Local Planning Authority.

The relevant CEMP shall include but not be limited to:

Enabling Works:

- a) The overall strategy for managing environmental impacts which are likely to arise during the construction phase;
- b) Management of construction traffic and access/haul routes and parking to and from the site, including monitoring and enforcement measures;
- c) Location of contractors compounds and method of moving materials, plant and equipment around the site;
- d) A Site Waste Management Plan (SWMP) setting out a scheme for sorting/recycling/disposing of waste from construction works; and
- e) A signage strategy for construction traffic.

Construction (in addition to a) - e):

- f) The parking of site operatives and visitor's vehicles;
- g) Loading and unloading of plant and materials;
- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) Wheel cleaning facilities, including any other methods of prevention of mud being carried onto the highway;

- j) Identification of the times when major items of plant and equipment are to be transported to and from the site;
- k) Identification of procedures for the notification and conveyance of indivisible 'out of gauge' loads. This includes any necessary measures for the temporary protection of carriageway surfaces; for the protection of statutory undertakers' plant and equipment; and for the temporary removal of street furniture;
- l) Description of the methods of transport to be used by personnel to minimise overall traffic impact on the road network leading to the construction site;
- m) Proposals for communicating information to the local planning authority, Lincolnshire County Council and Highways England.
- n) Access and protection arrangements around the site for pedestrians, cyclists and other road users during construction;
- o) Details of any temporary traffic restrictions
- p) Measures to control the emission of water pollution, sediment, dust and dirt during construction;
- q) details of a dust management plan setting out how dust will be controlled during the construction phase of the development
- r) Working hours for earthworks, demolition and construction shall be restricted to between 07:00-18:00 Mondays to Fridays, 08:00-13:00 Saturdays and No Sunday / Bank Holiday working unless pre-planned and agreed in writing with the Local Planning Authority.
- s) Community liaison initiatives, including identification of a dedicated point of contact;
- t) No open fires.
- u) Details of any lighting to be used during the construction phase
- v) Ecological restrictions and considerations including:
 - a. Any removal of trees, scrub or hedgerow shall not take place in the bird-breeding season between March and August inclusive, unless a mitigation scheme for the protection of bird-nesting habitats has been submitted to and approved in writing by the Local Planning Authority.
- w) Drainage control measures including the use of oil interceptors and bunds;
- x) Heights of storage areas for materials or equipment

Reason: To ensure the development is carried out to minimise the impact on the environment.

13 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority to include details of works for the disposal of foul water drainage.

Reason: To prevent flooding, pollution and detriment to public amenity through the provision of suitable water infrastructure.

14. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas shall be constructed until the works for the disposal of surface water identified in the approved surface water management strategy have been carried out in accordance with the surface water strategy approved by the Local Planning Authority].

Reason: To prevent environmental and amenity problems arising from flooding.

15 No part of the development hereby approved (other than the Enabling Works) shall commence until details of the proposed play areas and a scheme for their ongoing maintenance and management have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a cohesive plan for the play areas within the site, in the interests of visual amenity and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

16 No part of the development hereby approved (other than Enabling Works) shall commence until details of crime prevention measures shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to minimise the risk of crime.

17 No part of the development hereby approved shall commence until a scheme relating to the survey of the land for contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i. A desk top study documenting all the previous and existing land uses of the site and adjacent land;
- ii. A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study;
- iii. A detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring; and
- iv. The nomination of a competent person to oversee the implementation of the works.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010) and national guidance contained in the NPPF.

18 No part of the development hereby permitted shall commence until details of all surface water drainage matters have been submitted to and approved in writing by the Local Planning Authority in consultation with Highways England. The development shall be carried out in accordance with the approved scheme.

The applicant should note that in accordance with paragraph 50 of Circular 02/2013, no water run-off that may arise due to any change of use will be accepted into the highway drainage systems, and there shall be no new connections into those systems from third party development and drainage systems.

Reason: To ensure that the A1 and A52 Trunk Roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

19 No part of the development hereby permitted shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority in consultation with Highways England. The development shall be carried out in accordance with the approved plan.

Reason: To ensure that the A1 and A52 Trunk Roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting

from traffic entering and emerging from the application site and in the interests of road safety.

- 20 No part of the development hereby permitted shall commence until details of the boundary treatment adjacent to the A1 Trunk Road boundary have been submitted to and approved in writing by the Local Planning Authority in consultation with Highways England. The approved boundary treatment shall thereafter be constructed in accordance with the approved plans, and maintained in perpetuity.

Reason: To ensure that the A1 and A52 Trunk Roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

- 21 No part of the development hereby approved shall commence on site until a scheme for protecting the proposed training centre and retail units from external noise has been submitted to and approved in writing by the local planning authority. Where acoustic glazing is required, as identified in the accompanying Environmental Statement, precise details of the proposed glazing shall be submitted as part of the scheme.

Reason: To ensure that the proposed development does not have a detrimental impact on the future operations of adjacent industrial units and to protect the future occupiers of the proposed buildings, in accordance with policy EN1 of the Core Strategy.

- 22 No part of the development hereby approved shall commence until further surveys have been undertaken to investigate the potential for great crested newts to be present on or in the vicinity of the site, in accordance with the recommended mitigation measures set out in paragraphs 9.7.2 - 9.7.5 of the supporting Environmental Statement October 2017 and such surveys have been submitted to and approved by the Local Planning Authority. If the approved surveys confirm the presence of great crested newts details of the proposed mitigation measures and the timing for their implementation shall also be submitted to and approved in writing by the local planning authority prior to the commencement of any development. The agreed mitigation measures shall be implemented in accordance with the implementation timetable approved by the local planning authority.

Reason: To protect the local wildlife in accordance with the requirements of the NPPF and Policy EN1 of the adopted South Kesteven Core Strategy 2010.

- 23 Before the development hereby permitted is commenced, plans showing the existing and proposed land levels of the site including [site sections, spot heights, contours and the finished floor levels of all buildings] with reference to [neighbouring properties/an off site datum point] shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

During Building Works

- 24 The tree and hedge protection measures approved by the Local Planning Authority pursuant to Condition 10 shall be fully implemented before the construction of the development and retained during the construction of the development.

Reason: To ensure that the trees and hedges to be retained are protected during development, to enhance the biodiversity of the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

25 The CEMP for the development approved by the Local Planning Authority pursuant to Condition 12 shall be fully implemented and complied with throughout the Enabling Works and construction of the development, as appropriate.

Reason: To ensure the development is carried out to minimise the impact on the environment.

26 The arboricultural work forming part of the development shall be carried out fully in accordance with the details approved by the Local Planning Authority pursuant to Condition 6 including the approved timetable forming part thereof and to the standards contained in BS 3998 Tree Work & BS 5837 Trees in Relation to Construction.

Reason: To ensure adequate management to retained trees and hedges and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

Before the Development is Occupied

27 The development shall be carried out in accordance with the details of external surfaces approved by the Local Planning Authority pursuant to Condition 5 before the use commences.

Reason: To protect the visual amenities of the locality and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

28 The development shall be carried out in accordance with the landscaping details approved by the Local Planning Authority pursuant to Condition X.

Reason: To ensure that the works are sympathetic to the site and surroundings, to enhance the biodiversity of the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

29 The landscape works for the development approved by the local Planning Authority pursuant to Condition 6 shall be carried out in accordance with the programme approved by the Local Planning Authority pursuant to Condition 7.

Reason: To ensure that the works are sympathetic to the site and surroundings, to enhance the biodiversity of the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

30 The signage strategy for the development approved by the Local Planning Authority pursuant to Condition 8 shall be fully implemented and delivered in accordance with the approved details prior to the development being first brought into use and thereafter shall be so maintained.

Reason: In order to provide a cohesive sign provision within the site, in the interests of visual amenity and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

31 No development shall be occupied until a scheme has been submitted to and approved in writing by the local planning authority for a signage strategy to

discourage drivers from using Gonerby Lane and Allington Road. The approved scheme shall be fully implemented either before the development is first brought into use or in accordance with a phasing programme approved by the local planning authority as part of the approved scheme.

Reason: To ensure safe access to the site and avoid excessive traffic through Allington and Sedgebrook in the interests of residential amenity, convenience and safety.

32 The lighting scheme approved by the Local Planning Authority pursuant to Condition 9 shall be fully implemented and delivered in accordance with the approved details and in accordance with the timetable approved by the Local Planning Authority as part of that scheme and shall thereafter be so retained.

Reason: In order to provide a cohesive lighting provision within the site, in the interests of visual amenity and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

33 No part of the development shall be used or occupied until the works identified on drawing number T17569/004 or any minor variation thereof as specified by the local planning authority in conjunction with the local highway authority to improve the public highway (by means of signalisation of Belton Lane/Newark Hill junction) have been certified complete by the Local Planning Authority.

Reason: In the interests of safety of the users of the public highway and safety of the users of the site.

34 The on-site public transport facilities and infrastructure identified in the details approved by the Local Planning Authority pursuant to Condition 11 shall be fully implemented and delivered in accordance with the details approved by the Local Planning Authority pursuant to Condition 11 prior to the use hereby approved first commencing and shall thereafter be retained and maintained in accordance with the approved details.

Reason: In order to provide adequate infrastructure and facilities for public transport to serve the development.

35 None of the buildings hereby approved shall be occupied or first brought into use until works for the drainage of surface water have been fully implemented and delivered in accordance with the details approved by the Local Planning Authority pursuant to Condition 14 and shall be maintained thereafter.

Reason: To prevent flooding, pollution and detriment to public amenity through the provision of suitable water infrastructure.

36 No buildings or units shall be occupied until the works for the disposal of foul water drainage have been carried out in accordance with the foul water strategy approved by the Local Planning Authority pursuant to condition 13. The approved foul water drainage system shall be maintained thereafter in accordance with the approved details.

Reason: To prevent flooding, pollution and detriment to public amenity through the provision of suitable water infrastructure.

37 The proposed play area shall be laid out and delivered in accordance with the details approved by the Local Planning Authority pursuant to Condition 15 prior to the first use

of any retail unit forming part of the development. The play area shall thereafter be managed and maintained in accordance with the management and maintenance scheme approved by the Local Planning Authority pursuant to Condition 15.

Reason: In order to provide a cohesive plan for the play areas within the site, in the interests of visual amenity and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

- 38 Prior to the first occupation of any unit forming part of the development a Landscape and Environmental Management Plan (LEMP) for the management and maintenance of landscaping, environmental and ecological features across the whole site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure cohesive landscaping, environmental and ecological features are managed in the interests of visual amenity and biodiversity and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

- 39 The development hereby permitted shall not be occupied until the parking and servicing areas forming part of the development including 1% electric car charging points as per para. 7.3.2 of the Transport Assessment have been provided in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority. The parking and servicing areas as approved shall be retained and shall always remain available for those purposes.

Reason: In order to ensure the adequate provision of parking and servicing to serve the development.

- 40 The training centre and retail units hereby approved shall not be occupied until the noise mitigation measures approved by the Local Planning Authority in relation to condition 21 above have been fully implemented.

Reason: To ensure that the proposed development does not have a detrimental impact on the future operations of adjacent industrial units and to protect the future occupiers of the proposed buildings, in accordance with policy EN1 of the Core Strategy.

- 41 The development hereby permitted shall not be occupied until a car park management scheme has been submitted to and approved in writing by the Local Planning Authority. This management scheme shall include methods to control the operation of the car parks including security, opening times and permitted duration of stay.

Reason: To ensure the satisfactory management of the parking for customers and staff in the interests of highway safety.

- 42 No A3 unit hereby permitted shall first be brought into use until details relating to a system for the extraction and filtration of fumes for that A3 unit have been submitted to and approved in writing by the Local Planning Authority and the approved system for that unit has been installed.

Reason: In the interests of amenity.

- 43 No building or unit hereby permitted shall first be brought into use until details of a waste management plan for the operation of the development has been submitted to and approved in writing by the Local Planning Authority. The waste management plan shall thereafter be implemented and the development shall be operated in accordance with the approved plan.

Reason: To ensure adequate measures are in place to minimise the impact of waste and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

44 Before any part of the development hereby permitted is occupied/brought into use, a verification report confirming that remedial works identified in the scheme approved pursuant to condition 17 have been completed shall have been submitted to and approved in writing by the Local Planning Authority. The report shall have been submitted by the nominated competent person approved, as required by condition 17 above. The report shall include:

- i. A complete record of remediation activities, and data collected as identified in the remediation scheme, to support compliance with agreed remediation objectives;
- ii. As built drawings of the implemented scheme;
- iii. Photographs of the remediation works in progress; and
- iv. Certificates demonstrating that imported and/or material left in situ is free from contamination.

The scheme of remediation shall thereafter be maintained in accordance with the approved scheme.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010) and national guidance contained in the NPPF.

45 No part of the development hereby permitted shall be first occupied or used until the improvement works to the A1 / A52 Eastern Junction, as detailed on Systra Drawing No. 106648-SK004 Rev. A have been fully implemented and open to traffic. The approved scheme must comply with the requirements of the Design Manual for Roads and Bridges, including those relating to road safety audit and Walking, Cycling, Horse-Riding Assessment and Review.

Reason: To ensure that the A1 and A52 Trunk Roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

46 No part of the development hereby permitted shall be first occupied or used until the improvement works to the A1 / A52 Western Junction as shown in principle in PTB Drawing Number T17569.102 Rev. B (or as amended by Road Safety Audit or Detailed Design) have been fully completed and open to traffic. The approved scheme must comply with the requirements of the Design Manual for Roads and Bridges, including those relating to Road Safety Audit and Walking, Cycling and Horse-Riding Assessment and Review procedures.

Reason: To ensure that the A1 and A52 Trunk Roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting

from traffic entering and emerging from the application site and in the interests of road safety.

47 None of the buildings or units hereby approved shall be occupied until the existing garden centre and distribution unit on that part of the application site shown in pink and red on drawing 16-1007-(08)AZ-00009 have been demolished.

Reason: The application and supporting Environmental Statement have assessed the impacts of the development on this basis.

48 Before any buildings hereby permitted are occupied/brought into use, the finished floor levels for that building shall have been constructed in accordance with the approved land levels details submitted in relation to condition 23.

Reason: In the interests of the visual amenities of the area and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

Ongoing Conditions

49 The part of the development defined as the Retail-Outlet Units and shown coloured pink on the Land Use Parameter Plan (drawing 16-1007-(08)AZ-00009) hereby approved shall only be used and occupied in accordance with all of the following:

- a) Notwithstanding the provisions of Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Order revoking and re-enacting that Order with or without modification) the Retail Outlet Units hereby approved shall be used for specialist retailing as a Designer Outlet Centre with associated ancillary facilities only and for no other purpose. For the purpose of this condition, specialist retailing and Designer Outlet Centre means clearance stores operated by a) manufacturers; b) retailers who do not directly manufacture but who either own their own brand or retail branded goods; or c) the franchisees or licensees or stockists of such manufacturers or retailers, in each case involving the retail sale of discounted comparison goods, defined as previous seasons stock, run offs, over-runs, samples of branded goods, goods produced for subsequently cancelled orders, market testing lines, rejects, seconds, clearance goods and surplus stock and accessories.
- b) In at least 90% of the floorspace within the Retail Outlet Units that is used for sales to members of the public, any goods offered for sale shall be priced at least 30% below the recommended retail price (RRP) and such goods shall be limited to discounted comparison goods, previous season's stock, run-offs, over-runs, samples of branded goods, goods produced for subsequently cancelled orders, market testing lines, rejects, seconds, clearance goods and surplus stock and accessories.
- c) Within 20 days of the anniversary of the opening of the Retail Outlet Units, if requested by the Local Planning Authority, an annual report shall be submitted to the Council providing information on the occupancy of all units within the Retail Outlet Units part of the development, records of type of goods for sale for all Class A1 units within the site, and compliance with 30% RRP discount pricing.
- d) No Retail Outlet Unit hereby permitted shall be used for the primary retail sale of garden products, computers and software and white goods and no unit hereby permitted shall be occupied as a newsagent, chemists, travel agency, post office, ticket agency (excluding the approved tourist information and visitor centre), hairdressers, bank, or dry cleaners.

Reason: To define the permission and to ensure the retail offer accords with the offer available in Designer Outlet Centres.

50 The maximum amounts of gross internal floor space for each use permitted by the permission shall be limited as follows:

- a) No more than 15,305 sq.m gross internal floor space within the application site is to be used for Class A1 retail uses as part of the Retail Outlet Units ;
- b) No more than 1,252 sq.m gross internal floor space within the application site is to be used for Class A3 restaurant and café uses as part of the Retail Outlet Units;
- c) No more than 1,147 sq.m gross internal floor space within the application site is to be used for storage uses as part of the Retail Outlet Units
- d) No more than 5,574 sq.m gross external floor space within the application site is to be used for Class A1 retail uses as part of the large goods retail unit;
- e) No more than 439 sq.m gross external floor space within the application site is to be used for Class D1 non-residential institutions uses;
- f) No more than 2,096 sq.m gross external floor space within the application site is to be used for Class D2 assembly and leisure uses;
- g) No more than 5,251 sq.m gross external floor space within the application site is to be used for Class B1 office uses;
- h) No more than 5,521 sq.m gross external floor space within the application site is to be used as a garden centre, with no more than 1,393 sq.m gross external display area; and
- i) The remaining floor space shall only be used for the provision of toilet blocks, storage, a Tourist Information & Visitor Centre and uses ancillary thereto.

Reason: To define the permission and to ensure the retail offer accords with the offer available in Designer Outlet Centres.

51 No Retail Outlet Unit either as constructed pursuant to this permission or as a result of any subsequent combination of units, shall exceed 1,200 sq.m gross internal floor space (including any mezzanine floor space).

Reason: To define the extent of the permission and to control retail floorspace.

52 Notwithstanding the provisions of Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Order revoking and re-enacting that Order with or without modification):

- (i) no building or part of any building hereby permitted shall be used for the sale of convenience retail goods, other than confectionary and food and beverage related gifts or within a restaurant or café for consumption on those premises; and
- (ii) no part of the garden centre shall be used for the sale of any convenience retail goods save as permitted by condition 64

Reason: To define the extent of the permission and control the retail floorspace.

53 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) or the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any subsequent Order revoking and re-enacting those Orders, no additional mezzanine floors shall be created within the development (other than as expressly permitted by this permission) and no part of the development shall be used for any Class A2 (financial and professional services, other than automated teller machines), Class A4 (drinking establishments) or Class A5 (hot food takeaway) uses. Notwithstanding the provisions of the Town and Country Planning (General Permitted) Order 2015 (as amended) (or any subsequent Order revoking or

re-enacting that Order) following first occupation of the development no changes of use shall occur.

Reason: To define the extent of the permission and control the retail floorspace.

54 The landscaping, environmental and ecological features across the whole site shall be managed and maintained in accordance with the Landscape and Environmental Management Plan approved by the Local Planning Authority pursuant to Condition 38.

Reason: In order to ensure cohesive landscaping, environmental and ecological features are managed in the interests of visual amenity and biodiversity and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

55 The car parks hereby permitted shall be operated in accordance with the car park management scheme approved by the Local Planning Authority pursuant to Condition 41.

Reason: To ensure the satisfactory management of the parking for customers and staff, in the interests of highway safety.

56 From their installation, the systems for the extraction and filtration of fumes from the A3 units hereby permitted shall be maintained in accordance with the details approved by the Local Planning Authority pursuant to condition 42.

Reason: In the interests of amenity.

57 Any trees or plants which within a period of five years from the date of planting die, are removed or become seriously damaged or diseased, shall be replaced in the following planting season with others of similar size and species

Reason: In order to ensure cohesive landscaping, in the interests of visual amenity and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

58 The A1 retail units hereby permitted shall not be open for business outside the following hours:

Monday	9:30am – 7pm
Tuesday	9:30am – 7pm
Wednesday	9:30am – 7pm
Thursday	9:30am – 9pm
Friday	9:30am – 7pm
Saturday	9:00am – 6pm
Sunday and public holidays	10:00am – 4pm

In addition, notwithstanding the above, the A1 Retail Units hereby permitted will be able to trade up to 10pm on no more than 12 occasions in any calendar year.

Reason: To define the extent of the permission and in the interests of amenity.

59 The opening hours of all A3 units hereby permitted within the area defined as the Retail Outlet Units on drawing 16-1007-(08)AZ-00009 shall be limited to one hour before the retail units hereby permitted open and one hour after closing of the retail units.

Reason: To define the extent of the permission and in the interests of amenity.

60 The development shall not be occupied until the crime prevention measures approved by the Local Planning Authority pursuant to condition 16 have been fully implemented in accordance with the approved details. Thereafter such measures shall be so maintained.

Reason: In order to minimise the risk of crime.

61 The operator of the retail floorspace hereby permitted shall maintain records of the occasions in each calendar year on which extended A1 Retail Units opening hours up to 10pm occurs and shall upon written request from the Local Planning Authority produce these records for the previous 12 months for inspection within 2 calendar weeks of the date of request.

Reason: To ensure compliance with the approved opening hours for the retail units.

62 The use of the large goods retail unit hereby approved shall not be used for the sale of goods and services other than the following:

Core Large Goods Retail Goods and Services limited to:

Glassware; cutlery, table linens; cookshop; gifts; picture frames; clocks; decorative accessories; wallpaper; paint; linens; bathroom accessories; rugs; fabrics; curtains and cushions; blinds and poles; furniture; mirrors; beds and bedroom furniture; home storage; lighting; large electrical items; audio and vision; IT and imaging; and small electrical goods.

With the exception of seasonal goods, no more than 20% of the net indoor floorspace (771 sqm) of the large goods retail unit shall be used for the display of Non-Core Large Goods Retail Goods and Services.

Non-Core Large Goods Retail Goods and Services limited to:

Cleaning; stationery; seasonal goods; nursery goods (including nursery furniture, prams, car seats and nursery related goods); toys; travel goods (including suitcases); beauty stands; skincare and bathing products (excluding make-up and perfume).

An ancillary café to serve retail customers and for no other purpose, including any other purpose within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any subsequent Order revoking and re-enacting those Orders, and in any event no display/sale of any items not identified as Core or Non-Core Large Goods Retail Goods and Services detailed above. There shall also be no display or sale of any clothing, footwear, sporting goods or books other than by way of generic internet sales not specifically referable to this store.

Reason: The justification for this large good retail unit is based only for the sale of the above goods and the associated specific retail impact assessment

63. This consent does not confer approval of the indicative temporary garden centre structure shown on the indicative phasing plans (Drawing 16-1007-(03) SK-00013), which will require the submission of a separate standalone planning application.

Reason: For the avoidance of doubt and as the impacts of such a structure have not been considered as part of this application.

64. The garden centre and external display area to the garden centre hereby approved shall only be used for the sale of the following goods and services:

Core Garden Centre Goods and Services limited to :

(i) Goods and services related to gardens and gardening; (ii) Horticultural products, trees, plants, shrubs, house plants and flowers of any type; (iii) Garden equipment, tools and accessories; (iv) Barbeques and their accessories; (v) Outdoor garden furniture; (vi) Sheds, garden buildings and outdoor garden play equipment; (vii) Fencing, trellis and landscaping materials; (viii) Conservatories; (ix) Conservatory furniture, furnishing and accessories; (x) Swimming pools and associated equipment; (xi) Aquatics, water garden equipment and their accessories; (xii) Books – including gardening, leisure, hobby, travel, sports and coffee table books and other literature other than fiction; (xiii) Soft furnishings; (xiv) Restaurant, coffee shop and children's play area

With the exception of seasonal goods, no more than 30% of the net indoor floorspace (1292 sqm) of the Garden Centre shall be used for the display of Non-Core Garden Centre Goods and Services.

Non-Core Garden Centre Goods and Services limited to:

(xv) Pictures, frames and prints; (xvi) Pets, pet accessories, pet care and advice; (xvii) Hobbies, toys and crafts; (xviii) Baskets, wicker work and country crafts; (xix) seasonal goods; (xx) China, glass and gifts; (xxi) Home table top items and kitchen accessories; (xxii) Outdoor and country pursuits clothing, footwear and equipment e.g. fishing, equestrian, hiking, climbing etc; (xxiii) Camping equipment and supplies; (xxiv) Clothing and footwear; (xxv) Butchers, Delicatessen, Greengrocers, Bakers, Florists and Confectionery.

and for no other purpose, including any other purpose within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any subsequent Order revoking and re-enacting those Orders,

Reason: To define the nature of the approval hereby granted, to control the nature and extent of retail activities

65. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) or the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any subsequent Order revoking and re-enacting those Orders:

(i) no unit hereby permitted shall be occupied as a cinema, bowling centre, music and concert hall, bingo and dance hall, swimming bath or skating rink.
(ii) the part of the application site shown coloured purple on the Land Use Parameter Plan (drawing 16-1007-(08)AZ-00009) shall be used for indoor sports and recreation, Gymnasiums, Training and Tourist information and for no other purpose.

Reason: To define the nature of the approval hereby granted, to control the nature and extent of the D2 uses.

66. The opening hours of the D2 unit hereby permitted shall be limited to one hour before the retail units hereby permitted open and one hour after closing of the retail units.

Reason: To define the extent of the permission and in the interests of amenity.

67. No Part of the development shall be used or occupied until the works as shown in principle on drawing number XX to amended the priority of the junction between the access to the site and Occupation Road (or as amended by detailed design) have been certified complete by the Local Planning Authority.

Reasons: To ensure that the access to the development is provided in accordance with the details submitted as part of the Environmental Statement, in accordance with policy SP3 of the South Kesteven Core Strategy 2010 and the requirements of the National Planning Policy Framework.

Standard Notes(s) to Applicant:

1. In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.
2. The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the County Council as Highway authority and the landowner.
3. The developer's attention is drawn to the attached comments from Cadent in relation to the location of on-site apparatus.
4. The developer's attention is drawn to the attached comments from Lincolnshire Police
5. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
6. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.
7. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.
8. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

Appendix A – Comments from Newark & Sherwood District Council



Castle House
Great North Road
Newark
Nottinghamshire
NG24 1BY

www.newark-sherwooddc.gov.uk

South Kesteven District Council
Development Management
Council Offices
St Peters Hill
Grantham

Telephone: 01636 650 000
Email: planning@nsdc.info
Your ref: S17/2155
Our ref: 17/02120/NPA

Sent via email to:
planning@southkesteven.gov.uk

30 May 2018

Dear Mr Johnson,

Notification of Application

Proposal: Outline planning permission for the erection of a Designer Outlet Centre of up to 20,479 sqm (GEA) of floor space comprising retail units (A1) restaurants and cafes (A3) and storage. Additional large goods retail (5,574 sqm GEA) garden centre (5,521sqm GEA) and external display area for garden centre (1,393 sqm) tourist information and visitor centre, training academy, leisure unit and offices including high-tech hub/start-up offices. Demolition of existing garden centre and sales area and existing warehouse. Improvements to existing Downtown Grantham Store elevations. Reconfigured car-parking and provision of new multi storey car park. Increased coach parking. Access improvements, drainage works, hard and soft landscaping and all ancillary works. All matters reserved with the exception of access.

Address: Downtown Garden Centre Old Great North Road Great Gonerby Lincolnshire

I refer to the above consultation received by this Authority on 16th November 2017 in relation to the above application. Please find below the formal response from NSDC in relation to the above application being considered by your authority at Downtown Grantham.

- (i) Strong objection to the proposed development at Downtown Garden Centre
- (ii) Formally request attendance by both an Officer and elected Member to speak at South Kesteven District Council's Planning Committee to set out the reasons Newark and Sherwood District Council are objecting to the scheme (due to the retail impact on Newark town centre as per advice set out by Carter Jonas as retail consultant to Newark and Sherwood District Council).

PROSPERITY | PEOPLE | PLACE | PUBLIC SERVICE

Background to Newark and Sherwood District Council's (NSDC) objection:

Following the granting of the consent of the King 31 application on Tollemache Road to the south of Grantham NSDC issued a holding objection to the pending Downtown application until such time as Council's retail consultant (Carter Jonas) and colleagues within planning policy could review the submitted information. It was considered that as a standalone application the proposed development would not result in a significant adverse impact on the vitality of the District Centre subject to the imposition of a condition similar to that proposed as part of the recent Thoresby Colliery scheme. The condition relating to retention of retailers in district centres has been the subject of a legal challenge (Skelmersdale Limited Partnership v West Lancashire Borough Council Case No: C1/2016/0625) and was judged to be lawful by Lord Justice Sales and Lord Justice Briggs.

However, at the NSDC planning committee meeting on 8th May 2018, following the receipt of further advice following publication of the Planning Committee, Officers advised that an objection be raised to the proposed development given that the previous lack of objection as detailed within the Committee Agenda was based on the application as a standalone proposal and did not take a view on cumulative harm. The previous no objection subject to condition recommendation from CJ was stipulated on the basis that the market would be unable to support the implementation of the King 31 scheme and the proposal at Downtown given the similarity in the retail offers being proposed. The Officer view presented to Committee was that the Downtown scheme must be considered cumulatively with that of the already approved King 31 scheme. A recommendation of objection to the proposed development was therefore detailed by Officer's to Members and for clarity the minutes of this meeting are appended below.

You will note Members resolved to raise a strong formal objection to the proposed development raising concern that cumulatively the Downtown proposal with that of the recently approved King 31 development to the south of Grantham could have a significant adverse impact on the retail vitality of the Newark District Centre and would therefore fail to accord with paragraph 27 of the NPPF.

You have already been forwarded all supporting assessment documentation produced on our behalf by Carter Jonas and as detailed above NSDC formally request that one of its elected Members and an Officer be invited to attend and speak at the upcoming SKDC planning committee meeting when this item is heard. We would be grateful for your written confirmation of acceptance to this request at the earliest opportunity and prior to the application being determined. We as a Council will also be writing to our local MP requesting that the application be called in for determination by the Secretary of State.

I trust you will take the above comments into consideration when assessing the application.

Yours sincerely

Matt Lamb
Business Manager
Growth and Regeneration

AGREED (unanimously) that:

- (i) Strong objection be placed in writing to South Kesteven District Council; and
- (ii) attendance at South Kesteven District Council both an Officer and elected Member to speak at their Planning Committee against the scheme due to the retail impact on Newark town centre as per advice set out by Carter Jonas – Retail Consultant as detailed in the late items schedule.

Appendix B – Comments from Peterborough City Council

Telephone: 01733 453410
Email: planningcontrol@peterborough.gov.uk
Case Officer: Mrs C Murphy
Our Ref: 18/00495/CONSUL
Your Ref: S17/2155



Justin Johnson
South Kesteven District Council
Council Offices
St Peter's Hill
Grantham
Lincolnshire
NG31 6PZ

Peterborough Direct: 01733 747474

5 December 2018

Dear Sir/Madam

Planning enquiry

Proposal: Outline planning permission for the erection of a Designer Outlet Centre of up to 20,479sqm (GEA) of floorspace comprising retail units (A1), restaurants and cafes (A3), and storage. Additional large goods retail (5,574 sqm GEA), garden centre (5,521 sqm GEA) and external display area for garden centre (1,393 sqm), tourist information and visitor centre, training academy, leisure unit and offices including high-tech hub/start-up offices. Demolition of existing garden centre and sales area and existing warehouse. Improvements to existing Downtown Grantham store elevations. Reconfigured car parking and provision of new multi-storey car park. Increased coach parking. Access improvements, drainage works, hard and soft landscaping and all ancillary works. All matters reserved with the exception of access.

Site address: Downtown Garden Centre Old Great North Road, Great Gonerby Lincolnshire

Further to your enquiry received on 16 November 2018, in respect of the above, the Local Planning Authority makes the following comments:

With respect to the revised neighbour authority consultation, the Local Planning Authority do not raise any additional objections, however the premise of the original objection is maintained as set out below. This is in the context of the revised NPPF (published July 2018) and progress also being made on the provision of further retail planned development within Peterborough City Centre.

Peterborough City Council object to this proposal, as it would have an impact on the viability Peterborough City Centre, and could have an impact on future proposals for the City Centre redevelopment allocated in the Local Plan.

Paragraph 89 of the revised NPPF (2018) is considered to be relevant, this states '... when assessing applications for retail [and] leisure ... outside of town centres ... Local Planning Authorities should require an ... assessment of ... the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal'. This would include Peterborough.

The retail impact report acknowledges that the proposal would have impact on the Peterborough City Centre (categorised within Zone 10 of the secondary catchment area) and that 6.5% (£5.5m) of the trade draw would come from Peterborough. Although it may be small when compared with total expenditure, it is only an estimation and due to the size and range of goods sold along with free parking this impact would be an underestimation in our view.

This proposal would also likely have an impact on the North Westgate Opportunity Area, which has been allocated in the Peterborough Local Plan. The Council recently granted planning permission on 30th November 2018 for a mixed use development on this site to include up to 3,500m² of new retail floorspace. The proposal at Downtown would put North Westgate Opportunity Area at greater risk of not being implemented as some of the available expenditure would be diverted away from the City Centre to this development. This would be contrary to the NPPF objectives of putting city centres first.

There may be other environmental and traffic related issues that may arise as a result of this proposal, however this is for your determination as the Local Planning Authority, and we make no comments on these issues.

I trust that the above advice is of use however should you have any further queries, please do not hesitate to contact me on the details shown at the top of this letter.

Yours faithfully

Mrs C Murphy
Senior Development Management Officer

Appendix C – Comments from City of Lincoln



Mr. J. Johnson
South Kesteven District Council
Council Offices, St. Peter's Hill,
Grantham
Lincolnshire
NG31 6PZ.

Directorate of Communities & Environment

Simon Walters MBA, ACIS, MCMI

City Hall, Beaumont Fee,

Lincoln. LN1 1DD

Telephone: (01522) 881188

Facsimile: (01522) 567934

Website: www.lincoln.gov.uk

Minicom: (01522) 873693 - Reception

Kieron Manning is dealing with this matter
E-mail: kieron.manning@lincoln.gov.uk
Direct Line: (01522) 873551

Date: 30 November 2017

Dear Sir,

Planning Application Consultation Response in Connection with Application References S17/1262 and S17/2155 for Designer Outlet Villages / Centres, Grantham

Initially we would like to note that City of Lincoln Council, as the Local Planning Authority (the LPA), did not receive notification of the proposals for the Grantham Designer Outlet Village (S17/1262) and we only became aware of that application given the consultation issued for the competing application at Downtown (S17/2155).

Our response will therefore reflect upon both applications for Designer Outlet Villages (DOV) and consider their impact upon Lincoln.

Impact of the Proposals

Although we believe it is questionable whether the development of either site would promote the sustainable growth of Grantham, we have greater concern that the proposals would likely lead to unsustainable retail trading in the sub-region, contrary to the wider aims of the Framework to achieve social, environmental and economic sustainability.

Furthermore, given the rural nature of the County of Lincolnshire and the reliance upon private vehicles for travel, residents of the County travel further to access facilities and services, including opportunities for shopping. This is evidenced within the Retail Impact Assessments for both applications, as there is significant spend on retailing by people travelling upwards of 60 minutes. Taking Lincoln as a point, 55% of the trade drawn by the centre is from within a 30-60minute drive time, which includes the Primary and Secondary Catchment Areas for both sites. Indeed, 18.8% of comparison goods spend is from the PCA and 3.2% from SCA for the southern DOV site.

The fact that shoppers are willing to travel within and beyond the County to access retailing was also evidenced through the work undertaken in relation to the Retail

Consequently, we would suggest that your authority should consider the cumulative impact of both schemes upon the basis that they are both granted permission. Similarly, you are strongly advised to liaise with the Planning casework Service to establish whether the Secretary of State would need to call-in the applications for determination.

Finally, we have clearly highlighted concerns regarding retail trading but are equally aware that one of the proposals may prevail. With that in mind, if your authority is minded to grant planning permission for one of the proposals, we would suggest that this should be for amended proposals for Downtown. This stems from the fact that those proposals would be in connection with similar development and would be more sustainable in general terms than the development to the south of Grantham.

We trust that the above is of assistance to you in your consideration of the applications and look forward to hearing your views regarding our observations and concerns.

Yours sincerely,

Kieron Manning
Planning Manager

LICHFIELDS

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London N1 9RL

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london@lichfields.uk
lichfields.uk

Justin Johnson
Planning Department
Development Management
St Peters Hill
Grantham
Lincolnshire
NG31 6PZ

Date: 30 April 2018
Our ref: 11923/PW/BE/15823462v1
Your ref: S17/2155

Dear Mr Johnson

Proposed Designer Outlet Village, Downtown, Old Great North Road, NG32 2AB (LPA Ref. S17/2155)

On behalf of our client, intu Properties Plc (intu), we write in relation to the above application. As you are aware, intu is the leading company in the UK specialising in the ownership and management of UK shopping centres and in the development of retail and mixed use schemes. Intu owns and manages 17 prime regional shopping centres in the UK, including intu Victoria Centre and intu Broadmarsh in Nottingham city centre and intu Derby in Derby city centre.

Background

Lichfields, on behalf of intu, originally submitted representations to this application (letter dated 29 November 2017). After reviewing the application documentation submitted by Cushman & Wakefield, on behalf of Oldrid & Co. Ltd, Lichfields raised the following concerns:

- 1 the assessment of potential impact did not consider the impact on existing committed planned investment in Nottingham City centre (i.e. the intu Broadmarsh redevelopment and extension and the intu Victoria Centre extension);
- 2 the Council should impose suitably worded conditions to ensure the development is implemented in accordance with that described in the application, and to ensure that development does not adversely impact on the vitality and viability of Nottingham or Derby city centres or other centres.

Peter Brett Associates (PBA) has since provided advice to the Council (as their retail advisors) in relation to the retail elements of the proposed development. The applicant responded to these comments by way of an addendum to the Retail Impact Analysis, prepared by Cushman & Wakefield (March 2018).

We have reviewed this additional information. This letter sets out intu's response to this additional evidence/correspondence.

Committed Development

Despite the applicant's contention that the approach to committed developments was confirmed as appropriate by both the Council and PBA, it is clear the intu Victoria Centre and intu Broadmarsh

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developments are planned investments and material considerations that must be included within the cumulative impact assessment. The National Planning Policy Guidance confirms that applications for main town centre uses outside of town centres should ensure that they are in the best locations to support the vitality and vibrancy of town centres, and that no likely significant adverse impacts on existing town centres arise. Whilst we acknowledge that town centre schemes are not required to produce an impact assessment, proposals for main town centre uses outside of defined centres are required to produce an impact assessment if they are over a locally set threshold (if there is no locally set threshold, the default threshold is 2,500 sqm). As part of this impact assessment (and is the case here), the impact on existing committed development and planned investment within town centres must therefore be taken into consideration.

As outlined previously, intu is currently in advanced stages of implementing the intu Broadmarsh redevelopment and has appointed a contractor. Application(s) to discharge the pre-commencement of development conditions are currently being prepared (one has been discharged). The impact assessment must therefore be revised to take account of both the committed intu Victoria Centre and intu Broadmarsh developments, as these are important material considerations. Consideration must also be given to any other town centre schemes which have not been included as part of the assessment.

Please can you confirm how the Council intends to consider these issues? A robust Retail Impact Assessment is crucial and will allow for the impact of the proposed development to be properly assessed, and may prevent the need for a call-in inquiry to consider wider regional issues.

Proposed Conditions

We note the applicant's confirmation that the applicant would, in principle, agree to our suggested conditions (as confirmed in the letter prepared by Cushman & Wakefield, dated 17 January 2018). We reiterate that the Council must include these conditions on any forthcoming decision to ensure the development is implemented in accordance with that described in the application, and to ensure that development does not adversely impact on the vitality and viability of Nottingham or Derby city centres or other centres.

Please contact me or my colleague, Peter Wilks, should you have any queries on the above or wish to discuss the representations in more detail.

Yours sincerely

Beth Evans
Senior Planner

Justin Johnson
Planning Department
Development Management
St Peters Hill
Grantham
Lincolnshire
NG31 6PZ

Date: 14 December 2018
Our ref: 11923/01/PW/16874718v1
Your ref:

Dear Mr Johnson

Proposed Designer Outlet Village, Downtown, Old Great North Road, NG32 2AB (LPA Ref. S17/2155)

On behalf of our client, intu Properties Plc (intu), we write in relation to the above application. As you are aware, intu is the leading company in the UK specialising in the ownership and management of UK shopping centres and in the development of retail and mixed-use schemes. Intu owns and manages 17 prime regional shopping centres in the UK, including intu Victoria Centre and intu Broadmarsh in Nottingham city centre and intu Derby in Derby city centre.

We previously submitted representations relating to this application and, on 22 November 2018, we received notification that the applicants for the Downtown garden centre Designer Outlet Village (DOV) in South Kesteven submitted further information. Upon reviewing the new letter, for an on behalf of Fisher German LLP, and the additional Retail Impact Sensitivity Testing note, we would like to reiterate our position.

Committed Development

The applicant maintains the position set out in our RIA and RIA Addendum on the likely catchment draws assumed in the original retail impact analysis, given the predicted trade draw of the proposed Tier 1 designer outlet centre (DOC). Therefore, the specific impacts on intu's assets have been considered separately.

As outlined previously, intu Broadmarsh and intu Victoria Centre are clearly material considerations that should be included in the cumulative impact assessment.

Both are committed developments with planning permission intu Broadmarsh redevelopment (ref. 15/00950/PFUL3) and the intu Victoria Centre extension (ref. 11/01859/PFUL3). Intu is currently in the advanced stages of implementing the intu Broadmarsh redevelopment with pre-commencement conditions having been discharged and work on site commencing this month.

Consideration must also be given to any other town centre schemes which have not been included as part of the assessment.



Proposed conditions

We note the applicant's confirmation that the applicant would, in principle, agree to our suggested conditions (as confirmed in the letter prepared by Cushman & Wakefield, dated 17 January 2018). The additional letter (dated 14 November 2018) from the agent, sets out a list of 13 retail conditions on the proposed development covering the whole application site, large goods retailing, permitted development rights, pricing, leisure uses, a no poaching clause for Grantham, Newark and Balderton centres, and prevention of subdivisions. The letter states that the conditions have been agreed through consultation and negotiation and informed by previous letters of representation.

We therefore reiterate that these conditions must be carried through to the committee report and the Council must include these conditions on any forthcoming decision to ensure the development is implemented in accordance with that described in the application, and to ensure that development does not adversely impact on the vitality and viability of Nottingham or Derby city centres or other centres.

Please contact me or my colleague, Peter Wilks, should you have any queries on the above or wish to discuss the representations in more detail.

Yours sincerely

Georgia Crowley
Planner

Appendix E - Letters from Rioja and Buckminster



1st October 2018

South Kesteven District Council Planning Department
St Peters Hill
Grantham
NG31 6PZ

FAO: Sylvia Bland and Justin Johnson

Dear Mrs Bland and Mr Johnson,

Reference: S17/2155. Downtown Grantham Designer Outlet. Outline planning permission for the erection of a Designer Outlet Centre of up to 20,479 sqm (GEA) of floorspace comprising retail units (A1), restaurants and cafes (A3), and storage. Additional large goods retail (5,574 sqm GEA), garden centre (5,521 sqm GEA) and external display area for garden centre (1,393 sqm), tourist information and visitor centre, training academy, leisure unit and offices including high-tech hub/start-up offices.

On behalf of Rioja Developments Ltd., I write to object formally to the Oldrids outline planning application for the Downtown Grantham Designer Outlet (DGDO).

As you know, Rioja are the promoter and developer behind the Grantham Designer Outlet Village (GDOV) that was proposed on Buckminster's land south of the town, which was granted planning permission in March 2018 under planning reference S17/1262.

A parallel objection is being submitted by our development partner, Buckminster. Buckminster's objection is based mostly on grounds relating to the damage the Downtown GDO will do to the vitality of Grantham town centre. Our representations concentrate on the real-world reality of why granting permission to the Downtown GDO would be bad for Grantham and the wider area.

This representation sets out why the application should be refused. In summary:

- Grantham would benefit from a Tier 1 Outlet Village scheme being built.
- The GDOV would be a Tier 1 Outlet; the Downtown GDO could never become a Tier 1 Outlet for the reasons given.
- Why planning assessment of the two different schemes by SKDC needs to be different.
- Granting permission to the Downtown GDO would at best result in Grantham not securing the benefits of a Tier 1 Outlet Village on either site and at worst, if the Downtown scheme hybrid 'non-Tier 1' scheme was built, the town centre, already struggling, would be severely impacted.

In preparing this representation we have taken the advice of both FSP and CACI. FSP and CACI are widely recognised in the UK and Europe as the leading retail research advisors and are used by all the major Operators of Tier 1 Outlet schemes. Both specialise in Designer Outlet catchment and viability research and are respected by retail brands and developers alike. We enclose both their reports as appendices. This letter is based on their findings and the opinions of our professional team.

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Why Grantham needs a Tier 1 Designer Outlet Village.

1. There is no firm definition of what a Tier 1 Designer Outlet Village (DOV) is in the UK, however it is generally accepted that DOV's in the UK are separated into 5 Tiers by their catchment areas, quality of brand line up, percentage split of tourist visitors and their achieved sales. The attached report (Appendix 1) by the Outlet village retail experts FSP explains how the Tiering system works. See the introductory paragraphs on page 1 of Appendix 1.
2. A Tier 1 Outlet, such as Cheshire Oaks or Gunwharf Quays, has a national draw and a catchment area of a 90-minute drive time.
3. A Tier 1 Outlet does not rely on a more local draw, which is important in Grantham's case as the 30-minute drive time catchment area is way below average for a Tier 1 scheme.
4. A Tier 1 Outlet would be very good for Grantham because of the reasons set out in the officer's report on the GDOV application:
 - 11.6 There would be many environmental, social and economic benefits of the proposal, including:
 - A relatively sustainable location on the edge of Grantham;
 - Substantial investment in the District;
 - New employment opportunities;
 - Strengthen Grantham's role as a sub-regional centre;
 - Provide enhanced links to the town centre with an estimated 10% of the possible 3.5 million visitors to DOV carrying out limited trips to other attractions in the District;
 - Boost the perception of Grantham;
 - Help to reduce retail expenditure leakage to other settlements.
5. The importance of any Outlet Village in Grantham being a Tier 1 scheme was also acknowledged in the officers' report on the GDOV application. Quotes from the officers' report on the GDOV application S17/1262 – my underlining:
 - 1.4 The applicants indicate that the proposal would be a Tier 1 DOV which would create a distinctive, compelling and high order offer which would attract shoppers from a 30-60-minute drive zone and beyond. A Tier 1 facility would attract upscale brands (such as Hugo Boss, Polo Ralph Lauren and Armani Bose). As such it would potentially attract visitors from beyond Grantham's current catchment and create the opportunity for linked new visitor trips to the local and wider area.
 - 8.3.8 The applicant states that a smaller site than this would be unlikely to be able to accommodate a Tier 1 designer outlet centre and would not meet their commercial objectives.
 - 8.4.20 The submissions place strong reliance upon the distinctive retail offering of a Tier 1 DOV which differs significantly from conventional town and city offerings. It is considered the NPPF test has been met. Nonetheless it is important that conditions and terms of any planning obligation are such as to ensure that the character of the use will result in the form of development which has been assessed.
 - 10.5 The Rioja application is promoted as a Tier 1 DOV which seeks to function as an outlet centre for designer brands and premium retail operators. It includes the provision of a hotel under Phase 2. The Downtown application promotes a mix of outlet (20,479 sqm) and non-outlet (or 'full price') retail floorspace (Downtown@Home 5,574 sqm and Garden Centre 5,521 sqm). It states that the outlet centre would consist of high-end retailers and brands not available in nearby town

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centres. Whilst outside the red line of the application, the existing Downtown retail floorspace (19,500 sqm) would be retained and is located adjacent to the proposed outlet village development. It also includes leisure uses.

- 10.6 The Council's retail advisors have advised that the Rioja development would not have a significant adverse impact on Grantham town centre on the basis that the development will be controlled by way of planning obligation to ensure that it operates in the manner described by the applicant ie. as a Tier 1 DOV. In respect of the Downtown application, the Council's retail advisors have not had the opportunity to fully assess the likely impacts of the proposals, however, their initial view is that further justification is required of the nature of the outlet village given that the scheme proposes an expansion of mid-market retail offer of the existing retail facilities that adjoin the site and that, once fully implemented, the majority of the retail floorspace making up the combined retail destination would be used by mid-market retailers for the sale of 'full price' items. If the Downtown proposal was not to be a Tier 1 DOV it is anticipated that it would have a greater potential impact on the town centre.

6. It is clear that a Tier 1 Outlet Village in Grantham would be a good thing for the town and the district for the reasons set out by the officers in their report on the GDOV application in point 11.6 and referred to in para 4 of this letter. None of the retailers and brands who would occupy a Tier 1 scheme would ever come to Grantham town centre normally. They do not locate in market towns. The planning conditions and Sec 106 terms for the GDOV ensure that only a certain class of retailer can occupy the shops at the GDOV.

7. It follows that anything less than a Tier 1 scheme would be bad for the town centre as the type of retailers, being of a lower quality, would compete with the town centre where they should otherwise be properly located. This representation sets out clearly the reasons why the Downtown project could never achieve a Tier 1 status. If the Downtown scheme were to go ahead, and we have our doubts, it would be at best be a Tier 3/2 project and only be attractive to retailers and brands that should be in the town centre. Such retailers have a much smaller catchment area than Tier 1 retailers and would compete not only with Grantham town centre but also other nearby towns such as Newark.

Why the GDOV will be a Tier 1 Outlet and why the Downtown GDO could never become a Tier 1 Outlet.

8. The attached FSP report sets out clearly why the Downtown scheme could never become a Tier 1 facility. In summary:

Conclusion

In order to accommodate an outlet centre at a very constrained site and maintain access to Downtown / Boundary Mill, the proposed plans for Gonerby Moor incorporate a number of significant layout and operational compromises. These will reduce the ability to manage the destination to greatest effect, severely limit the attractiveness of the site to upscale brands, diminish the customer experience, undermine likely trading performance and discourage linked trips to Grantham town centre. It is FSP's view that the proposals for Downtown Grantham Designer Outlet are dated, ill-conceived and severely limited to the point that it is highly unlikely that the site can incorporate the Tier 1 or Tier 2 outlet centre.

Given that it is essential for an outlet centre in Grantham to draw from well beyond 30 minutes' drive, the current plans for Downtown Grantham Designer Outlet are not realistically capable of achieving the upscale offer necessary, while at the same time limiting

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cannibalisation and generating significant spin off trips into Grantham town centre. Capacity for outlet floor space within 60 minutes of Grantham is finite and if planning consent is given to two rival schemes, the resulting built floor space will outstrip occupier demand, undermine viability and severely damage future prospects for Grantham town centre.

9. We and our professional team have studied the Downtown application carefully. There is a lack of understanding of what is required to make a commercially successful DOV (Tier 1 or otherwise). Their application documents have clearly been put together in a hurry by plagiarising our own GDOV application even down to the repetition of the GDOV application's typographical errors. In addition, and crucial to note, their application does not refer to any specific Outlet retail catchment analysis commissioned by them; it does mention the same numbers we put in our application, which were taken from the catchment research and analysis we commissioned especially for GDOV. It is unheard of in the UK Outlet sector in the last 30 years that anyone would propose an Outlet scheme without first having a recognised specialist agency (there are only two or three) carry out such detailed research, because anyone with an interest in the success of the scheme (retailers, investors and Operators) demand to see this research before they will agree to become involved with the project.
10. The planning statement submitted with the Downtown GDO states: The company are again looking to innovate once more, in partnership with Freeport Retail, to create a unique mix of full price and outlet shopping and deliver a superb 'one-of-a-kind' shopping experience. However, the unique aspect of their plans (i.e. full price and Outlet at the same destination) is the very reason that it cannot achieve Tier 1 status, as premium brands will spurn the idea of having an Outlet next to a full price offer. It is also a reason why the Officers should treat the two schemes very differently.
11. We are unsure of Freeport Retail's role and function but their association with the Downtown GDO project is another reason it will not be a Tier 1 scheme. Freeport Retail is not a developer of Outlet villages. 'Freeport Leisure Plc' used to develop Tier 2 and 3 schemes in the UK in the 1980's and 90's (such as at J32 near Castleford and at Stoke and Fleetwood) but it is no longer an active direct developer, or Operator. Freeport UK is an Outlet village consultancy organisation, operating mainly in Europe. Quote from their website: "In 2011 Freeport Retail was established as a management company to provide outlet development, asset management and operations expertise to the Freeport outlets and to third party investors and developers." The Freeport Outlet schemes that were built have now all been sold and re-branded to move them away from the downmarket connotations of the Freeport name.
12. A key criterion for the successful development of a Tier 1 Outlet village would be to have an experienced Operator of Tier 1 schemes behind the project, such as McArthur Glen, as they are very specialist types of development, where the premium retail brands they are targeting hold such an Operator in high regard and are attracted to the scheme by their association.
13. In contrast the GDOV scheme can become a Tier 1 facility because:
 - It is a totally new build; a purpose designed scheme served by a new access off the A1 with good links to Grantham main line train station.
 - The site is a 'blank sheet of paper' with no major constraints on its layout and design. It does not have to compromise its design because of existing building on site or neighbours.
 - As a specialist developer of Designer Outlets of some 35 years' standing with wide experience in the UK and Europe, having played an important role in the very inception of the concept of Designer Outlets in the UK, and having developed several

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Outlets for Operators of Tier 1 schemes, such as McArthur Glen, Rioja Developments is uniquely placed to understand the issues at play here and put a scheme together that attracts the best Operator and brands to ensure a Tier 1 scheme.

- Rioja have already been in discussions with Operators and brands and the idea of GDOV has been well-received.
- Buckminster and Rioja have commissioned the top retail research companies and specialist Outlet consultants to assess the commercial viability of a Tier 1 Outlet at the GDOV location.
- We have commissioned architects, designers and consultants, all specialising in Outlets, to make sure that the design of GDOV is fit for the purpose of a Tier 1 DOV in terms of aesthetic appeal, unit sizes, car parking, access, landscaping, security, sustainability and food & beverage provision.

Planning assessment of the two schemes.

14. The two competing schemes are similar in the simplest terms in that they are both proposed to be designer Outlet villages. However, closer examination reveals their form and function are very different. As such, the planning assessment carried out by SKDC of the two applications should be tailored accordingly. It would not be correct in planning terms to assess both schemes in the same way as they are different. The principle difference being the Downtown scheme would be a hybrid scheme as it would be adjacent to the existing Downtown retail floorspace (19,500 sqm) which would continue to trade as it is today. As this floorspace has an open A1 planning consent, enabling full price retail, the Downtown scheme taken as a whole would therefore not be bound by the same restrictions as the GDOV scheme.

Thus, the operation of the whole scheme and the perception by retailers, visitors and Operators would be very different to how a Tier 1 Outlet would be perceived, all of which strongly suggests that should be assessed differently in planning terms.

15. The council's consultant, PBA assessed the GDOV application and we understand PBA have carried out a similar exercise for the Downtown GDO. Outlet villages are a rare form of development within the UK. There are only 43 in total throughout the country and only some are Tier 1 schemes, such as York and Cheshire Oaks. It is important to note that not all schemes can be Tier 1, even with the best design and Operator. The crucial factor is the location of the scheme and the ability to attract those brands that will enable the draw from a wider visitor catchment. We have done the research to prove that GDOV is capable of this, but the same research tells us that Downtown GDO's location is so compromised as to be unlikely to achieve Tier 1 or even Tier 2 status. Specialists in the field are rare and it could be that PBA may not have the detailed experience to assess the differences between the two projects. To apply exactly the same assessment to both projects would not be the correct way forward as the two projects proposed are very different for the reasons set out by FSP in Appendix 1.

16. The Downtown GDO will not achieve Tier 1 status because of the reasons set out in the FSP report attached as appendix 1. Therefore, its retail impact should be assessed by the Council and PBA differently from the GDOV scheme. This assessment should take into account and consider:

- The presence of some 19,500 sqm of unrestricted retail space (Downtown and Boundary Mill discount supermarket) that will remain trading.
- What effect the presence of this existing unrestricted retail space will have on the likelihood of Tier 1 premium brands being attracted to the new Outlet village space
- As luxury and premium brands are unlikely to want to go to an Outlet next to Downtown with its existing Boundary Mill discount operation, which is also next to a

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waste transfer station, motorway services and several industrial units, what brands are likely to be attracted to that location with its low rents, rates (compared with the town centre) and free parking and how will this impact on the wider Grantham retail economy?

17. From the work we have done, the conclusion has been reached that the Downtown GDO will not attract premium brands and that IF the space is developed (but see below) there will be significant pressure on SKDC to lower the bar on the quality of tenants who can occupy the new space which will lead to potential new Grantham retailers locating in the new Downtown space rather than the town centre because of the lower rent, rates and free car parking. Over time the existing Grantham retailers will be tempted too, resulting in the vitality of the town centre, already under stress, suffering further.

What may happen if both schemes are granted planning permission?

18. We acknowledge that it is not the function of the UK planning system to regulate market competition issues and that if the two schemes were similar it could be considered right to grant permission for both and 'let the market decide'.
19. However, for the reasons explained in this representation and the attached appendices the two schemes are not similar (i.e. the GDOV could become a Tier 1 Outlet whilst the Downtown GDO location could not achieve this status and probably not even Tier 2) and therefore their planning assessment must be treated differently.
20. The motivation of the applicants for the two projects is relevant for any real-world assessment of what may happen if both schemes are permitted:
 - Rioja /Buckminster GDOV. Buckminster have been insistent since the inception of the GDOV project, throughout the early process of viability studies and retail research, and throughout the planning process, that the GDOV development must be complementary to, and not competitive with, Grantham Town Centre. Buckminster are a long-standing retail investor in the town and therefore cannot conceive nor condone any project that would be detrimental to the town centre retail vitality.

When the concept of a Tier 1 Designer Outlet Village was mooted at the GDOV site, they and we spent significant time and investment on specialist Outlet retail research to be certain that this project would be of clear benefit to Grantham town centre retailers and the wider local economy. Therefore, GDOV was predicated not just on the basis of its own success as a retail destination but also on the benefits that it would bring to the wider Grantham area and to Grantham retailers through an increase in visitors to the town.

- Oldrids' Downtown GDO. In Oldrids objection (dated 7th December 2017) to the GDOV planning application, referring to the effect GDOV would have on their existing Downtown Discount Store operation, stated: "Having a further out-of-town retail destination alongside ourselves and Grantham town centre will create 3 major destinations, which will dilute customers and put additional jobs at risk." Oldrids have, as far as we are aware, no investments in the town centre and no commercial reasons to see it protected. Oldrids saw the GDOV as a threat to their existing operation, hence their formal objection to the GDOV scheme was mainly commercial and therefore not upheld on planning grounds. For Oldrids, maintaining the status quo that existed prior to GDOV gaining planning consent and continuing to trade the existing Downtown and Boundary Mills discount superstore as they have done in the past, would be an acceptable outcome. In fact, we wonder if Downtown are serious

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in their intention to develop a DOV or whether they are merely fighting a rear-guard action to prevent the development of what they (not understanding how Outlets really work in the retail market) incorrectly see as a competitor (GDOV). Their plans are so out of touch with what is required for a Tier 1 Outlet's success that we don't suspect they really intend to try to make it work. Instead, we believe there is a strong possibility they intend to gain planning consent and not construct anything. They aim only to act like a competitor to GDOV in the market during our activities to secure a leading Operator and top brand retailers. This will 'spoil' the market for any Tier 1 Outlet in Grantham, thus allowing the status quo to continue. This strategy could hinder our efforts to promote GDOV. We believe this would be a flagrant and cynical manipulation of the planning regulations for protection of their own existing commercial interests.

21. Rioja Developments are developing the UK's most recent Tier 1 Outlet village at Cannock. We know from this and the several other major schemes we have delivered throughout the UK and Europe that for any Tier 1 scheme to go ahead there are two key elements:
 - The right location (in terms of visibility, accessibility and visitor catchment) to stimulate demand from premium branded retailers. For a Tier 1 scheme the likes of Polo, Ralph Lauren, Hugo Boss, etc. have to be willing to commit to come to the scheme.
 - The interest of such brands due to the location will attract a major Operator; funding will follow, and the scheme can be built.
22. Following the grant of permission for the GDOV, talks have continued with the retailers and funders of the GDOV project. Those talks have gone well but the retailers are now aware of the competing scheme at Downtown GDO and have told us that they want to 'wait and see what happens with the two schemes. One can understand that the uncertainty of the two schemes and the much-publicised current issues with major retailers such as House of Fraser store closures causes this unwillingness to commit. If both schemes are consented, then this uncertainty will continue, and, in all likelihood, no new Outlet village will be built in Grantham and the benefits of the GDOV will not flow.
23. Appendix 2 attached is a report by CACI, who are an eminent retail research company with a specialisation in Designer Outlet Village location strategy and viability, who have worked with all the major Outlet developers and Operators in the UK, Europe and further afield, as well as with many of the brands that occupy Outlets. The CACI report addresses the issues of two Outlet villages being consented in Grantham. The main conclusions of that report are:
 - Premium brands are unlikely to locate in both centres based on cannibalisation of the same shoppers from each scheme's catchment. It is therefore recommended that only one top tier outlet centre is required and will be able to fully cater for the demand in the area.
 - The characteristically wide pull of outlet centres demonstrates the need to ensure GDOV secures key premium anchor tenants (such as Ralph Lauren, Hugo Boss, Burberry), in order to maximise the draw of the centre and facilitate the widest geographical reach. Downtown Outlet is unlikely to secure such tenants due to limitations of their site providing a less desirable physical environment.
 - Two large outlets in such close proximity will create greater competition for the mass market brands. With these brands forming a key part of an outlet centre's turnover, it is crucial to provide a strong mix of relevant mass market brands, which could be at risk given the proximity of Downtown Outlet.

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- The GDOV greenfield site allows the potential to create a modern, upscale designer outlet, with proposed architectural designs incorporating social spaces for shoppers and the opportunity to create an exciting place to shop. In contrast, Downtown Outlet faces limitations from its site and existing neighbours (i.e. car park restrictions, warehouses and waste transfer station). This establishes a stronger draw for top brands to locate within the GDOV scheme, ultimately creating a greater commercial opportunity compared to that at Downtown Outlet.
- The information in this report shows that there is not room for two schemes of this nature within Grantham, and if both schemes are given consent there would be a negative impact for GDOV, Downtown Outlet and Grantham town centre. The development plans at GDOV cater for the sustainability and success of the town centre, while also creating a larger tourist trade for the area, making it the most favourable choice for the area. In contrast, Downtown Outlet is more likely to compete with the town centre offer based on its likelihood of attracting a more mass-market brand mix, especially given the open A1 planning consent at Downtown.

24. We know from experience that when there are two Designer Outlet projects proposed in such close proximity, the viability of both is at serious risk. Moreover, our experience tells us that when two such developments happen at the same time, as could be the case here, the increased effort necessary to attract brands as tenants at the same time the other scheme is doing the same, is likely to consign them both to failure, or at the very minimum, failure in becoming Tier 1 schemes. This is not just our opinion, there are real life examples where schemes have actually failed due to competition that was not taken into account by local authorities in issuing of planning consents, leading to significant problems for local retail economies. In Appendix 1, FSP cite actual examples of this. In particular we would like to draw your attention to what happened with two projects in Northern Ireland, which after the launch of both in 2005, neither could gain a competitive advantage with the result that brands were split between the two centres and both schemes quickly ended up in receiver's hands. This tells us that the actions of the market are not always able to find a solution and therefore, local authorities' planning influence is essential to ensure the protection of the local retail market and wider economy.

25. Outlet retail developments uniquely draw from much larger visitor catchment areas than the normal retail stores that can be found on the high street, where customers are traditionally drawn from the locality.

26. Top quality retailers in an OV are required to sell their products at a discount. These products need to come from existing stores, so they need fewer Outlets than full price stores; perhaps only one Outlet shop to ten full price stores. Many brands, (especially those in the premium and luxury segments that are essential to create a Tier 1 scheme) only choose to be in Outlet locations that have a wide geographical spread so as not to compete with each other or with their full price stores. So, a premium brand has perhaps only 6 or 8 Outlet stores in the UK. All of this means that they are very choosy about the Outlet schemes they decide to locate in.

27. As they are so choosy about location, given that they will choose (at best) only one scheme from the two here, why would luxury and premium brands want to go to an Outlet next to Downtown with its existing Boundary Mill discount operation? Such brands are looking for bespoke, architecturally beautiful schemes, designed on a human scale that create an attractive atmosphere and a sense of place, for which their customers will be willing to drive for up to 90 minutes and enjoy shopping as a leisure activity. This perfectly describes what we at Rioja have created before for such Outlet Operators as McArthur Glen and other

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premium Operators and it describes what we will create at GDOV. It does not describe what currently happens in a normal Boundary Mill nor at the Downtown store which, according to their application, will stay open, next to the proposed new Outlet development at Gonerby Moor. Premium brands, with images that are carefully and expensively built up over many years, will not want to risk being in a development that is next to a waste transfer station, motorway services and several industrial units.

28. The Downtown GDO development, if consented, would put both Outlet developments at significant risk of not being developed. The benefits of Grantham having a Tier 1 scheme outlined in para 4 above would not occur and the district will lose some 3.5 million visitors a year.

Reasons for Refusal.

29. From Rioja's point of view as industry experts, we are left with only two possible conclusions for the real intentions of Downtown. Either they are disingenuously trying to manipulate the planning process as a rear-guard action to protect their existing Downtown operation from what they incorrectly view as a competitor; or they are so naïve that they think they can promote and build their proposed new Outlet development, in competition with GDOV, not realising they are likely to harm themselves and GDOV and doom Grantham town centre and the surrounding area to economic failure.

30. As we have demonstrated, there are high stakes involved for both of the developers, for Grantham town centre and for the wider area. Therefore, we urge you to consider all of the above aspects in your deliberations and recommend that the Downtown Outlet planning application is rejected by the members.

31. The parallel representation you will have received from Buckminster objecting to the Downtown Outlet application includes an opinion from a senior and experienced retail and planning QC. That opinion sets out the planning reasons why the application should be refused. In short: The Downtown application should be refused because the scheme, if implemented would be a direct rival to Grantham Town Centre, contrary to the aims of Policy E2 of the adopted Core Strategy. The proposed scheme would result in significant and long-term adverse impacts on the Town Centre. The vitality and viability of the weak and vulnerable Town Centre, investor confidence, and its much-needed enhancement will be significantly adversely affected. There would be no additional benefits to justify the significant adverse impact.

The Downtown proposals are not in compliance with Policy E2 of the Core Strategy or the policies of the NPPF that seek to ensure the vitality of town centres; the application should be refused.

Yours sincerely,

GILES MEMBREY BSc (HONS)
Managing Director



Downtown Grantham Designer Outlet

Assessment of Outlet Proposal

Introduction

Oldrid Group has brought forward plans to develop Downtown Grantham Designer Outlet at Gonerby Moor, c.3.5 miles north of Grantham town centre. As Europe's leading independent experts on outlet centre trading performance, FSP has been asked by Rioja Developments and Buckminster Estate to review the site.

FSP has previously reviewed the opportunity for outlet shopping in Grantham and found that while there is an adequate population of 3.4m within 60 minutes, the population density within 30 minutes is very low. As a result the inner catchment has less than half the average 30 minute population found at UK outlet centres, indicating that it will be critical that large numbers of visitors from the 30-60 minute drive zone (and beyond) are attracted for an outlet centre in Grantham to be successful.

There are 43 major outlet centres (with a gross lettable area in excess of 50,000ft²) in the UK. These have a total area of 6.7m ft² and produced total sales of c. £2bn in 2017. Within these major outlet centres, there are marked differences in the retail offer, brand line up, visitor composition, catchment draw and sales density performance. This has led outlet industry practitioners to use the 5 tier hierarchical categorisation below to describe the significance of different sites.

Tier	Example Site	Catchment	Drive Time	Visitor Mix	Retail Mix Positioning	Sales Density	Example Occupier
0	Bicester Village	International	3 hours +	40% international tourists, 20% domestic tourists, 40% locals	Luxury	>£1000 / sqft	Burberry, Prada, Gucci
1	Cheshire Oaks, Gunwharf Quays	National	90 minutes	10% international tourists, 40% domestic tourists, 50% locals	Premium	>£800 / sqft	Polo Ralph Lauren, Boss, Bose
2	Clarks Village, Gloucester Quays	Regional	60 minutes	40% domestic tourists, 80% locals	Upper Middle	>£400 / sqft	Nike, Hobbs, Radley, Jaeger
3	The Galleria, Junction 32	County	45 minutes	20% domestic tourists, 80% locals	Middle	>£200 / sqft	M&S, Gap, Christy, Next
4	Affinity Devon, Chatham Dockside	District	30 minutes	10% domestic tourists, 90% locals	Lower Middle	<£200 / sqft	Poundland, Roman, The Works

In a tier of its own, Bicester Village is unique in the UK. The luxury brands required to reach the attractiveness for international visitors and level of trading performance at Bicester Village are in very short supply as their high profile means that they have limited excess stock inventory. It is very unlikely that there can be a second outlet village of the quality of Bicester Village in the UK.

Given the need for an extended catchment, FSP believes that Grantham requires a scheme of Tier 1 or Tier 2 quality. It should be noted that all outlet centres mature in brand quality, price positioning and performance over time, so that Tier 1 schemes tend to start out at Tier 2 quality and Tier 2 schemes tend to start out at Tier 3 quality. In Grantham's case, targeting a Tier 2 scheme at maturity would carry a significant risk that the limited Tier 3 draw at opening (45 minutes) would result in poor initial trading performance which then becomes chronic due to negative brand perceptions.

Additionally, more midscale Tier 3 schemes such as Junction 32 or Lakeside Village are occupied by everyday high street brands such as Clarks, M&S and Next. This type of offer is more akin to a discount high street than a designer outlet centre and will not only increase the likelihood and scale of cannibalisation of retail sales in Grantham town centre through direct competition but will also reduce the potential to relet vacant shop units.

Given the above concerns, FSP believes that the only realistic option for developing a successful outlet centre in Grantham is a Tier 1 outlet centre. FSP has therefore reviewed



the Outline Planning Application for Downtown Grantham Designer Outlet on the basis of its suitability for this goal.

FSP's observations are as follows;

Location

- The location of the proposed Downtown Grantham Designer Outlet at Gonerby Moor to the north of Grantham is 57 minutes drive from East Midlands Designer Outlet. Whilst the practice is illegal, it is likely that McArthurGlen (the operator) will try to pressurise brands not to lease space at the Grantham site. It is also likely that the investor at East Midlands Designer Outlet (Aviva Investors) will seek to prevent McArthurGlen from operating the site at Gonerby Moor. If successful, this opposition would limit the quality of brands at Gonerby Moor, leading to a more midscale Tier 3 outlet centre and average performance.

Access

- Access to the eastern car park at the proposed site from the A1 / B1174 (Newark Hill) is via a single carriageway which is shared with HGV traffic to Grantham Distribution Park and Moto's service area. While not unprecedented, the mixing of large numbers of private cars and Heavy Goods Vehicles, particularly on Occupation Road and Palmer Road is less than ideal and likely to result in conflicts. Visitors arriving via Occupation Road will pass a number of large distribution warehouses. These are not conducive or complimentary to upscale shopping, will undermine the sense of arrival at the site and will limit the attractiveness of the site to quality brands
- Access to the western car park at the proposed site is via an unnamed access road which skirts the northern boundary of the site and enters the western carpark at the rear (northern entrance) to the existing Downtown / Boundary Mill
 - Designer outlet shoppers will need to navigate around the existing Downtown / Boundary Mill building, following a single two way route which is likely to be congested with vehicles manoeuvring to park.
 - The existing Downtown / Boundary Mill building will not create a quality sense of arrival
- The road connection from Gonerby Moor to Grantham town centre (Gonerby Road / Great Gonerby High Street) is narrow and has a number of commercial, social and community facilities fronting it e.g. Grantham Tennis Club, St Sebastian's school, plus 20 and 30 mph speed restrictions in place. These activities slow traffic, raise concerns about user conflicts and make the journey into Grantham town centre less convenient. These issues are likely to discourage spin off trips from the outlet centre into Grantham town centre
- Unlike Bicester Village or Gunwharf Quays, the proposed railway station at Downtown Grantham Designer Outlet is not on the mainline to London but on the west to east line from Nottingham to Boston. Visitors from London will be required to break their journey at Grantham station to transfer to a local service to Gonerby Moor. This transfer will add to the journey time from London and is likely to discourage visitors
- The pedestrian access route from the proposed railway station to the proposed outlet centre runs between two industrial units and through the eastern surface car park. Visitors will be required to cross Occupation Road between Palmer Road and the B1174 roundabout (which will be carrying freight traffic and cars for the multistorey car park) and the route through the east car park /coach park does not appear to be segregated. This is not appropriate for an upscale designer outlet offer
- The proposals include a Park & Ride facility adjacent to the proposed railway station. The route to the outlet centre will involve crossing Occupation Road and negotiating the east surface car park / coach park. This route will reduce use of the designer outlet centre by mobility impaired groups



Adjacencies

- The Downtown / Boundary Mill building, Moto Service Station and Travelodge are of a functional and dated design, which will not support the image presented by the majority of upscale outlet brands. 60% of new outlet centres are designed as stand alone villages in order to maintain the quality of the environment in a way which supports brands
- Brake Bros Ltd Distribution Warehouse and DLS Plastics factory are adjacent to the proposed development and not suitable neighbours for an upscale outlet centre. The building are industrial in design and unlikely to attract upscale, lifestyle brands. Further to this, the adjacent 10 acre site (Grantham Distribution Park) was sold in Sept 2015 and has detailed planning consent for a single distribution building of 215,000 ft² (19,974 m²). Once built, this will create additional HGV traffic at Gonerby Moor
- The Downtown department store has a relatively midscale proposition which will not compliment upscale outlet brands. There is a similar site at Sterling Mills in Scotland where the outlet centre is adjacent to a very well known furniture store. While the adjacent department store brings some footfall to the site, cross fertilisation of visits is relatively limited and the outlet centre has not managed to achieve anything more than a midscale proposition.
- Boundary Mill itself has a discount offer which incorporates a number of midscale brands under one roof. The operational model, quality of stock and presentation of brands is very different to a designer outlet centre (FSP classify Boundary Mill as a Tier 3 outlet operator) and is likely to undermine the quality proposition. Most outlet brands expect exclusivity in selling their merchandise and while Boundary Mill is a very effective operator, its presence is likely to act as a disincentive for the type of high end quality outlet brands required at a Tier 1 or Tier 2 designer outlet centre. The presence of TK Maxx which has a similar discounted brand proposition to Boundary Mill, has been raised as an disincentive by several upscale brands during leasing discussions at The Galleria and Junction One (Antrim).

Site Layout

- Gonerby Moor visitors will be confronted with a multistorey car park at the entry to the site. This is unlikely to be particularly attractive to consumers or upscale brands and will undermine the sense of arrival
- The 'L-shape' site at Gonerby Moor is deeply compromised by the need to maintain access to Downtown in the north western corner. This arrangement suggests potential conflicts between users accessing different parts of the site (e.g. the proposed leisure and Downtown department store) and is not appropriate for a Tier 1 or Tier 2 designer outlet centre environment

Outlet Design

- The pedestrian circuit at Gonerby Moor lacks design detail and visual appeal. This is reminiscent of early functional outlet centre designs and its poor quality will be of less appeal to both affluent shoppers and more upscale brands
- The courtyard parking arrangement in the South Zone has largely been abandoned by outlet designers as it fails to encourage cross use of activities. The eastern end of the central car park at Cheshire Oaks and the northern end of the central car park at Ashford Designer Outlet for example, have gradually been infilled with shops to create a 'village' atmosphere
- The presence of leisure boxes and the retail terrace fronting the A1 is reminiscent of the failed Junction One outlet centre at Antrim, Northern Ireland. The functional nature of this site was only suitable for more midscale brands such as Marks & Spencer and Next and the site is in the process of being decommissioned as an outlet centre. Occupiers were reluctant to populate the terrace at Junction One because of its isolation from the



core outlet area, suggesting that the terrace at Downtown Grantham will only attract low quality, Tier 3 and Tier 4 occupiers

- The design for Gonerby Moor is compromised by a substantial break in the retail circuit, with the smaller orphaned northern section of the site. Given that traffic will be sharing the break with pedestrians, this is likely to attract much less footfall than the main section to the south. McArthurGlen have struggled with similar disconnected circuits at Swindon (the North Mall used to be separated by a part time service road), Cheshire Oaks and Troyes (Phase 2 is separated by a feeder road). In all cases this separation has significantly challenged leasing activity, undermined the positioning of the retail mix and severely reduced trading performance
- It is wholly inappropriate for pedestrian and vehicles to share traffic in this manner – The layout is very dated and not found at the most recent generation of outlet centres and likely to discourage Tier 1 and Tier 2 outlet brands. It is FSP's belief that this design is wholly inappropriate for a modern outlet village and the northern section would be very difficult to let

Operations

- The outlet centre circuit will be bisected by the access road to Downtown / South Zone. The potential mixing of shoppers with children and traffic is a major safety concern and is not appropriate for a designer outlet centre
- Given the additional activities proposed at Gonerby Moor (Downtown, leisure, Boundary Mill etc.), 2,000 parking spaces may well be inadequate. Sites with extended offers tend to encourage longer dwell times and lower turnover of spaces
- Given the co-location of the proposed outlet centre with the Downtown department store, Boundary Mill and the Garden Centre, it is unlikely that the entire Gonerby Moor site can be managed by a single entity. This lack of co-ordination will limit the outlet centre operator's effectiveness and undermine trading performance
- The configuration of the site is unlikely to attract a top tier operator. As 50% of the population of upscale outlet shops at European outlet centres are found at the sites operated by Value Retail, McArthurGlen, Via Outlets or Neinver (which account for 50% of UK outlet centre sales and 55% of all European outlet centre sales), this is essential in achieving the upscale offer and extensive catchment draw required to make an outlet centre in Grantham viable. In particular, top tier operators are not likely to respond positively to the poorly integrated activities on site, compromised access, inappropriate adjacencies, bisected outlet offer and presence of Downtown and Boundary Mill

Commercial Impact

The above assessment suggests that Downtown Grantham Designer Outlet will incorporate a combination of dated design, poor adjacencies and eclectic mix of incoherent activities which is unlikely to appeal to the more upscale brands necessary for Grantham to attract visitors from beyond 45 minutes drive. It is FSP's opinion that if the proposals for Downtown Grantham Designer Outlet were enacted, the resulting development would be no better than an underperforming Tier 3 outlet centre. This outcome would create a number of significant problems for Grantham town centre;

- There is insufficient capacity for two outlet centres to co-exist at Grantham. Trading UK outlet centres typically have 75 residents for every square metre of outlet centre floor space within 60 minutes drive. With 25,000m² already consented at Grantham OV (King 31 site) Grantham will have 50 residents for every metre of outlet centre space within 60 minutes. An additional 25,000m² at the Downtown site would reduce available capacity to just 38 residents for every metre of outlet centre space within 60 minutes, half of the national capacity ratio. At this level of provision sales performance at both sites would be significantly compromised and both schemes would not be commercially viable.



- Allowing both schemes to progress in competition will confuse brands. While some will opt for one site ahead of the other, some will choose to wait until the winning site is clear while others will seek to gain financial advantage by exploiting the available leasing incentives. Two rival projects in Denmark (at Billund and Kolding) for example have failed to attract sufficient brands to justify construction
- Allowing both schemes to progress concurrently will be to the detriment of Grantham town centre and will compromise viability:
 - The provision ratio of 38 residents for every square metre within 60 minutes of Grantham (assuming both Downtown Grantham Designer Outlet and Grantham Outlet Village progress) is only marginally better than the level in Northern Ireland, where two rival schemes have competed since 2005. In this case, neither scheme was able to gain a competitive advantage over the other, upscale brands and shoppers were split between the sites and both fell into administration. Today, both schemes are under the ownership of Tristan Capital partners who are progressing the more suitable outlet scheme at The Boulevard (previously known as The Outlet) at Banbridge as the Province's outlet destination, while the more mixed-use site at Junction One at Antrim is repositioned as a discount retail park
 - Gunwharf Quays and Whiteley Village in Hampshire are 10 miles apart. After 10 years of direct competition, in 2011, the owner of Whiteley Village recognised that Gunwharf Quays had become the pre-eminent outlet destination for the region and chose to use the A1 consent to redevelop Whiteley into a full price district centre. Now attracting c.8 million visits per annum and with an average visit frequency of 45 visits per year, the direct impact of Whiteley Shopping Centre on competing towns such as Fareham and Southampton has been significant
 - FSP believes that Grantham Designer Village is the only credible proposal to establish a true designer outlet village at Grantham. Given that aspirational brands and leading operators will also recognise this, Downtown Grantham Designer Outlet is likely to struggle for occupiers and will potentially be forced to adopt a more midscale tenant mix (if the scheme progresses at all). In this scenario, the site's existing open A1 consent could be used to attract tenants from Grantham town centre (or tenants who would otherwise have taken space in the town centre) on the basis of lower rents, lower rates and free parking. Even those midscale brands which are new to Grantham would compete directly with the existing offer in the town centre, resulting in irreparable harm

Conclusion

In order to accommodate an outlet centre at a very constrained site and maintain access to Downtown / Boundary Mill, the proposed plans for Gonerby Moor incorporate a number of significant layout and operational compromises. These will reduce the ability to manage the destination to greatest effect, severely limit the attractiveness of the site to upscale brands, diminish the customer experience, undermine likely trading performance and discourage linked trips to Grantham town centre. It is FSP's view that the proposals for Downtown Grantham Designer Outlet are dated, ill conceived and severely limited to the point that it is highly unlikely that the site can incorporate the Tier 1 or Tier 2 outlet centre.

Given that it is essential for an outlet centre in Grantham to draw from well beyond 30 minutes drive, the current plans for Downtown Grantham Designer Outlet are not realistically capable of achieving the upscale offer necessary, while at the same time limiting cannibalisation and generating significant spin of trips into Grantham town centre. Capacity for outlet floor space within 60 minutes of Grantham is finite and if planning consent is given to for two rival schemes, the resulting built floor space will outstrip occupier demand, undermine viability and severely damage future prospects for Grantham town centre.



Downtown Grantham Designer Outlet Site Plan





GRANTHAM DESIGNER OUTLET VILLAGE

September 2018

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INTRODUCTION

- ❖ CACI has been instructed by Buckminster and Rioja Developments to provide an overview of the planning submission for Grantham Designer Outlet Village, taking into account the proposed development of Downtown Outlet.
- ❖ Grantham Designer Outlet Village (GDOV) is a regional scheme of over 270,000 sq. ft., providing over 130 retail and catering units which will be delivered in two phases.

- ❖ The scheme will deliver a high quality outlet centre with enhanced environmental features, creating an exciting place to shop. Phase 1 is scheduled to open in 2021, with completion of Phase 2 following in 2024.

- ❖ This report will provide a review of the FSP site assessment, catchment and performance analysis based on CACI's expert knowledge of outlet centres, customer needs and shopper behaviour.

CACI TOOLS:

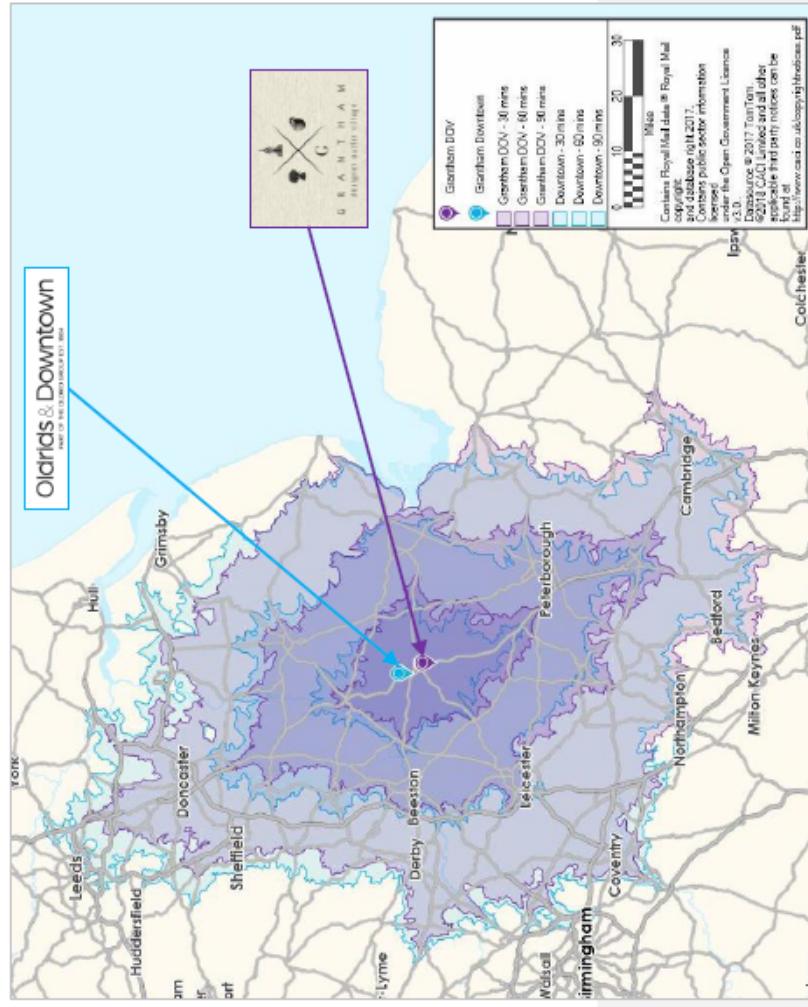
- **RETAIL FOOTPRINT** is CACI's UK gravity model that defines catchments for over 4,000 retail destinations across the country. It accounts for the attractiveness of each centre's mix, the location of competing schemes and the level of demand in the area.
- **SHOPPER DIMENSIONS** is the most comprehensive in-centre research study and provides an unprecedented view of the UK consumer, based on CACI's database of 600,000+ surveys over 230 retail locations.



BUCKMINSTER

CACI

CATCHMENT DEMAND



- ❖ FSP have identified a very low population density within 30 minute drivetime (less than half the average population of UK outlet centres).
- ❖ This highlights the need for GDOV to draw in shoppers from further afield, by providing a strong draw of an upscale outlet centre.

- ❖ A top tier operator (such as McArthur Glen, Neinver, Via Outlets) would be recommended in order to establish a destination of this calibre.

- ❖ The overlap of the catchments of GDOV and Downtown Outlet shows that having two outlets in such close proximity would be over-supplying an already limited catchment. * Due to proximity, consent for the Downtown Outlet scheme is likely to put growth aspirations for Grantham at risk.
- ❖ Premium brands are unlikely to locate in both centres due to cannibalisation of the same shoppers from each scheme's catchment. It is therefore recommended that only one top tier outlet centre is required and will be able to fully cater for the demand in the area.

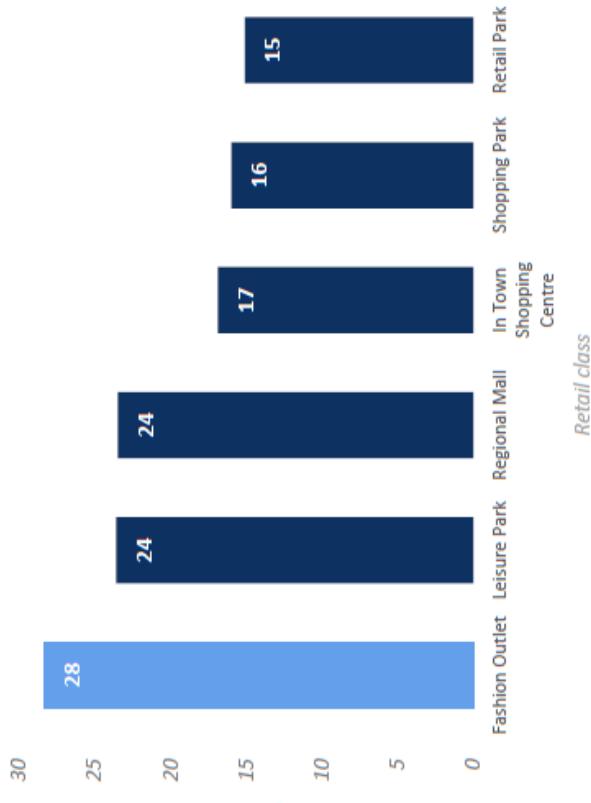
Source: CACI Retail Footprint, FSP Catchment & Performance update 2018

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*Using CACI Retail Footprint data

SHOPPER BEHAVIOUR

Outlet centres pull shoppers in from the widest catchment area compared to other retail destinations, with an average drivetime of 28 minutes



❖ Outlet centres are able to attract shoppers from furthest away compared to other retail destinations*, highlighting the benefits of providing this type of retail in a sparsely populated catchment.

❖ The strong transport links and accessibility via the A1 make GDOV a desirable location to serve a wide catchment. Development plans have already catered for high volumes of parking provision, and have taken into account the accessibility and local congestion to ease strain on the surrounding area.

❖ While an outlet centre has a stronger draw compared to other retail destinations, an outlet with a more premium tenant mix will draw visitors from a wider catchment area.**

❖ This demonstrates the need to ensure GDOV secures key premium anchor tenants (such as Ralph Lauren, Hugo Boss, Burberry), in order to maximise the draw of the centre and facilitate the widest geographical reach.

Source: CACI Shopper Dimensions, CACI Retail Footprint

*Using CACI Shopper Dimensions data

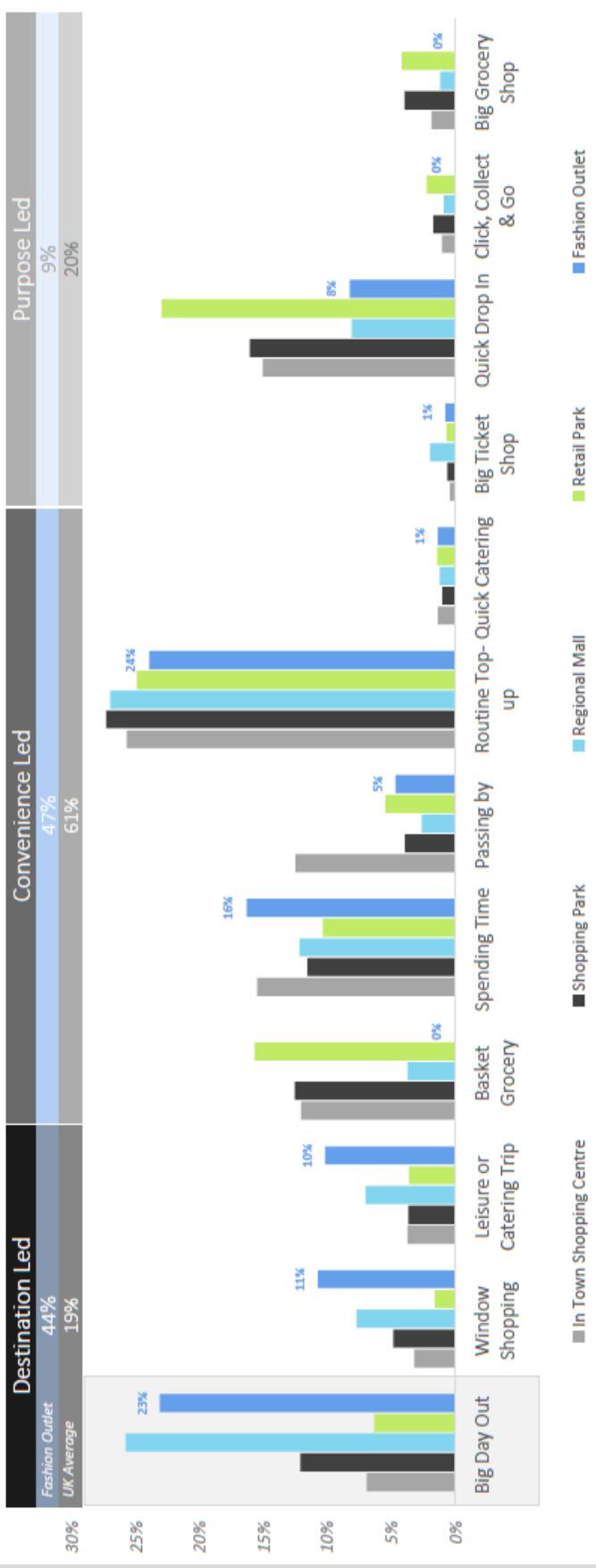
**Using CACI Retail Footprint data

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SHOPPER MISSIONS

Shoppers visiting an outlet centre are much more likely to be conducting a Big Day Out trip, while there are also higher proportions of Leisure / Catering driven missions compared to an in-town shopping centre. This further reflects the need to deliver an appealing and inviting space, with a brand offer that differs to a traditional in-town shopping centre.



Source: CACI Shopper Dimensions

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SHOPPER REQUIREMENTS

- ❖ Shoppers within GDOV's and Downtown Outlet's catchments will not have a need for duplicated brands in such close proximity.
- ❖ Both outlet centres will not only be serving the same households, but also visitors who are on similar shopper missions – predominantly those less frequent, higher value experiential trips*. The existence of both schemes in the same tenant and visitor markets is likely to dilute the success of GDOV, and as a result will not be able to bring the benefits of a Tier 1 scheme nor the cross-over benefits for Grantham town centre to the area.
- ❖ A collection of key premium brands establishes the main draw for outlet centres, providing shoppers with a desirable offer worth travelling for and generating interest from further afield, giving outlets their characteristically long drivetime. Alongside this is a high proportion of mass market brands, which offer more accessible retail opportunity for shoppers, promoting higher engagement.
- ❖ While these mainstream brands may not be the largest drivers of footfall, they are the bedrock of income for premium outlet centres, experiencing the highest retail conversion rates across centres as they allow shoppers to engage with everyday brands at a lower price point.*
- ❖ The result of having two large outlets in such close proximity will dilute the strength of the offer at each individual centre, meaning that there is greater competition for the mass market brands. With these brands forming a key part an outlet centre's turnover, it is crucial to provide a strong mix of relevant mass market brands, which could be at risk given the proximity of Downtown Outlet.



Source: CACI Shopper Dimensions, Grantham DOV

*Using CACI Shopper Dimensions data

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KING 31 VS GONERBY MOOR: SITE POTENTIAL

- ❖ The FSP report concludes that the greenfield site at GDOV is more suitable for the modern design of an upscale outlet centre. Top tier operators would find the proposed design at Downtown Outlet unsuitable, while King 31 (GDOV) has the potential to attract a leading outlet operator such as McArthurGlen, greatly enhancing its prospects for success.
- ❖ The proximity between McArthurGlen's East Midlands Designer Outlet is within a 60 minute drivetime of Downtown Outlet, meaning that key anchor tenants are unlikely to locate in both centres. GDOV sits further away, giving a higher chance of attracting key brands and securing a top operator. Lacking either of these will significantly reduce the impact of the scheme and overall performance amongst shoppers.
- ❖ Downtown Outlet has a less desirable car parking arrangement – access is via a single entry/exit point, and is shared with HGV traffic. Car parking is both a key driver and barrier for shoppers when choosing a retail destination, and congestion on entering a site will create negative associations amongst shoppers and deter return visits, especially during peak times.*
- ❖ Downtown Outlet is adjacent to two large warehouse units and a waste transfer station, which are unsuitable neighbours for an outlet centre of this calibre. It is also neighboured by functional, dated buildings (Travelodge, Moto Service Station, Downtown Mill building) – which do not create a desirable environment for a top upscale outlet centre and will be discouraging to a top tier operator.
- ❖ By contrast, the GDOV site provides strong potential to create a modern, upscale designer outlet, with architectural designs incorporating social spaces for shoppers and the opportunity to create a strong sense of arrival when entering the site. This provides a stronger draw for top brands to locate within the scheme, ultimately creating a greater commercial opportunity at GDOV compared to that at Downtown Outlet.



Source: CACI, FSP site assessment, Grantham DOV

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*Using CACI Shopper Dimensions data

EXTERNAL FACTORS

LOCAL FACTORS

- ❖ An increasing offer within Grantham town centre with the likes of a new cinema and catering development will work to GDOV's benefit, making the area as a whole more desirable and helping to stimulate retail interest from the wider region.
- ❖ Promoting engagement between Grantham town centre and GDOV will appeal to those shoppers travelling from further away, encouraging domestic tourists to visit on a 'big day out' style trip with increased likelihood of visiting the town centre and GDOV in one outing. The impact of this will be limited by the existence of two outlet centres within Grantham, reinforcing that only one top tier outlet scheme should operate in the area. With GDOV having the most suitable site plans, it would be recommended that this is the more desirable choice for the success of the wider area.
- ❖ It is also unlikely that the location of Downtown Outlet can support a premium offer, given the Boundary Mill* effect (i.e. Premium brands are unlikely to locate in an outlet next to an existing Boundary Mill discount offer). It is not guaranteed that Boundary Mill and the current Downtown stores will continue to operate as they currently are, as there is open A1 planning consent at the Downtown site which will (unlike at GDOV), enable brands from the town centre to take space with no proper restriction.
- ❖ An array of nearby tourist attractions and a tourist office located within GDOV will facilitate strong performance from domestic tourists, predicted to be worth nearly £700m annually. This boosts GDOV's catchment to capture a market of additional spenders. The accessibility, brand offer and physical environment at the outlet centre will be crucial for serving these visitors from further afield. The scheme design caters for this by ensuring a quality environment and public spaces are delivered, creating a safe, relaxing and inviting space for shoppers to engage with.
- ❖ FSP's outlet centre model predicts that GDOV will achieve a market share of 8% (growing to 9% after the delivery of Phase 2). This is significantly above the average for large upscale outlets in the UK (3% market share), demonstrating the strength of the opportunity within the catchment to create a leading outlet destination.
- ❖ With Downtown Outlet providing a less desirable location in terms of the site itself and the immediate competition (from Boundary Mill and Downtown), it is likely to attract more mass market brands such as those who are already operating within Grantham town centre. In offering lower rents and free parking, Downtown Outlet may successfully draw brands away from the town centre, leading to a significant risk the site could become an alternative town centre having a negative impact for the struggling retail in Grantham.

*Boundary Mill are an existing tenant within the Downtown discount store.

Source: CACI Knowledge, FSP Catchment & Performance update 2018

EXTERNAL FACTORS

WIDER INDUSTRY FACTORS

- ❖ The UK fashion outlet market is thriving, demonstrating +14% increase in turnover between 2014 – 2017.
- ❖ Rioja Developments and Buckminster are working together to create a unique outlet destination, based on extensive knowledge of existing outlet operations throughout UK and Europe combined with Buckminster's local experience and responsibility for ensuring the sustainability and success of Grantham.
- ❖ This combination of partners behind GDOV provides the relevant local and industry knowledge to deliver a leading upscale outlet, taking into account local and regional requirements within the catchment.
- ❖ Tier 1 outlet schemes are almost exclusively new schemes, that are purpose built, not an addition to an existing discount centre. The site at GDOV provides this opportunity to create a bespoke development, while the scale and quality of Downtown Outlet is heavily comprised by the existing scheme and neighbouring businesses.



CONCLUSIONS



Premium brands are unlikely to locate in both centres based on cannibalisation of the same shoppers from each scheme's catchment. It is therefore recommended that only one top tier outlet centre is required and will be able to fully cater for the demand in the area.



The characteristically wide pull of outlet centres demonstrates the need to ensure GDOV secures key premium anchor tenants (such as Ralph Lauren, Hugo Boss, Burberry), in order to maximise the draw of the centre and facilitate the widest geographical reach. Downtown Outlet is unlikely to secure such tenants due to limitations of their site providing a less desirable physical environment.



Two large outlets in such close proximity will create greater competition for the mass market brands. With these brands forming a key part an outlet centre's turnover, it is crucial to provide a strong mix of relevant mass market brands, which could be at risk given the proximity of Downtown Outlet.



The greenfield site allows the potential to create a modern, upscale designer outlet, with proposed architectural designs incorporating social spaces for shoppers and the opportunity to create an exciting place to shop. In contrast, Downtown Outlet faces limitations from its site and existing neighbours (i.e. car park restrictions, warehouses and waste transfer station). This establishes a stronger draw for top brands to locate within the scheme, ultimately creating a greater commercial opportunity at GDOV compared to that at Downtown Outlet.



The information in this report shows that there is not room for two schemes of this nature within Grantham, and if both schemes are given consent there would be a negative impact for GDOV, Downtown Outlet and Grantham town centre. The development plans at GDOV cater for the sustainability and success of the town centre, while also creating a larger tourist trade for the area, making it is the most favourable choice for the area. In contrast, Downtown Outlet is more likely to compete with the town centre offer based on its likelihood of attracting a more mass market brand mix, especially given the open A1 planning consent at Downtown.

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BUCKMINSTER

Our Ref: SGV/EJH

20th December 2018

RECEIVED

21 DEC 2018

DEVELOPMENT MANAGEMENT

Dear Mrs Bland and Mr Johnson

Further Objection to Oldrids/Downtown Planning Application for a Designer Outlet Village Planning Application Reference -S17/ 2155

Further to the response you have received from the applicant in respect of our initial objection (dated 1st October 2018) we comment as follows:

Retail Impact & the Effect on Grantham Town Centre

We are very concerned about the lack of regard Downtown and their advisors, Fisher German, have had to the impact concerns raised by SKDC and ourselves. They have ignored and not addressed the fundamental and valid planning concerns that have been raised; we believe this is because they are unable to satisfy proper scrutiny of the retail impacts of their scheme.

To recap the issue:

Paragraph 4.4 of the Council's interim Position Statement states that "it is important for the Council to ensure that if planning permission is granted that the **retail uses on the whole of the site, including the existing retail units**, would not adversely impact the town centre" (our emphasis).

A very valid concern raised by SKDC was that following development, reconfiguration of the new and existing units would allow unrestricted retail sales from the existing Downtown unit which could "adversely impact the vitality and viability of Grantham and other nearby town centres".

The reality of the impact of the proposal is clear in SKDC's approach - the proposal will impact vitality and viability of Grantham and other town centres – are there any controls that might prevent this?

Downtown has not argued that the Council's underlying concerns on impacts are not well founded or severe. Instead, Downtown seeks to offer controls that it says will avoid those impacts. In doing so, Downtown recognises that those impacts would otherwise occur. These controls are expressed in its document '*Downtown Grantham Development Proposals – Executive summary*'. We believe these are wholly inadequate and will be ineffective.

Together with our advisors, we have considered that document and we raised our continuing and substantial concerns in our response dated 1 October 2018; that Downtown had once again not addressed the fundamental impact points.

Continued

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Continued 2

We raised two scenarios that would have devastating impacts on Grantham town centre, and other centres, notwithstanding the controls suggested by Downtown. Downtown's bizarre response to this is that it does not consider that we have seen the controls they have suggested, which is self-evidently wrong. Once again, Downtown has ignored the impact issues raised and has still not undertaken an impact assessment of those two scenarios for SKDC to consider.

We have asked for clarification from SKDC if the type and level of controls have changed from that proposed in '*Downtown Grantham Development Proposals – Executive summary*'. We have not received a response and assume that no further controls are suggested. If there are, we need full sight of these and should be given sufficient time to make appropriate comments for SKDC to take into account.

We believe that Downtown has not addressed the impact points raised by SKDC and ourselves for a good reason: that is because Downtown is unable to demonstrate that the fundamental town centre impacts will not arise. Even to the extent to which Downtown may be able to address the points, it only has a temporary 5 year effect, following which the full impact of the proposals will bear down upon Grantham and other town centres – SKDC appears to recognise this. SKDC is custodian of the social, economic, and environmental health and welfare of Grantham for many years to come – not just for the next five years as Downtown's response suggests.

Under these circumstances, it is not possible for SKDC to be satisfied that Downtown has demonstrated that its proposal is not likely to have significant adverse impact on Grantham and other town centres, whether within or beyond the suggested five year period of control.

On this '5 year control point', Fisher German's response of 14 November 2018 once again highlights that no measure of control has been established – on page 3 they make it clear that the scheme that might commit a retailer to the town centre for 5 years is yet to be drawn up. It clarifies that the retailer can go to Downtown as soon as it is open, but must retain a town centre presence for 5 years – what sort of presence is not established; it could be a token presence. Fisher German propose that the details of this control will not be established until *after* any planning permission is granted, and may of course contain any manner of exemptions. SKDC just cannot make a judgement as to whether controls are effective without knowing what the fine detail of the controls are. In any event, whatever controls may exist, they fall away after 5 years and the town centre will be unable to defend itself.

Downtown makes reference to decisions that it says help support the case for a temporary 5 year control over town centre users – they cite Scotch Corner and Colchester. What they fail to draw to the Council's attention is the important dissimilarity between the circumstances of those schemes and their own.

In Scotch Corner, the Secretary of State considered that "*Darlington Town Centre remains in good health with a **high level of vitality and viability** (our emphasis), and would not be at material risk from competition from the designer outlet centre, particularly given the limited overlap of the type of goods to be sold*" (para 15).

Continued

Continued 3

It is under those circumstances that a 5 year restriction might be appropriate. That is simply not the case in respect of existing Downtown building where there is complete overlap with Grantham town centre on the comparison goods that can be sold. GDOV is also restricted in perpetuity, rather than for 5 years.

In Colchester, the Inspector considered that "...the view of the Colchester Retail Business Association was that the Town Centre was 'a thriving town with a superb shopping amenity'. Moreover, the 2016 Retail Study, which was prepared to inform the Council's emerging development plan, identifies several features of the Town Centre that demonstrate a healthy centre. These include a good diversity of uses, a declining vacancy rate, good retailer representation, good independent retailer offer, strong commercial rents and stable yields, good pedestrian flows, and a pleasant shopping environment. The inspector concluded that this is not an ailing centre at a crossroads (para 12.4.10).

The Inspector also concluded:

"Indeed, the present good health of the Town Centre is demonstrated by investment of over £100m during the lifetime of this application, including Fenwicks' £30m investment in their store on High Street; Primark's entry into Colchester with its new store, the former BHS, now open" (para 12.4.17)

And given the health of the town centre... "Even if the 'worst case' of an anticipated 14.0% impact is accepted, given the current health of the Town Centre I consider that the proposal would not cause a significant adverse impact" (para 12.4.25).

These healthy town centre scenarios do not apply to Grantham, which is struggling, and reliance on the 5 year restriction will not protect a town like Grantham. Downtown is either going to compete openly and unfairly with 40% of Grantham's town centre comparison retail floor space (our previous representation pointed out that the unrestricted floor space at Downtown equates to 40% of the existing floor space in Grantham town centre,), or accommodate 40% of that floor space either before or after 5 years. We do not consider that Grantham will survive this.

We say once again – these impacts have not been assessed by the applicant, despite SKDC's request for them to do so and despite our substantial concerns. This must be because the outcome of such an assessment would be to illustrate the danger to the town centre that the Downtown scheme poses.

As a substantial town centre retail space owner and investor, Buckminster expect SKDC to require Downtown to clearly prove their case – so far they have demonstrably failed to do so. As such, SKDC should refuse the application (in accordance with para 90 of The National Planning Policy Framework) on the basis that Downtown has been unable to establish that the proposal is not likely to have a significant adverse impact on town centre vitality and viability.

Planning Policy

Employment Policy

Since the 1995 Local Plan, the Downtown site has been allocated for industrial/business/employment

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uses – primarily B1, B2 and B8 uses. The adopted Core Strategy identified the site for Industrial Development and clarified that that retail was not an employment generating development as far as local plan policy is concerned (para 6.1.6). The Site Allocation and Policies DPD identified the site for Employment generating uses, once again specifically excluding retail (para 5.4.2). In the emerging Reg 19 local plan the site is allocated as an existing employment site (R3) which policy E3 seeks to “protect to ensure continued provision of locally important employment opportunities. Proposals for the re-development of these sites, outside of employment generating uses will be resisted”. Of note, Policy E1 (identifying Strategic Employment Sites) and E2 (identifying Employment Allocations) state that employment generating uses outside B-uses may be appropriate on those sites – this however specifically does not apply to Downtown’s Gonerby Moor site allocated under E3 (Protection of Existing Employment sites) – the protection of that site for B1, B2 and B8 is clear. This is reinforced by the Employment Land Study 2015 which identifies Gonerby Moor as a significant rural industrial estate for B1c/B2 and B8 uses.

Paragraph 2.63 of the Reg 19 Local Plan states that retail development can be included under the definition of Economic Development, provided that there are no suitable or appropriate allocated sites, nor any in the built up area of existing settlements. However, this only relates to sites under policy E7 (Other Employment Proposals) and specifically not to Downtown. Even if it did, the approved Grantham DOV is also clearly a suitable and appropriate site which is to be subsumed into the settlement of Grantham – Downtown would fail this policy test.

Redevelopment of the Downtown site for mainly retail development is therefore contrary to local plan economic/employment policy and should be refused.

Retail policy

The National Planning Policy Framework (The Framework) states that where a retail proposal is likely to have a significant adverse impact on town centre vitality and viability, including local consumer choice and trade, planning permission should be refused. For the reasons we outline above, Downtown has been unable to demonstrate this, and therefore fails this policy test.

The Regulation 19 Local plan recognises that planning permission exists for the Grantham Designer Outlet Village at King 31. There is nothing in the wording of local plan policy GR4: Grantham Town Centre Policy Retail which specifically supports Downtown’s proposal.

An objective of the Local plan is to ensure Grantham’s role as the Sub-Regional Centre is strengthened through significant housing and employment growth – local policy E3 seeks to protect the Downtown site to help meet that employment contribution. The GDOV permission at King 31 is considered by SKDC to be a ‘game-changer’ that further supports the sub-regional role. Downtown’s proposal would also be a game-changer sadly for different reasons. It will create confusion in the market place and undermine the ability of GDOV to perform the important role which SKDC has granted planning permission for, and undermine Grantham’s ability to enhance its sub-regional role.

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Downtown suggests that there is room in Grantham for two Designer Outlet Villages – it is clearly wrong on this point, as Rioja have clarified in their October submissions. Downtown says that there is room for two planning permissions, and let the market decide which one comes forward. The point raised by Downtown about competition is a red-herring – to suggest that a refusal would simply be an act to stifle competition is nonsense. A refusal will be exercising proper planning control on proper planning grounds to ensure that all the benefits of GDOV are delivered to Grantham and the District, and that the Downtown site continues to perform its established I industrial/employment role in accordance with planning policy. The expansion of Grantham to the south will bring GDOV and nearby new employment allocations into the urban area of Grantham, whilst Downtown will remain in rural isolation.

The Downtown proposal conflicts with planning policy and should be refused, based on:

1. Policy E3: Protection of Existing Employment Sites for B1, B2 and B8 uses.
2. Retail policy in the Framework – Downtown has not demonstrated that the proposal will not have significant adverse impacts;
3. It will adversely affect the ability of GDOV to fulfil the recognised function of being a 'game changer', supporting the stated local plan objective of strengthening Grantham's sub-regional role.

Legal Submissions

Downtown's further submission also includes an opinion of Richard Harwood QC dated 13 November 2018. That opinion purports to address the concerns set out in the opinion of William Hicks QC which we provided with our submission to the Council on 1 October 2018. However, it is our view, and the view of our legal advisors, that the opinion of Richard Harwood QC does not tackle the issues raised in our submission to the Council, nor does it attempt to do so. Instead, and presumably under instructions that are misplaced, Mr Harwood's opinion focusses on grounds for challenge - stating that he has reviewed the Downtown application and "[I do] not see any basis for judicial review" (paragraph 6).

This conclusion is of course entirely premature, given that there is not yet a Council decision which could be subject to challenge. The opinion of Mr Hicks, on the other hand, focusses on reasons for refusal of the Downtown application. Mr Hicks concludes that the development proposed by Downtown is likely to lead to unacceptable impacts on the town centre which should lead to its refusal; that any decision to grant planning permission on the current impact assessment material would be seriously flawed.

The opinions, therefore, are dealing with different matters; one matter which is present (the extant Downtown application and the Council's consideration of it), and the second which is yet to occur (the Council's determination of the application). Our serious concerns about the significant impacts of the Downtown proposal – as set out in the opinion of William Hicks QC and the other material that we have submitted to the Council – therefore stand and remain to be acknowledged or addressed by Downtown and its advisors.

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Highway Matters

In addition to our concerns around the potential impact on Grantham Town Centre, we have also had Mayer Brown review the original information submitted by Downtown's traffic consultants PTB. In our submission to the Council dated the 1st October 2018, we made the case that there were serious issues with PTB's traffic assessment of the Downtown scheme in terms of the flawed methodology and the assessed outputs.

Downtown/PTB set out in their document dated 13th Nov 2018 a response to the points made by Mayer Brown. Mayer Brown have reviewed this second PTB report and have concluded that the matters originally raised have still not been addressed.

For ease of reference all three documents are attached under the title: *Mayer Brown highways issues with Downtown application. S-17-2155. December 2018.pdf*.

As a summary of Mayer Brown's (MB) second technical note dated 7 December 2018.

- MB make the strong case that Downtown/PTB have still not addressed the fundamental issue that not enough car parking has been provided in the Downtown scheme; this will result in car parking on the surrounding public highways which will cause congestion and safety issues.
- The issue arises because the Downtown scheme includes new out of town offices. As the Downtown area is not well served by public transport, office users will have to use their cars to get to work.
- Downtown have used other office schemes elsewhere in the country to benchmark the amount of office trips to the site and car parking that will be required. Those other benchmarked schemes are not comparable to the Downtown site as they are for schemes that have much better public transport links and lie within far denser urban environments. For example they benchmark the Downtown office car parking need with schemes within the built up areas of Leeds and Manchester. Figure 1 of the latest MB technical note graphically shows the different locations. PTB are simply not comparing like with like.
- This shortage of car parking will cause a serious problem on a normal weekday, and the situation will be worse at weekends if the office users are a call centre or some Technology, Media and Telecom (TMT) uses which would ordinarily operate at weekends.
- There are also potential problems with how the scheme will be serviced in terms of deliveries. There is insufficient space for turning and loading/unloading of vehicles on site.
- There are also technical issues with the Environmental Impact Assessment (EIA) Periods which means that the EIA is incomplete.

To conclude there is clear and compelling evidence that:

- There is a significant shortfall in the parking arrangements within the Downtown proposals which will lead to overspill parking occurring on the surrounding highways (in the order of several

Continued

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hundred cars). This is likely to prejudice the free flow of traffic and highway safety for all road users, and is a very serious concern.

- It has not been demonstrated that the servicing provisions are adequate, which could lead to inappropriate and unsafe manoeuvring/loading of heavy goods vehicles.

For these two reasons the scheme would contravene para 109 of the new NPPF:

109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Downtown scheme should be refused on the basis that it is not in compliance with para 109 of the new NPPF.

Conclusion

As local landowners and investors, with a long history of stewardship, we continue to reiterate that the Downtown application submission is deficient, particularly in relation to retail impact. The proposal is also demonstrably contrary to local plan and national policy as set out in the NPPF; there are no other benefits that might outweigh this which are not already being delivered through GDOV.

Whether Downtown does or does not submit further material, this will not override fundamental retail and policy flaws to their scheme. In our view, and in the view of our advisors, South Kesteven District Council has no option other than to refuse planning permission in accordance with the proper application of Section 38(6) of the Planning and Compulsory Purchase Act 2004.

Yours sincerely

STEPHEN VICKERS
Managing Director

Mrs S Bland & Mr J Johnson
Planning Department
South Kesteven District Council
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St Peter's Hill
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Technical Note

Introduction

- 1.1 This Technical Note has been prepared by Mayer Brown on behalf of Buckminster Trust Estate in respect of an application made by Oldrid & Co. Ltd for a Designer Outlet Centre to the north of Grantham at Great Gonerby.
- 1.2 This note considers the Technical Note prepared by PTB entitled "Response to Various Objections" (dated 13/11/18) within which they attempt to address some significant objections submitted in respect of the development proposals.
- 1.3 PTB's November 2018 Technical Note fails to address some fundamental matters which, if remain unresolved, have the potential to result in significant safety and operational issues in terms of highways and transportation which could negatively impact the local community and those using the local highway network.
- 1.4 This note sets out the remaining concerns relating to the application, which principally revolve around parking provision and office trip attraction/parking demand.

Parking Provision – Weekends vs Weekday

- 1.5 Paragraph 3.34 of the PTB Technical Note concludes that the critical period to consider in terms of parking demand falls on a Saturday, based on consideration solely of retail parking demand.
- 1.6 No proper consideration is given to the likely demand for the office parking on a weekday which, when accounted for, may indicate that the weekday parking demand constitutes the critical period for consideration. This is potentially a significant oversight; as set out later in this note, the national census identifies a heavy reliance on the use of a private motor car for employees in the vicinity of the development site.
- 1.7 Additionally, PTB dismiss any effects of office parking on a weekend (para 3.3.5) which would consequently preclude any B1(a) uses at the site such as a call centre or some Technology, Media and Telecom (TMT) uses which would ordinarily operate at weekends.

1.8 Consequently, either the applicant's consultant needs to undertake a robust assessment, or any permission would need to restrict the use of the office element to weekdays only. The latter would still need to be subject to an assessment of weekday demand, which has not been undertaken.

Office - Parking Demand & Trip Rates

1.9 The PTB assessment relating to the office development utilises the TRICS datasets. While TRICS is one tool for estimating trips to developments, application and manipulation of data from the program must be done while exercising appropriate professional judgement.

1.10 The TRICS data contained within the PTB Transport Assessment utilise the subcategory "Business Park", and include sites across the country in Dorset, Manchester, Lancashire, Nottinghamshire and West Yorkshire. The majority of sites utilised in the assessment are "vehicle only" surveys, and therefore do not provide any multi-modal data to give an indication of how reliant staff members are on their vehicles to get to work.

1.11 Without exception, the sample sites utilised from the TRICS datasets are located within considerably built-up areas, with many of the sites benefitting from nearby excellent bus, rail and tram infrastructure which staff benefit from when commuting.

1.12 The Downtown site is located in isolation to any such public transport infrastructure and staff will consequently be heavily reliant on the private motor car. This is in stark contrast to the sample sites used by PTB in their assessment of the office element of the development and, consequently could provide a significant under-estimate of the level of vehicle trips to the proposed site.

1.13 As set out in our earlier Technical Note, 79% of employees who work in this location travel to work by car. These are site-specific data which are based on employees who actually travel to the area surrounding the development site. This is a directly relevant statistic, far more so than any travel statistics for sites in Manchester or Leeds for example.

1.14 The scale of the 79% figure reflects the inaccessibility of the development site by non-car modes.

1.15 As PTB have not provided any multi-modal data for the office element of the proposals, it is not possible to validate their work.

1.16 It is suspected that, given the locations of the samples sites used from TRICS, PTB have significantly under-estimated the level of car trips to the office element and, consequently, significantly under-estimated the likely parking demand.

1.17 In order to aid the reader, this concern is presented graphically at **Figure 1** of this report, which clearly shows how the proposed site location is significantly different to the sample sites used in the applicant's assessment.

1.18 It therefore remains a significant concern that there has been an under-estimation of vehicle trips and parking to the development proposals and, consequently, there could be overspill parking or additional congestion arising from the development, which has not been considered.

Servicing

1.19 It is noted that the servicing is a reserve matter.

1.20 It remains a concern that insufficient space is reserved for turning and loading/unloading of vehicles on site.

1.21 When making such a provision it is likely that the built form of the development will need to be amended, which may result in the development being outside any envelopes agreed at the outline stage.

1.22 The absence of any tracking results in a high risk the parameters set by the outline permission will need to be amended.

EIA Assessment Periods

1.23 It is noted that PTB confirmed that the assessment periods have been agreed with the local highway authority for the TA. [PTB Technical Note para 3.5.6]. These are not in question; The concern is with the absence of consideration of when the greatest environmental impact occurs which should be considered within the EIA chapter.

1.24 Any Environmental Impact Assessment is required to demonstrate that it has considered the period of greatest impact/change.

1.25 The application continues to fall short of demonstrating consideration of the period of greatest change and is therefore incomplete.

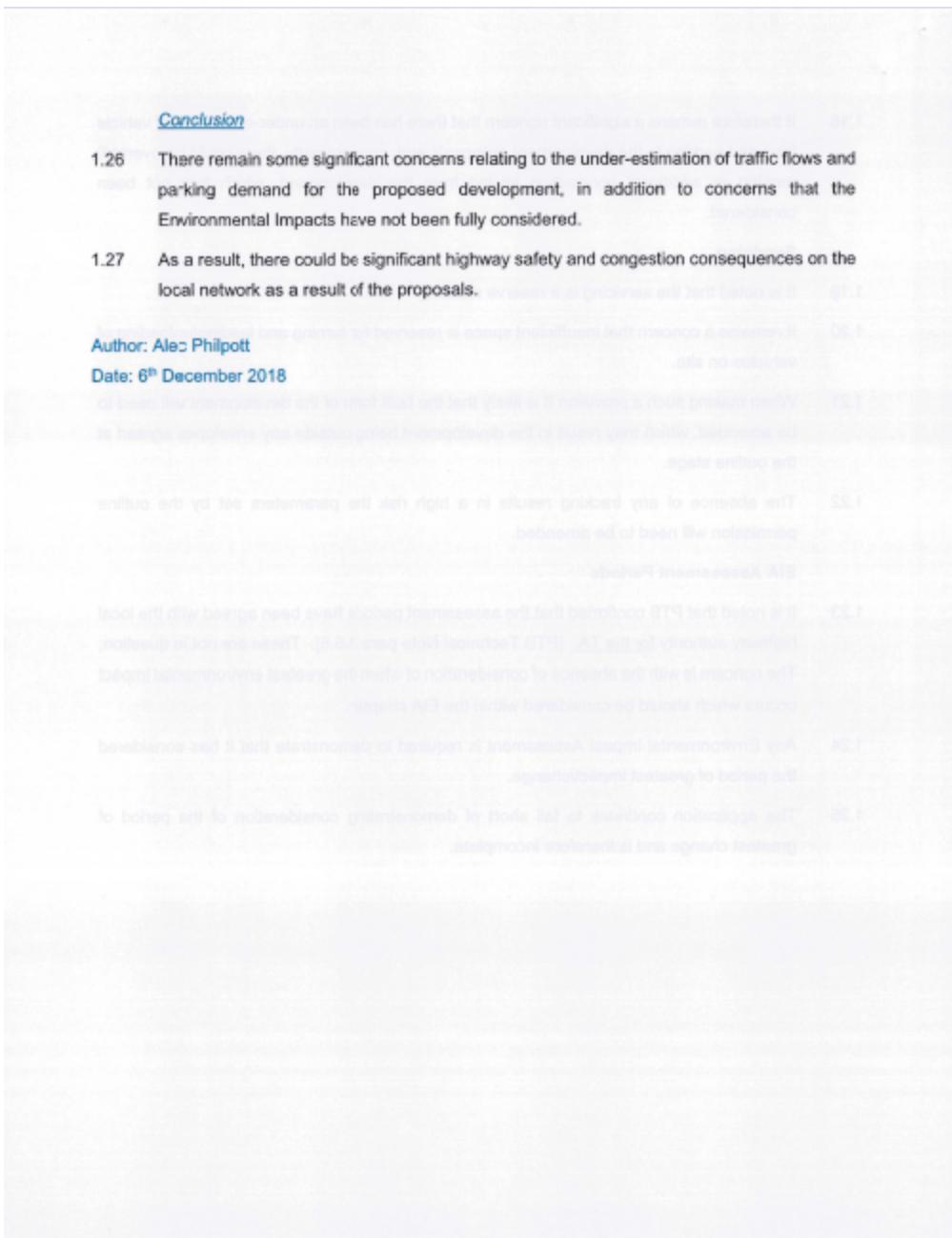
Conclusion

1.26 There remain some significant concerns relating to the under-estimation of traffic flows and parking demand for the proposed development, in addition to concerns that the Environmental Impacts have not been fully considered.

1.27 As a result, there could be significant highway safety and congestion consequences on the local network as a result of the proposals.

Author: Alec Philpott

Date: 6th December 2018







Our Reference: SGV/EJH/1898

1st October 2018

Dear Mrs Bland and Mr Johnson

Reference: S17/2155. Downtown Grantham Designer Outlet. Outline planning permission for the erection of a Designer Outlet Centre of up to 20,479 sqm (GEA) of floorspace comprising retail units (A1), restaurants and cafes (A3), and storage. Additional large goods retail (5,574 sqm GEA), garden centre (5,521 sqm GEA) and external display area for garden centre (1,393 sqm), tourist information and visitor centre, training academy, leisure unit and offices including high-tech hub/start-up offices.

Introduction

As significant owners and investors in Grantham Town Centre for over a century we would wish to state our strong objection to the planning application reference S17/2155 submitted by Oldrid & Co Ltd for an outlet retail scheme at their site at Great Gonerby, Grantham.

Our principal concern arises from the threat that the redeveloped Downtown site will pose to a fragile Town Centre that is only just beginning to show the first tentative signs of recovery after a very long period of malaise. The existence of the Downtown operation at Great Gonerby has caused significant diversion of traditional town centre retail custom since their store was originally opened in 1989, and the potential blend of retail that their proposals would allow on their site will be too compelling for Grantham Town Centre to compete with. Irrespective of how the applicant says the scheme will operate the District Council are required to assess how it could operate, and that has not been done. As you will note from the detail of this letter, and the supporting correspondence from a senior and experienced retail and planning QC, planning permission should be refused - any decision to grant planning permission in this instance will be flawed and consequently open to further legal challenge.

The necessity to effectively and completely restrict the ability of the applicant to trade-down the entirety of their operation was something that we (together with our partner Rioja) worked closely with South Kesteven District Council to achieve in respect of the consented Grantham Designer Outlet Village scheme adjacent to the A1 at the King 31 site. We recognised that the proposals needed to ensure that any customers visiting the site were additional to those already utilising the Town Centre and that this protection was enforceable in perpetuity. Given the very limited nature of the restrictions offered by the applicant in the Oldrid application together with the five year limit on those restrictions it is also clear that they will be ineffectual in achieving this protection to the Town Centre. Crucially, we would also point to the two schemes being assessed against different bar heights. It is categorically incorrect to assess the two schemes as being the same, or even similar, given the existing retail operation that will persist at the Downtown site after the grant of a planning consent. The council's approach to the application would be fundamentally flawed if it is based on the false proposition that it is a similar, alternative proposal to the approved GDOV at King 31.

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Downtown – Impact on Grantham Town Centre

It is very clear that the full retail impact of the Downtown proposal has not been assessed by the applicant nor the Local Planning Authority (SKDC).

At paragraph 4.4 of the Council's Interim Position Statement, it is clearly explained to the applicant that the impact upon the town of the existing floorspace of the Downtown unit, as well as the proposed new Outlet Village, should be assessed. Part of the reason for this is that the way the new retail destination operates could change the existing Downtown unit's operation significantly, with consequential significant impacts on the Town Centre. This needs to be assessed.

However, the addendum Retail Impact Assessment prepared on behalf of Downtown ignores this point and SKDC's request. The Impact Assessment requested by the Council has not been undertaken and therefore the full implications of the development have not been expressed nor assessed. The applicant, realising that there would be a significant impact, has instead sought to second guess the results of a proper assessment by suggesting a few restrictions in their document '*Downtown Grantham Development Proposals – Executive Summary*', as follows:

- No convenience (food) retailing
- No sub-division of internal floorspace below 10,000 sq. ft.
- Any town centre retailers wishing to locate at Downtown will need to retain a presence in the town centre, however that requirement falls away after 5 years

This approach by the applicant recognises that impacts will arise and need to be mitigated. However, three important aspects arise:

1. The full retail impact of the combined proposal has simply not been undertaken;
2. The applicant considers it appropriate to control the existing Downtown retail floorspace, very clearly because otherwise it would have unacceptable impacts (as yet undetermined);
3. The 'restrictions' suggested by the applicant will not safeguard the town centre, as demonstrated below.

To illustrate the extent of potential impacts, we consider below two scenarios that are entirely possible under the Downtown proposal – neither of which have been assessed by the applicant or the Council.

Impact Scenario 1

In this first scenario, retailers such as Next can instantly relocate to Downtown (existing building), retaining a minimal presence or concession within another town centre store eg to allow for pick-up and collection of goods ordered online. Other retailers can similarly relocate (as long as they retain a token town centre presence) all benefitting from the knowledge that after five years their token presence in a town centre is no longer required. Even if they are required to retain a meaningful presence that still only lasts five years, which is meaningless and ineffective timescale restriction for the future of Grantham town centre.

Although the sub-division to units of no less than 10,000 sq. ft. is proposed, Downtown's existing trading format is not constrained by unit size because it currently operates on a large scale and open plan retail offer without such subdivisions. Therefore, large units of no less than 10,000 could just replicate this trading format – amalgamating, for example, town centre shoe retailers into a 'Concessions Shoe unit' – and similarly for clothes, jewellery, music, furniture, clothes, fashion, watches etc. There could also be a town centre services unit containing bank and building society facilities, hairdressers, travel agents and any other forms of town centre use

The restriction on the size of the unit will not therefore affect the way that Downtown could operate. The restrictions offer was made by Downtown with the full knowledge that this generally applies to retail warehouse restrictions, not to the trading format proposed in this application.

The significance of this transfer of trade from the town centre to Downtown is highlighted by the percentage of existing town centre comparison retailers who could relocate. Under the proposal, in the order of 15,432 sq.m of unrestricted comparison floorspace will be made available in the existing Downtown store. This compares to 34,588 sqm of comparison floorspace in Grantham Town Centre (GOAD Town Centre Report June 2014). In other words, 45% of the comparison floorspace trading in Grantham town centre could locate within Downtown, and after 5 years have no further regard to any presence in the town centre whatsoever.

Even if it were argued that retailers would not relocate in the first 5 years, other competitors could take advantage of Downtown and compete with town centre traders on an unfair basis – eg free car parking and significantly reduced rents and rates. This has not been assessed.

It is precisely this form of impact which SKDC and their retail advisers PBA require to be addressed. The applicant has not done so. The implications of this are severe and significant.

Impact Scenario 2

In this scenario, there is nothing to stop Downtown from using its existing retail unit as additional outlet centre floorspace. Moreover, that floorspace is not controlled at all in terms of the level of operation that can take place and so the controls that are in place on the approved Grantham Designer Outlet Village would not apply to the existing Downtown unit. The Downtown proposal is significantly smaller than Grantham DOV (GDOV is 33k sq. m and Downtown are proposing 20.4k sq. m) and will not achieve the critical mass required for a tier 1 operation – this has been highlighted by the Council's retail advisers PBA. To bring that critical mass, the outlet would need to link into the existing floorspace and trade without tenant quality restrictions as an extension area.

The impact of this scenario has also not been considered by the applicant nor SKDC.

It is anticipated that once understood by Newark and Sherwood District Council, Lincoln City Council and Peterborough City Council, their concerns about cumulative impact on their relevant city centres will be further exacerbated.

The retail impact assessment is deficient in another significant respect. PBA has stated that a more robust assessment of trade draw should be applied – they consider 42.4% should be applied to the

Primary Catchment Area, 50% to the Secondary catchment area (the remaining 7.5% from outside those areas). Downtown has refused to assess their proposal on this basis, instead persisting with their own assumptions.

In light of the above South Kesteven District Council would be running the risk of legal challenge were they to grant the application. Instead we, as a concerned Town Centre owners and investor, would suggest that SKDC insist that the full impact of the proposal, as requested by them in their position statement on the advice of PBA, is actually undertaken. In the absence of any such assessment then SKDC should refuse the application on the grounds that the impact on Grantham town centre will be severe and will likely perpetuate and even hasten the continuing demise of an important element of the town's economic, social and cultural future.

Whilst our principal concern relates to the Town Centre it should also be noted that there are other errors and anomalies in the Downtown application. These include:

- There are serious issues with the traffic assessment submitted in support of the application both in terms of the methodology used (which is flawed) and the assessed outputs. These are outlined in the supporting attachment from Mayer Brown.
- A number of the submissions that form part of the Downtown application use data and outputs copied across from the Grantham Designer Outlet Village (GDOV) application despite the fact that a number of these are required to have been independently assessed by the applicant. This points towards a lack of due process, care and diligence in compiling the application, a clear example of which is that a significant part of their Environmental Statement is a direct copy of that contained within the GDOV, including the duplication of a spelling error and a regulatory reference that was incorrect as the relevant legislation had been reviewed in the time between the two applications. Downtown's planning statement also draws heavily from and copies our own planning statement, again replicating paragraphs word for word. As an example we would refer you to the planning policy conclusions (see their paragraph 5.8 and our paragraph 7.63). It is a blatant copy and it is telling of the paucity of understanding of the proposal even within the Downtown's own professional team.

We would reiterate our considered view that South Kesteven District Council do not have the required information to enable them to competently consider the Downtown application, less still to do so with an officers' recommendation that it be approved.

Yours faithfully

STEPHEN VICKERS
Managing Director

Enc: Note – William Hicks QC
Note – Mayer Brown

South Kesteven District Council
Planning Department
FAO: Sylvia Bland and Justin Johnson
St Peters Hill
GRANTHAM
Lincolnshire
NG31 6PZ

Planning Application for an Outlet Centre at Downtown

OPINION

1. I am asked by Buckminster to confirm in writing the advice that I have previously given that the grant of permission for Downtown is likely to lead to unacceptable impacts on the Town Centre which should lead to its refusal.
2. An important preliminary point is that the assessment of impact is not primarily a mathematical exercise. The key part of an assessment of impact is the judgement as to the way in which the proposed development is likely to operate, trade, and be perceived by customers, retailers and investors. The use of figures can then help in understanding the likely effects. However, the usefulness of figures is dependent on the underlying judgements.
3. I shall start by dealing with the way in which the King 31 Proposal (which has planning permission) will operate, then consider how Downtown would operate in the absence of King 31, and finally consider the position if both were permitted.

King 31:

4. The King 31 Permission is for a high-quality tier 1 DOC. The key elements are a sufficient critical mass of retail units selling high quality goods at reduced prices, and controlled to prevent ordinary retail. It will be a self-contained high-quality retail development of a very different kind from the Town Centre.
5. The size and quality are important to enable the development to draw customers from the large catchment area which it is designed to serve. There is a gap for one such Tier 1 DOC in the Grantham area. The wide draw means that the impact of the trade draw will be diffuse, and maximises the number of new customers attracted to Grantham.
6. Comprehensive controls and the quality of the retailing will ensure that the whole development operates as a very different and complementary retail offer to that provided in the Town Centre. It will minimise impact on the Town Centre, attract customers from a wide catchment area who would not otherwise visit Grantham, and maximise the potential for linked trips to the Town Centre.
7. Although the Town Centre is weak and vulnerable to impact, the high-quality complementary nature of the King 31 development means that the adverse impact will be small and that will be outweighed by the benefits including the potential for new linked trips.

Downtown:

8. The Downtown proposal (even in the absence of King 31) will not provide a high-quality Tier 1 DOC complementary to the Town Centre:
 - a. It is too small.
 - b. The centre as a whole will include a substantial amount of unrestricted retail.

- c. It will be of lower quality because of the existing adjacent retail which will be perceived as part of the same centre.
- d. It will be of lower quality because of its design including its onsite circulation and parking.
- e. It will not attract the necessary critical mass of top tier retailers.
- f. The apparent association with Freeport supports the conclusion that it will not be Tier 1.
- g. It will have a less extensive catchment and rely more on the same catchment (and spending) as the Town Centre.
- h. It will be perceived and operate as an alternative centre to the Town Centre for significant numbers of trips. (It will include unrestricted retail, bulky goods retailing¹, leisure, and restaurants).

9. The solus impact of Downtown will be significantly more adverse than that of King 31. In terms of trade withdrawal:

- a. It will be of lower quality (more comparable to, and therefore more competitive with, the town centre);
- b. It will have a more concentrated draw (more comparable to that of the town Centre, and therefore more competitive);
- c. There will be additional impact as a result of increased turnover of the uncontrolled existing retail floorspace (both from existing retailers and from new retailers attracted to the uncontrolled space);
- d. It will be perceived as a direct competitor with the Town Centre by customers and retailers.
- e. It will reduce the footfall in the Town Centre.
- f. It will reduce the already limited retailer demand for the town centre.

10. The solus trade diversion (without considering investment) is likely to have a significant adverse impact. As the NPPG advises: "... in areas where there are high levels of vacancy and limited retailer demand, even very modest trade diversion from a new development may lead to a significant adverse impact."

11. The Downton proposal would (even in the absence of the King 31 permission) have a significant adverse impact on investment in the Town Centre:

- a. Trade withdrawal, loss of footfall, and reduced retailer demand will adversely affect the success of existing investment.
- b. Trade withdrawal, loss of footfall, reduced retailer demand and the existence of an alternative competing centre will adversely affect investors views as to future footfall, turnover and retailer demand and therefore investor confidence and planned investment.
- c. The Town Centre is weak and badly needs investment. Any adverse impact on investment will be significant.

12. The imposition of conditions will not make the impact acceptable. Even if their drafting were to be improved they cannot be drafted to prevent adverse impact due to trade draw by the

¹ Bulky goods can contribute to impact on the TC by taking trade / retailers from in centre or edge of centre bulky goods retailers.

new retailers in the new development and the additional turnover of uncontrolled retailers in the existing retail space. They will not prevent new retailers moving to the existing space rather than the Town Centre and they will not prevent vacancies remaining unfilled.

13. A key factor for investors is their view of future turnovers and retailer demand and the potential for growth. Whatever the conditions imposed the existence of such a competing centre will have a serious adverse effect on investor confidence in the longer-term potential of the Town Centre and make it more difficult to enhance the Town Centre by attracting / retaining retailers and investment.

Cumulative:

14. The grant of a second permission in addition to the King 31 consent will:
 - a. Be likely to reduce the quality of one or both of the proposals. In particular the existence of the King 31 permission is likely to further reduce the quality of retail at Downtown, which will exacerbate the adverse impacts referred to above.
 - b. Lead to a greater direct trade draw impact on a weak and vulnerable Town Centre.
 - c. At best not significantly increase the overall benefits and is likely to significantly reduce them, given that the benefits of a true high-quality Tier 1 DOC are already secured by the King 31 consent.
 - d. Cause significant uncertainty for retailers and investors. It will exacerbate the solus adverse effect of Downtown on investor confidence in the Town Centre. (It is also likely to delay and may threaten the implementation of King 31 and undermine the positive effect on the Town Centre.)

Inadequacy of current impact assessment:

15. The current impact work is not based on a correct analysis of the way in which the proposed development is likely to operate, trade, and be perceived by customers, retailers and investors. In particular it fails to deal or deal adequately with:
 - a. The effects of the existing uncontrolled retail at the site.
 - b. The physical relationship of the new development and its access and parking with the existing development.
 - c. The likely lower quality development that will result.
 - d. The effects of these matters on the pattern of trade draw.
 - e. The effect on investment confidence.
 - f. The cumulative effect of 2 permissions, including the effect on investor confidence.Little weight can therefore be attached to the conclusions of the current impact work provided by the applicants.
16. The highways assessment is not based on an appropriate impact assessment. Basing the highways assessment on a more realistic assessment of trade draw is likely to lead to significant changes to that assessment, particularly in relation to distribution.
17. Any decision to grant based on the current impact material would be seriously flawed.

Conclusions:

18. The benefits of a high-quality DOC at Grantham will be achieved by the King 31 development which already has permission. The strictly controlled and high-quality specialist nature of the King 31 development, and the conditions and agreement associated with it will mean that there will be significant benefits which will outweigh any direct impact. King 31 will be perceived as a high-quality specialist outlet complementary to the Town Centre in accordance with the aim of Policy E2 of the Core Strategy. Investor confidence in the Town Centre will be achieved and the vitality and viability of the Town Centre will be able to be enhanced.
19. I understand that the Downtown applicants have argued that the fact that their proposal will be immediately adjacent to existing retail and other development is an advantage. In fact, it is a very significant disadvantage as set out above. The nature of the retailing at Downtown will result in greater direct impact and it will be perceived as a direct rival to the Town Centre contrary to the aims of Policy E2. The grant of permission for the Downtown proposal as well would result in significantly greater and long-term adverse impacts on the Town Centre. The vitality and viability of the weak and vulnerable centre, investor confidence, and its much-needed enhancement will be significantly adversely affected.
20. The grant of permission for the Downton proposal in addition to the permission already granted for King 31 would not bring significant additional benefits. It would reduce the benefits for the Town Centre and the existence of two such permissions would be likely to further adversely affect investor confidence. There would be no additional benefits such as would justify the additional significant adverse impact.
21. A refusal based on significant adverse impact is clearly justified.

William Hicks Q.C.
Landmark Chambers,
180 Fleet Street EC4A 2HG

28th September 2018

Non-Technical Summary

Introduction

- 1.1 This Non-Technical Summary has been prepared on behalf of Rioja Developments Ltd in respect of an application made by Oldrid & Co, Ltd for a Designer Outlet Centre to the north of Grantham at Great Gonerby. Ref -S17/ 2155
- 1.2 This note summarises the findings of a review of the transport submissions made in respect of the above application. The full review attached considers:
 - Chapter 12 of the Environmental Statement entitled "Transport & Access", prepared by PTB Transport Planning Limited (PTB); and
 - Transport Assessment dated October 2017 by PTB.

Summary

- The Environmental Assessment is significantly flawed inasmuch as it does not demonstrate that the period of greatest environmental impact has been assessed. Consequently, the scheme could lead to significant environmental impacts beyond that identified in the report, to the detriment of all road users and surrounding sensitive receptors.
- Baseline data for the surrounding roads has not been collected in a typical "neutral" month. Consequently the Environmental Assessment is based on potentially skewed data and any conclusions drawn could be incorrect.
- By assessing a future year of 2031, the environmental assessment fails to consider the year of greatest impact (which would be the year of opening), which is against good practice. Consequently, the impacts identified in the Environmental Assessment are understated and the scheme therefore may give rise to unacceptable environmental impacts, which would require mitigation.
- The "Grantham Designer Outlet Village" vehicle trip attraction has simply been copied for this assessment. No justification has been provided as to why this may be appropriate and could be leading to erroneous traffic figures being used in the assessments, undermining the conclusions reached.

Buckminster Trust Estate
Downtown Grantham, Great Gonerby
Transport Submission Review – Non Technical Summary

- It has been demonstrated in our technical review that there would be a significant shortfall in proposed parking at the site, which will lead to overspill parking occurring on the surrounding highway (in the order of several hundred cars). This is likely to prejudice the free flow of traffic and highway safety for all road users and is a very serious concern.
- It has not been demonstrated that the servicing provisions are adequate, which could lead to inappropriate and unsafe manoeuvring/loading of heavy goods vehicles.
- A number of the points raised above are fundamental to the conclusions being reached by the applicant. Consequently, it has not been demonstrated satisfactorily that the scheme will not result in significant impacts on the surrounding roads, including congestion, parking and highways safety impacts.
- All the above points should be addressed in an addendum report to be submitted by the applicant.

Author: Alec Philpott

Date: 8th August 2018

Technical Note

Introduction

- 1.1 This Technical Note has been prepared on behalf of Rioja Developments in respect of an application made by Oldrid & Co, Ltd for a Designer Outlet Centre to the north of Grantham at Great Gonnerby.
- 1.2 This note considers the following submissions:
 - Chapter 12 of the Environmental Statement entitled "Transport & Access", prepared by PTB Transport Planning Limited (PTB); and
 - Transport Assessment dated October 2017 by PTB.

Chapter 12 of the Environmental Statement "Transport & Access"

Assessment Periods

- 1.3 The assessment presented broadly follows the requirements of the IEA Guidelines for the Environmental Assessment of Road Traffic.
- 1.4 However, there is one significant departure from the guidelines which results in the assessment being incomplete and, consequently, means that the conclusions cannot be relied upon.
- 1.5 Paragraph 12.1.3 of the chapter states:

"In general, this ES Chapter considers impacts across the day as a whole rather than a focus on highway peak hours unless considering topics which are particularly relevant to highway peak hours such as driver delay."
- 1.6 The IEA guidelines identify at paragraph 3.8:

"While it may be valuable to know the environmental impact of a development at the peak hour traffic levels, it is likely that the greatest environmental impacts may occur at other times. For instance, where a development attracts a constant volume of traffic throughout the day, the greatest perceived increase in noise is likely to occur when existing traffic is light. Similarly, the greatest impact of traffic on pedestrians may occur when schools close in mid-afternoon."
- 1.7 The document goes on to state at paragraph 3.9:

"For many impacts, such as noise or severance, it is considered that average or total daily traffic flows provide insufficient information for any real understanding of the

environmental effects, and the analysis needs to be presented for much more specific time periods.”

- 1.8 While it is acknowledged that driver delay has been considered within the submission for highway peak hours, the assessment is fundamentally flawed for the following reasons:
 - It is folly to assume that the highway peak periods are when the greatest environmental impact will occur in terms of driver delay. It is entirely possible that the greatest impact [in terms of delay] of the development may occur outside of the normal highway peaks. This has not been considered.
 - Furthermore, by not considering the period [i.e. hour] of greatest impact for the other environmental effects, the assessment could be significantly underestimating the effects of the development on the local area.
- 1.9 The assessor needs to demonstrate that the periods of greatest environmental impact have been considered for each of the effects being reviewed.
- 1.10 Without such clarity, the findings of the chapter may not be relied upon.

General Comments

Baseline Data

- 1.11 The baseline traffic data was collected in late June 2017. The IEA guidelines require baseline data to be collected in a neutral month. It is widely documented in Government standards that April/May/Sept/Oct are neutral months.
- 1.12 The assessor should clarify why their data is a suitable baseline to work with as an incorrect baseline will prejudice any assessment work undertaken.

Assessment Year

1.13 The IEA guidelines state at paragraph 3.13:

“....This may involve looking at a period some time in the future when traffic from the development is added to traffic flows on the surrounding network which has itself increased due to natural traffic growth. Such a situation clearly presents the critical traffic pattern, but the natural increase in traffic will generally have the effect of diluting the environmental impact of a development. The greatest environmental change will generally be when the development traffic is at the largest proportion of the total flow.....It is therefore recommended that the environmental assessment should be undertaken at the year of opening of the development of the first full year of its operation. For phased developments, it may be necessary to consider the first year of each phase.”

1.14 Chapter 12 considers a future year scenario of 2031, with the documents stating “*This would ensure the development is fully built out and established and allows for background traffic growth on the network*” [para 12.5.6].

1.15 The year of opening is stated as being 2019 in the Transport Assessment Addendum.

1.16 If the year of assessment is beyond the year of opening (which it appears to be), it will not have considered the period of greatest environmental impact and is therefore not in accordance with the IEA guidelines. Consequently, it is likely that the assessment underestimates the environmental effects of the scheme.

Development Traffic Flows

1.17 It is noted that the visitor attraction assessment work associated with the Downtown Outlet Village is based on the same figures as that presented for the Grantham Designer Outlet Village, being 3 ½ million visitors per year.

1.18 The Grantham Designer Outlet Village assessment work was based on a detailed retail impact assessment to inform the likely visitor attraction. It has not been made clear in the transport documents submitted that the same retail impact assessment would hold true for the Downtown application.

1.19 If the assumption made on visitor attraction is not valid, all of the transport assessment work will be flawed.

Chapter 12 - Conclusion

1.20 As set out above, there are some significant omissions in the Transport & Access chapter of the Environmental Statement which render the conclusions of the assessment potentially seriously flawed.

1.21 Until the assessor addresses the points made above, no reliance can be placed on the findings of their work.

Transport Assessment

1.22 As set out above, there is some question over the validity of the trip attraction to the Downtown application, which needs to be clarified. With this in mind, no detailed review of the modelling work has been undertaken until such a time that the traffic flows are proven to be reliable.

1.23 Notwithstanding that issue, this section of the Note considers a significant and blatant shortfall of the submission, being the level of proposed parking, as set out below.

Parking Demand & Provision

1.24 The Transport Assessment (TA) correctly identifies (at para 4.3.3) that the levels of parking for developments of this nature should be considered on a case by case basis to avoid the overspill of parking on surrounding roads.

1.25 However, the TA offers no assessment of parking provision to demonstrate that sufficient space is provided to avoid any detriment to the local highway network arising from overspill.

1.26 The proposals comprise the following:

• Designer Outlet Village	220,435sqft
• Big Box/White Goods	60,000sqft
• Garden Centre	74,430 sqft
• Leisure	22,560sqft
• Tourist Centre	670sqft
• Training Academy	4,730sqft
• Offices	56,530sqft
• Parking provision	1,979 spaces

1.27 The scheme also retains the existing Downtown /Boundary Mill building, which the above parking provision serves

1.28 The Downtown application make assertions that, in traffic terms, the Outlet Village element of their development is directly comparable to the submissions made in respect of the Grantham Designer Outlet Village (GDoV).

1.29 Taking this assertion at face value, it would not be unreasonable to assume that the parking demand for the Outlet village element of the Downtown application would be similar to that projected for the GDoV.

- 1.30 The GDoV permission includes the provision of 1,730 car parking spaces, which was demonstrated to be the minimum required to facilitate operation of the site while maintaining 10% spare reserve for circulation in the car parks, which is good practice.
- 1.31 The Downtown application therefore provides an additional 249 car parking spaces to cater for the non-Outlet village elements of the development.
- 1.32 Taking the proposed office element of the Downtown application (56,530sqft/5,252sqm), employment densities for B1(a) developments sit in the region of 1 person per 8sqm and 13sqm (reference Employment Density Guide 3rd Edition).
- 1.33 Consequently, it would not be unreasonable to assume that there would be between 403 and 656 people employed on site just by the office element of the proposals.
- 1.34 The National Census identifies that 79% of people who work in this area travel to work as a driver of a car or van.
- 1.35 Consequently, there would be a demand arising from the office employees for between 318 and 518 car parking spaces on site.
- 1.36 This demand alone significantly exceeds the 249 parking spaces set out above that the development proposals include to cater for the non-Outlet Village elements.
- 1.37 Once the Big Box, Garden Centre, leisure, Training Academy and existing Boundary Mill parking demands are taken into account, the shortfall will significantly increase with potentially dire consequences.
- 1.38 While it is accepted that there will be an element of cross-visitation between the development components proposed, it is inconceivable that it will be significant enough to render the proposed parking provision sufficient.
- 1.39 Consequently, it is considered that the proposals fail to demonstrate sufficient parking is proposed on site to cater for likely demand and, indeed, the provision is likely to fall significantly short of the future demand.

Servicing

- 1.40 It was not possible to identify any swept path analysis within the Transport Assessment to demonstrate that suitable servicing arrangements were being promoted.
- 1.41 The applicant should ensure there is sufficient loading space and manoeuvring to cater for the proposals.

Conclusion – Transport Assessment

- 1.42 As a result of the above findings, the proposals are likely to result in overspill parking consequently prejudicing the free flow of traffic, road safety and local amenity.

1.43 The applicant should address this issue as a matter of priority.

Author: Alec Philpott

Date: 23rd May 2018

Appendix F - S.106 Planning Obligations

106 item	Purpose	Detail	Reg 122 assessment - necessary to make the development acceptable	Reg 122 assessment - directly related to the development	Reg 122 assessment - fairly and reasonably related in scale and kind	Trigger
Provision of a Training Academy on site or a contribution to support the delivery of a training scheme targeted at assisting residents of the District to develop the skills and experience required to secure a job or apprenticeship in the retail or fashion or leisure industry	Provision of a Training Academy will help expand the number of local residents with relevant skills helping to mitigate the pressure on the local labour market and help to address unemployment levels and skills issues especially those between the ages 18 and 24.	Provision of a Training Academy or funding of a training package in conjunction with Grantham College or another training provider. If the Training Academy is not provided funding of £65,000 with payment spread over three years with first payment due 12 months from commencement of the development or such other time limit as may be agreed with the Council (the end date).	The obligation accords with SKDC's planning obligations supplementary planning documents ("SPD") (2012), Policy E1 – employment and development and Policy E2 – town centre and retail development of SKDC's adopted Core Strategy (2010). The contribution accords with relevant development plan policies together with the NPPF including para 80 (supporting economic growth through the planning system).	The obligation will provide the opportunity for learners to develop the skills and experience needed to secure a job or apprenticeship in the retail, fashion or leisure industry, and is in compliance with the planning obligations SPD. It is intended that the obligation would assist local residents to develop the skills required to take advantage of employment opportunities at the DOC and stimulate the take up of apprenticeships by DOC retail and leisure tenants.	The obligation is fairly and reasonably related in scale and kind to the development because it secures an appropriate level of contribution towards skills and learning in proportion to the level of employment opportunities likely to be generated by the DOC and staffing requirements, and the obligation will play its part in meeting policy objectives such as those in policy E1 – employment and development	Provision of the Training Academy within 12 months of occupation of the retail units or a financial contribution of £65,000 payable £21,450 12 months from commencement of development or such other time as agreed with the Council (the end date), £21,450 on or before the first anniversary of the end date £22,100 on or before the third anniversary of the end date.
Town Centre improvements to encourage	Encourage linked trips by visitors to the	Initiatives delivered directly by the development	The proposal will impact on the town centre. The proposal	The proposal will impact on the town centre. The proposal	The initiatives are fairly and reasonably related in scale and	

linked trips	DOC to visit and spend in the town centre.	(a) Provision of minimum 62 sq. metres within the DOC Tourist and Visitor Information Centre for the purposes of supporting tourism initiatives, to promote town centre events and to encourage tourists and visitors to extend their stay and visit Grantham town centre and the surrounding area. To be provided for the duration of the development in accordance with a scheme approved by the Local Planning Authority.	<p>is also considered to have wider benefits. It is proposed to mitigate the impacts and secure the wider benefits of linked trips through the identified package of measures.</p> <p>The SKDC Core Strategy adopted in 2010 has Objective 9 to "Maintain and enhance the vitality and viability of the principal retail areas of Grantham, Stamford, Bourne and Market Deeping by concentrating new retail development within the town centres and ensuring that such schemes meet an identified retail need."</p>	<p>will attract a large number of visitors to the DOC. It is intended that a proportion of them will also visit and spend in Grantham Town centre and thus increase its footfall allowing existing retailers to provide better services to local people. Further, the measures will provide the opportunity for promoting the town centre to achieve the intended benefits of linked trips.</p>	<p>kind to the Grantham DOC. The development will impact on the town centre and the measures are required in order to achieve the identified benefits from linked trips in a proportionate manner.</p>	<p>Scheme to be approved before occupation of the development. Ongoing requirement to deliver obligation</p>
		(b) A dedicated "pop up shop" (minimum size 90 sq. metres gross internal area) or similar display area for the purposes of showcasing Grantham town centre retailers and Grantham events etc. on a rotating basis. To be provided for the duration of the development in accordance with a scheme approved by the Local Planning Authority.	<p>The adopted Core Strategy (2010) acknowledges in 6.2.6 that Grantham town centre "currently presents a fragmented offer, underperforms and is in need of improvement to ensure increased footfall and better services for local people."</p>			<p>Scheme to be approved before occupation Ongoing requirement to deliver obligation</p>

		<p>(c) requirement to submit a scheme for the delivery of improvements to the existing Bus Service between the Development and the Town Centre to the District Council for approval prior to the Occupation of the Development, where the details of such scheme shall include the following:</p> <p>The proposed timetable for the improved Bus Services, which shall operate at a minimum frequency of:</p> <ul style="list-style-type: none"> (i) One service every 30 minutes during the peak am and pm periods (ii) One service every 60 minutes during the off peak periods <p>The proposed route of the Bus Service, which shall link the Development with Grantham Town Centre (peak services and off peak services).</p> <p>A requirement for Bus Service Security to ensure that in the</p>	<p>Policy E2: Town Centre And Retail Development states that: "The town centres of Grantham, Stamford, Bourne and the Deepings will be strengthened and regenerated and uses and activities which sustain and improve their vitality and viability will be supported."</p> <p>Policy SP3: Sustainable Integrated Transport sets out a range of measures to encourage the creation of a sustainable, modern transport network including: securing travel plans and promoting and assisting journeys by public transport.</p> <p>Some of the major benefits of the DOC scheme rely upon creating linked trips to Grantham centre.</p> <p>In order to achieve the increased visitor footfall some of the issues that currently deter visitors from visiting the town centre need to be</p>		<p>Scheme to be approved before occupation of the development.</p> <p>Improvements to the Bus service to be secured before occupation of first unit</p>
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	<p>event that the enhanced Bus Service is not fully delivered the Council can call upon the security as appropriate to help secure the bus service</p>	<p>addressed.</p> <p>The initiatives accord with SKDC's planning obligations supplementary planning documents (2012), namely: Paragraph 1.2.3 which lists possible initiatives (page 5); Table1b: Contributions Threshold Guide (Commercial) (page 12), 1.9.1 (page 13) and paragraph 2.3.31 (page 42).</p>			
163	<p>Initiatives delivered by the Local Authority using funding secured from the development (total financial contributions of £480,000 to be paid for the purposes set out in the table below).</p>			<p>Scheme to be approved before occupation</p> <p>Ongoing requirement to deliver obligation</p>	
	<p>(a) £30,000 towards improvements to car parking signage and directions in Grantham town centre to facilitate linked trips by car. To be paid 12 months after start on site.</p>			<p>12 months from commencement of development and in any event prior to first occupation</p>	

		<p>(b) £150,000 contribution towards Town Centre live car parking availability interactive signage at five car parking sites including installation and maintenance costs. To be paid 12 months after start on site.</p> <p>(c) £75,000 towards promoting activities aimed at tourists within the town centre (events, festivals, markets etc).</p> <p>(d) £150,000 towards other physical improvements to make Grantham town centre more attractive as a linked destination (eg pedestrian way finding signage, public realm improvements, improvements to the railway station, the shop front improvement scheme, improvements to attractions within the town centre such as signage for heritage assets etc).</p>				12 months from commencement of development and in any event prior to first occupation
						First occupation
						First occupation

		(e) £75,000 contribution towards the town centre tourism manager given number of visitors to district as result of DOC.				First occupation
Travel Plan	<p>In considering development proposals within the District, SKDC will ensure that the objectives of the most recent local transport plan for Lincolnshire are met.</p> <p>Objective 4 of the SKDC Core Strategy adopted in 2010 "seeks to improve accessibility to jobs, houses and services, and to reduce traffic growth, by ensuring choice to use public transport, walk or cycle, for as many journeys as possible."</p>	<p>Implement the Travel Plan. Comply with ongoing requirements as to implementation of measures, monitoring and periodic review.</p> <p>Ongoing future target of 10% reduction in car travel over a 5 year period.</p>	<p>The delivery of a Travel Plan is necessary to accord with SKDC's planning obligations SPD (2012) and Policy SP3: 'Sustainable Integrated Transport' of the 2010 adopted Core Strategy.</p> <p>The implementation of a Travel Plan for the DOC is required to meet the Councils aims to encourage the creation of a sustainable, modern transport network across the district by promoting and assisting journeys by public transport, cycling, mobility aids and walking, by making them accessible, safe, convenient and as attractive as possible.</p>	<p>The Travel Plan will contain measures specifically related to the development. It will encourage staff to consider alternative modes of transport to travel to and from the DOC, in order to meet targets in reducing the need to travel by motor car.</p> <p>Planned measures are to be implemented which are to be monitored against the agreed targets.</p>	<p>The Travel Plan has been prepared to specifically relate to the scale and form of development and the measures are prepared to minimise the transport impact of the development.</p>	<p>To be implemented from commencement of development</p>

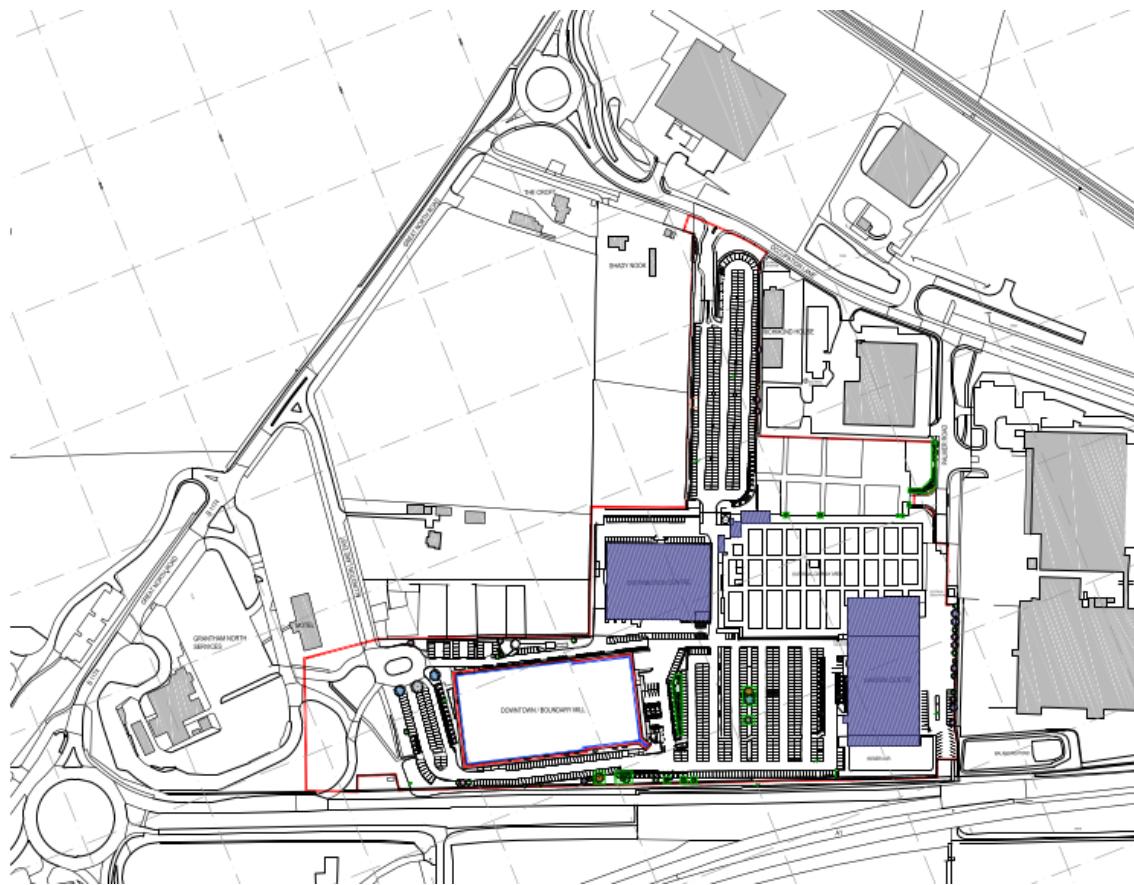
Occupancy requirements for Class A1 retail units	<p>Controls on occupancy of the Class A1 retail units to ensure that the development operates as a Designer Outlet Centre only and is occupied by permitted retailers with appropriate controls relating to those retailers who occupy space in identified centres and thus reduce adverse impacts on those town centre.</p>	<p>The occupancy requirements would be as follows:</p> <p>(a) No Class A1 unit shall be occupied other than by a permitted retailer or an “acceptable retailer”. A permitted retailer will be a retailer / brand on a list to be agreed. The list will be generated by reference to the Javelin Group Venuescore Rankings to ensure they are suitable for a high end tier one outlet village. The restriction will allow for the list of potential occupiers to be reviewed subject to the LPA’s approval where specific criteria are met.</p> <p>In addition to the criteria at (a):</p> <p>(b) No Class A1 unit shall be occupied by a permitted retailer which occupies a retail unit in Grantham town centre, Newark or Balderton as at the date of the section</p>	<p>To ensure high end occupiers as proposed by the application which do not directly compete with existing town centre retailers and to control retail occupiers of the development, without which, retailers who are currently located in the identified town centre could relocate to the outlet village resulting in an adverse effect on the vitality and viability of the town centre.</p>	<p>This restriction on the type of retailer who can occupy the new retail units at the outlet village only relates to the outlet village itself.</p>	<p>Without this restriction on the occupiers there would be a risk that current retailers in the town centre would relocate to the outlet village resulting in an adverse effect on the town centre. A mechanism for review will form part of the obligation</p>	

	<p>106 agreement; as at the date of the intended occupation; or within a period six months prior to the intended date of occupation unless that permitted retailer has entered into a scheme which contains a binding commitment on the retailer to retaining their presence as a retailer within that town centre has been submitted to and approved by the Local Planning Authority. Such scheme shall require the retailer to continue to operate from Grantham town centre, Newark or Balderton for a period of five years from when that binding commitment is approved or if later occupation.</p> <p>The occupancy restrictions above would not apply to the proposed "pop up shop" in the development.</p> <p>The obligation will include monitoring arrangements to ensure the obligation can be enforced.</p>				
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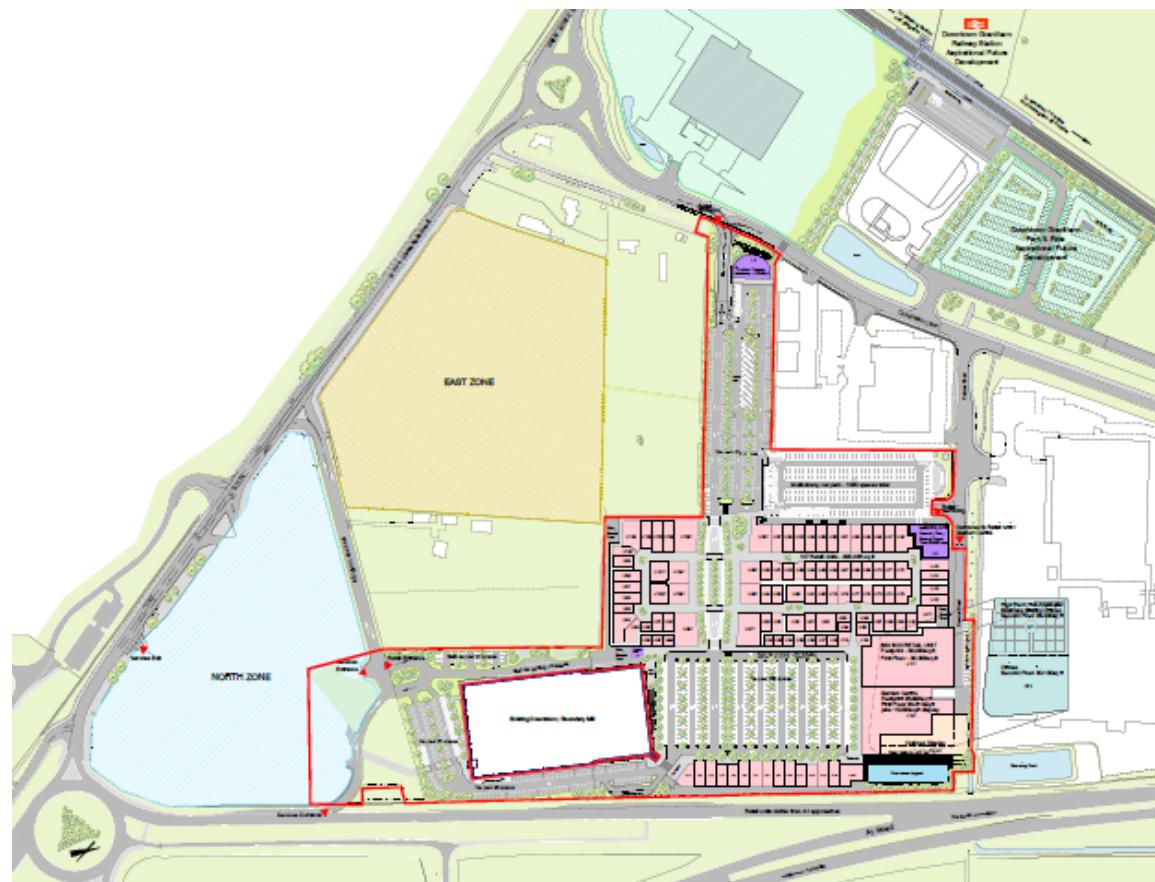
Restrictions on the existing Downtown Store	1. Restrict the existing floorspace in order to prevent any significant increase in the proportion of floorspace that can be used for the sale of non-bulky goods	A total area equivalent to 3,149 sqm of the existing floorspace in the Downtown/ Boundary Mill building shall be restricted to use only for the sale of bulky goods and homeware, restaurant or storage uses.	To ensure that the existing store operates at it currently does in line with the Retail Impact Assessment submitted in support of this planning application. To ensure that the area of bulky goods floorspace released as part of the approval of the new @Home store is not used for the sale of other non-bulky comparison goods which could result in a greater adverse impact on Grantham Town Centre	The restricted floorspace relates directly to the area currently available in the existing store and being used for the sale of bulk goods.	The obligation is fairly and reasonably related in scale and kind to the development because the restricted floorspace only relates to the existing floorspace available in the existing store and currently used for the sale of bulk goods.	On first occupation of any new retail premises within the Development.
	2. Prevent use of floorspace for convenience retail goods	None of the floorspace shall be used for convenience retail goods	To ensure that the operation of the proposed development and the existing store do not adversely impact the vitality and viability of nearby town centres in accordance with the requirements of the NPPF and Policy E2 of the Core Strategy	The proposed development will operate in conjunction with the existing retail operations on site. This obligation is required in order to ensure that the combined existing and proposed development does not impact on the vitality and viability of nearby centres.	The obligation is fairly and reasonably related in scale and kind to the development because it only seeks to avoid direct competition with existing town centre locations.	
	3. Control users/occupiers of the existing Downtown store in the same way as the control on uses of the proposed DOC through the “no poaching” obligation at limb (b) above (Occupancy requirements for	The occupiers shall be controlled as per limb (b) above (Occupancy requirements for Class A1 retail units)				

	Class A1 retail units).					
Prevent any future subdivision of the existing Downtown / Boundary Mill store into smaller retail units	Restrict any future subdivision of the existing store in order to protect the vitality and viability of Grantham, Newark and Balderton Centres	Restrict any future subdivision of the existing store so that no retail unit within the building can be less than 929 sqm in size.	To ensure that the operation of the proposed development and the existing store do not adversely impact the vitality and viability of nearby town centres in accordance with the requirements of the NPPF and Policy E2 of the Core Strategy	The proposed development will operate in conjunction with the existing retail operations on site. This obligation is required in order to ensure that the combined existing and proposed development does not impact on the vitality and viability of nearby centres.	The obligation is fairly and reasonably related in scale and kind to the development because it only seeks to avoid direct competition for smaller retail units which would be better located within existing town centre locations.	On completion of the S106 agreement

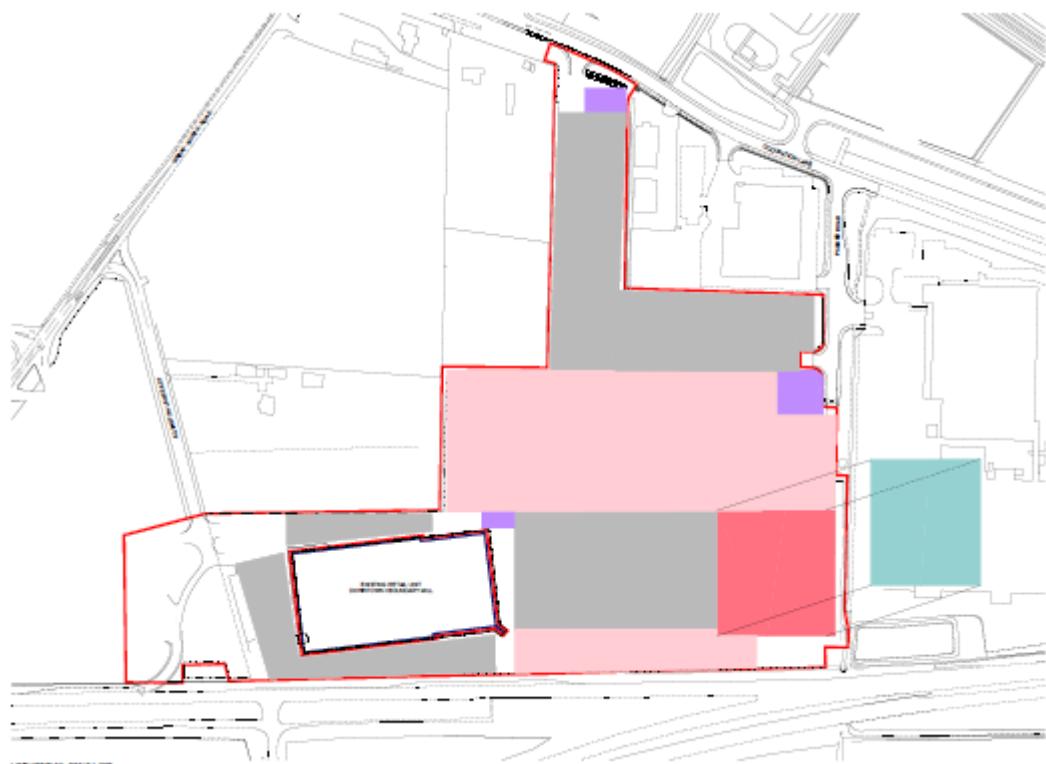
Existing Site Plan



Indicative Master Plan



Parameters Plan – Land Use



NOTES

Site Parameter Zones

	Parking
	Retail - Outlet Units
	Retail - Garden Centre / Big Box Units
	Leisure / Training
	Business Hub / Offices

Illustrative Images



OLDRIDDS DOWNTOWN - DGDO

BIG BOX RETAIL AND GARDEN CENTRE

BROOKERFI
architects



OLDRIDS DOWNTOWN - DGDO

DOWNTOWN

BROOKERFLY
architects



OLDRIDS DOWNTOWN - DGDO

VIEW FROM EAST CAR PARK

BROOKERFLY
architects

15/007



OLDRIDDS DOWNTOWN - DGDO

VIEW FROM A1 SOUTHBOUND

BROOKERFL
architects

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Agenda Item 5b

PJ	S18/2171	Target Decision Date:24th January 2019
		Extension of Time Date: Committee Date:5th February 2019

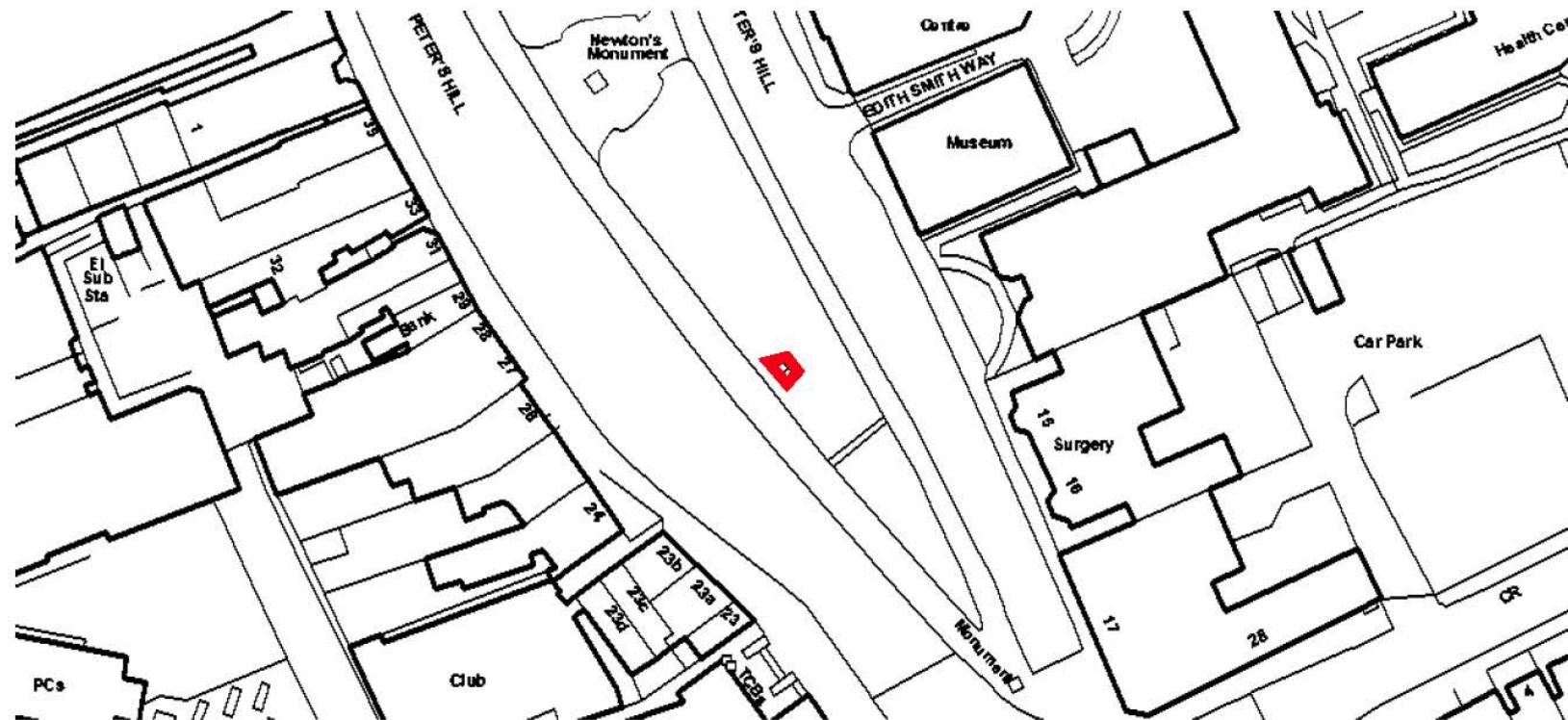
Applicant	Grantham Community Heritage Association C/o Grantham Museum St. Peter's Hill Grantham Lincs
Agent	
Proposal	Installation of statue, plinth and paved surround.
Location	Land At St Peter's Hill Grantham
Application Type	Full Planning Permission
Parish(es)	Grantham
Reason for Referral to Committee	At the request of Cllr Baxter on the grounds of dominant and oppressive environment, government policy, visual appearance, highway safety, traffic, effect on Listed Building and Conservation Area, layout and density of building, design, appearance and materials contrary to Policy EN1.
Recommendation	Approved conditionally
Report Author	Phil Jordan - Development Management Planner 01476 406080 Ext: 6074 p.jordan@southkesteven.gov.uk
Report Reviewed By	Phil Moore – Principal Planning Officer 01476 406080 Ext: 6461 p.moore@southkesteven.gov.uk

Key Issues

- Impact on heritage assets and character of the area
- Crime and disorder implications
- Impact on protected trees

Technical Documents Submitted with the Application

- Heritage Impact Assessment
- Arboricultural Report

**Key**

**Application
Boundary**



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1.0 Description of site

1.1 The application site is within the grassed area at St. Peter's Hill which is identified in the Grantham Conservation Area Appraisal as the Civic Centre Character Area of Grantham. As well as being within the designated Conservation Area the site is within the setting of the Grade II Listed Guildhall. There are already two statues (both Grade II Listed) on the green, one of Sir Isaac Newton and the other of the Hon. Frederick James Tollemache, a nineteenth century politician who was a Member of Parliament for Grantham. There are a number of trees on St. Peter's Hill that are subject of Tree Preservation Orders.

2.0 Description of proposal

2.1 The application proposes the installation of a bronze statue of Baroness Thatcher, the Grantham born and educated, first female Prime Minister of Great Britain and Northern Ireland. The proposed statue, including a polished granite plinth and paved surround, would have an overall height of 6.4m which would be of a similar height to the Tollemache statue but lower than that of Newton. The plinth would occupy a space of 2m x 2m (measured from plan) and be 3.24m in height, and the paved surround would be 5m x 5m (measured from plan). It would occupy a position roughly mid-way between the two existing statues, facing westwards. The proposed position of the statue has been amended following the arboricultural survey to take account of the future growth potential of the surrounding trees. The amended position is approximately 2m north of the originally proposed position.

3.0 Relevant History

3.1 No relevant planning history

4.0 Policy Considerations

4.1 National Planning Policy Framework (NPPF)

Section 7 - Ensuring the vitality of town centres
Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment
Section 9 - Promoting sustainable transport

4.2 South Kesteven District Council Core Strategy

Policy EN1 - Protection and Enhancement

4.3 Submission Draft Local Plan

(policies which are accorded some weight)

SD2 Principles of Sustainable Development in South Kesteven
EN6 The Historic Environment

5.0 SKDC Corporate Priorities

5.1 Growth – a growing population and a growing economy creates jobs, secures infrastructure and attracts investment.

6.0 Representations Received

Historic England

Does not fall under Historic England's relevant statutory provisions.

Arboricultural Consultant (SKDC)	Requested a tree impact assessment be carried out.
Heritage Lincolnshire	<p>Based on documentary evidence, St Peter's chapel and the Eleanor cross are located in this area; recent archaeological survey has indicated the remains of possible structures at St Peter's Hill and therefore it is considered that there is potential for archaeological remains to be impacted. Advice is for archaeological excavation, in advance of development, to allow any deposits present at the site to be investigated and recorded.</p>
Crime Prevention Design Advisor	<p>Lincolnshire Police do not have any objections to the application.</p> <p>It is generally considered that in respect of local sentiment we would not suggest that there is any significant threat to the installation of the statue locally.</p> <p>In general there remains a motivated far-left movement across the UK (though not so much in Lincolnshire) who may be committed to public activism. Margaret Thatcher does however maintain an element of emblematic significance to many on the left and the passage of time does seem to have diminished that intensity of feeling.</p> <p>However it still remains that there is a possibility any public statue of 'Baroness Thatcher' would be a likely target for politically motivated vandals.</p> <p>Recommend that the statue is positioned on a sufficiently high plinth that is designed to ensure that there are no adjacent features or climbing aids that would allow desecration or damage of the statue.</p> <p>The proposed location benefits from significant daily activity and natural surveillance from surrounding buildings and businesses which in itself would provide monitoring of the statue.</p> <p>Recommend that the statue is subject to adequate formal surveillance by the Town CCTV, commensurate with adequate lighting and that routine pruning and cutting back of adjacent trees and shrubbery forms part of any maintenance programme.</p> <p>Recommend that a technical assessment is carried out to ensure that coverage is sufficient for both prevention and meets the standards required for evidential purposes.</p>
Historic Buildings Advisor (SKDC)	St. Peter's Hill is identified in the Grantham Conservation Area Appraisal as the Civic Centre Character Area of the town and as such is arguably the most appropriate location for a statue of such a notable figure. The proposed statue will not have an adverse impact on the setting of nearby

designated heritage assets nor on the character and appearance of the Conservation Area.

7.0 Representations as a Result of Publicity

7.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 25 letters of representation have been received. 7 are in support, 17 are against the proposal and 1 is neutral. The points raised can be summarised as follows:

Against:

1. Divisive figure due to political career and policies
2. Potential for crime and disorder including vandalism
3. Public cost implications of installation and on-going maintenance
4. Design out of keeping with character of the area
5. Impact on trees
6. Increased traffic to town centre
7. Dominant and oppressive due to scale, design and nature of statue
8. Negative impact on setting of listed building and conservation area
9. Loss of open space and public amenity
10. Visually intrusive

Support:

1. Appropriate location for statue to commemorate the first female Prime Minister
2. Enhancement to the character of the area and complimentary to the existing statues
3. Increase in visitors and enhancement to Grantham's tourist offer

Neutral

1. Question of cost implications for on-going maintenance

8.0 Evaluation

8.1 Principle of development

8.1.1 Para 85 of the National Planning Policy Framework (NPPF) states that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

8.1.2 Core Strategy Policy EN1 relates to the protection and enhancement of the character of the district and states that:

'All development must be appropriate to the character and significant natural, historic and cultural attributes and features of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration'.

8.1.3 Submission Draft Local Plan Policy SD2 sets out the principles of sustainable development including reference to enhancing the District's cultural and heritage assets.

8.1.4 Similarly, para 127 of the NPPF states that planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- c) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- d) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- e) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

8.1.5 As the proposed statue would occupy a small area of existing open space, there would be only minor impacts on the way in which the open space currently functions. In this instance the proposed development is relatively small scale and the principle of installing a commemorative statue within the civic space in the town centre is acceptable and appropriate for the surrounding context in accordance with Core Strategy Policy EN1 and the NPPF (section 7 and 12), subject to detailed considerations set out in the remainder of the report.

8.2 Impact on Heritage Assets and the Character of the Area

8.2.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings and their setting. Section 72 of the same Act requires decision makers, with respect to any buildings or other land in a conservation area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

8.2.2 The importance of considering the impact of new development on the significance of designated heritage assets is expressed in section 16 of the NPPF. Paragraph 194 of the NPPF advises that the significance of designated heritage assets can be harmed or lost through alterations or development within their setting. Submission Draft Local Plan Policy EN6 seeks to protect and enhance existing heritage assets.

8.2.3 In assessing the potential impact of the scale and proposed materials of the statue and plinth on the setting of the Grade II listed Guildhall, existing statues and the Grantham Conservation Area it is considered that the scale of the proposed statue is broadly in-line with the two existing statues and sited so as not to detract from these existing monuments. The Council's Conservation Officer has been consulted and notes the Civic Centre Character Area of the town (as defined in the Conservation Area Appraisal) is arguably the most appropriate location for a statue of a public figure. Their expert opinion is also that the proposed statue would not have an adverse impact on the setting of nearby designated heritage assets nor on the character and appearance of the Conservation Area.

8.2.4 A condition has been included that requires the submission of the materials of the proposed plinth and paved surround materials before any installation works are commenced. This would ensure the proposal is appropriate for the context and does not result in any harm to the character of the area or the setting of the nearby designated heritage assets in accordance with the above legislation and policies.

8.3 Impact on trees

8.3.1 An arboricultural impact assessment has been submitted that demonstrates the proposed statue, plinth and paved surround would have no significant impact on the surrounding trees on St. Peter's Hill that are subject of preservation orders. However, following this assessment the proposed position of the statue was moved approximately 2m north to take account of the future growth potential of the surrounding trees. A condition has also been included that would ensure tree protection measures are taken during construction to prevent any damage to the protected trees.

8.4 Highway and traffic

8.4.1 Concern has been raised that the proposal would lead to an increase in traffic to Grantham town centre. Although the statue has potential to attract more visitors to the town centre, the impact on additional traffic would not be significant enough to warrant refusal of planning permission as the impact on the road network would not be considered severe. In this respect the proposal is in accordance with section 9 of the NPPF.

8.5 Other matters

8.5.1 The potential public costs of installing and maintaining the statue have been raised as a concern. The applicant has confirmed that the cost of the statue and its installation would be privately funded. The future maintenance arrangements have yet to be confirmed, however the maintenance requirements of the statue would be minor and the costs associated with any potential damage to the statue are not a material planning consideration.

9.0 Crime and Disorder

9.1 The divisive nature of Baroness Thatcher due to her political career and policy legacy and the potential for this to result in vandalism has been raised as a concern. A threat assessment has been carried out by Lincolnshire Police who consider there is a possibility any public statue of Baroness Thatcher could be a target for politically motivated vandals. Lincolnshire Police's Crime Prevention Officer has not objected to the proposal but they have recommended the statue is placed on a sufficiently high plinth and is sited in a location that benefits from good natural surveillance as well as lighting and CCTV.

9.2 The proposed statue would be positioned on a 3.2m plinth and sited in a prominent location in the town centre which benefits from natural surveillance and street lighting. The Council's CCTV service have confirmed that the proposed location of the statue has limited CCTV coverage with the closest operational camera being located near Boots on the High Street.

9.3 On balance, although there is some limited potential for vandalism, the proposed siting of the statue in a well-used and well overlooked public space in the town centre, together with its position on a suitably high plinth would ensure that the

chances of problems of this nature are minimised. Therefore there would not be sufficient justification for refusal of planning permission on these grounds.

10.0 Human Rights Implications

- 10.1 Article 6 (Right to a fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making a recommendation. It is considered that no relevant Article of the act will be breached.

11.0 Conclusion

- 11.1 In conclusion, this proposal is appropriate for the surrounding historic town centre context and would not lead to any unacceptable crime and disorder impacts or impacts on protected trees. The proposal is in accordance with Core Strategy Policy EN1, Submission Draft Local Plan Policies SD2 and EN6 and guidance contained in the National Planning Policy Framework, specifically Sections 7, 9, 12 and 16. There are no material planning considerations that indicate a decision should be otherwise and the proposal is therefore recommended for approval, subject to conditions.

12.0 RECOMMENDATION: that the development is Approved/Allowed subject to the following conditions

Time Limit for Commencement

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

- 2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - i. Drawing no. 18052/01A received 21st January 2019
 - ii. Drawing no. 18052/02A received 21st January 2019
 - iii. Drawing no. 18052/03C received 21st January 2019

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

Before Development Commences

- 3 Before the development hereby permitted is commenced, a written scheme of archaeological investigation shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010) and Paragraph 199 of the NPPF.

- 4 The archaeological investigations shall also have been completed in accordance with the approved details before development commences.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010) and Paragraph 199 of the NPPF.

During Building Works

- 5 Before any of the works to install the plinth and paved surround hereby permitted are begun, samples of the materials of the plinth and paved surround shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

- 6 The development hereby permitted shall be carried out in accordance with the following list of approved arboricultural assessment details:
 - Tree protection plan received 23rd January 2019
 - Arboricultural Implications Assessment and Method Statement received 23rd January 2019

Reason: Trees play an important role in retaining the character and should be protected in the interests of visual amenity in accordance with the requirements of Policy EN1 of the South Kesteven Core Strategy.

Before the Development is Occupied

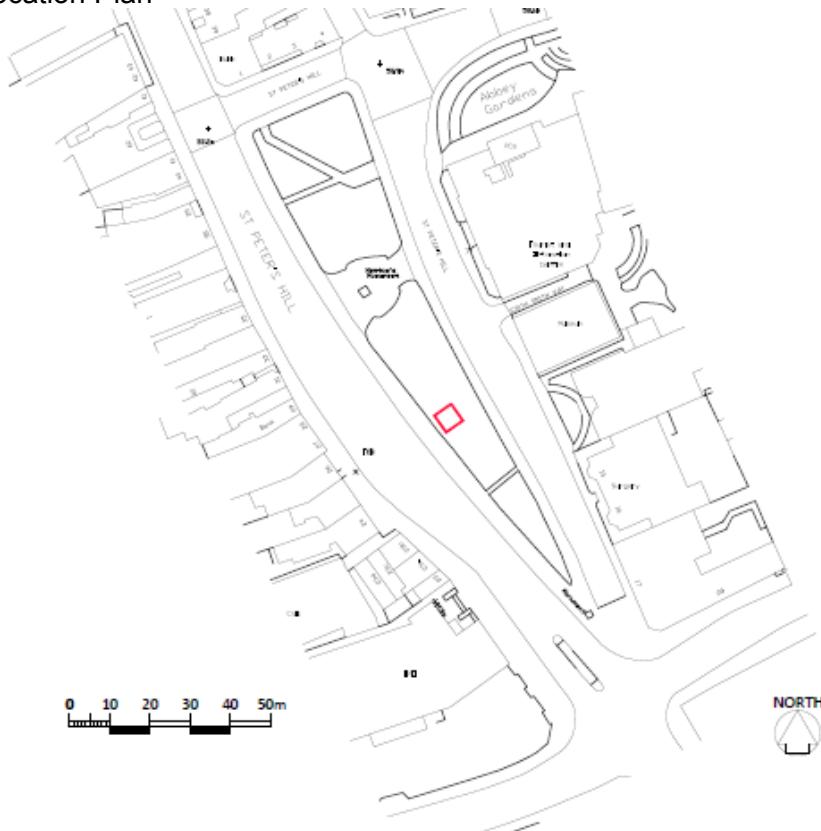
- 7 Before any part of the development hereby permitted is brought into use, the paved surround and plinth shall have been completed in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

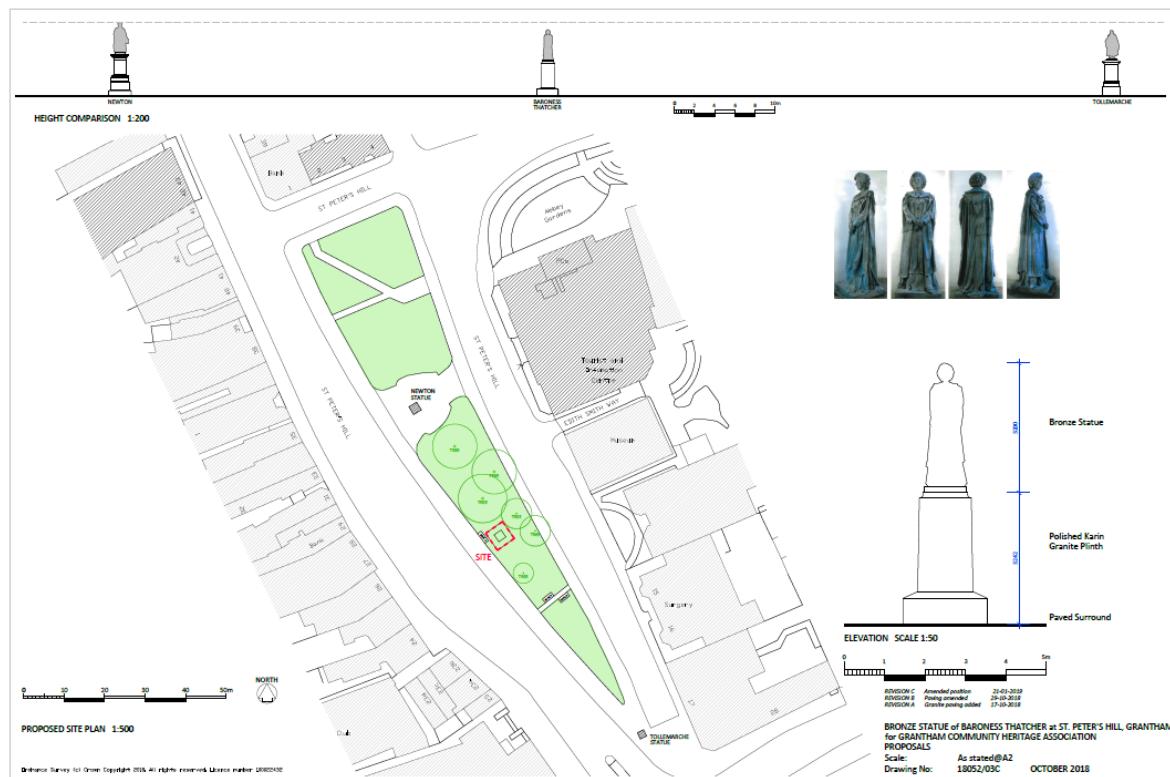
Standard Note(s) to Applicant:

- 1 In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.

Location Plan



Proposed plans



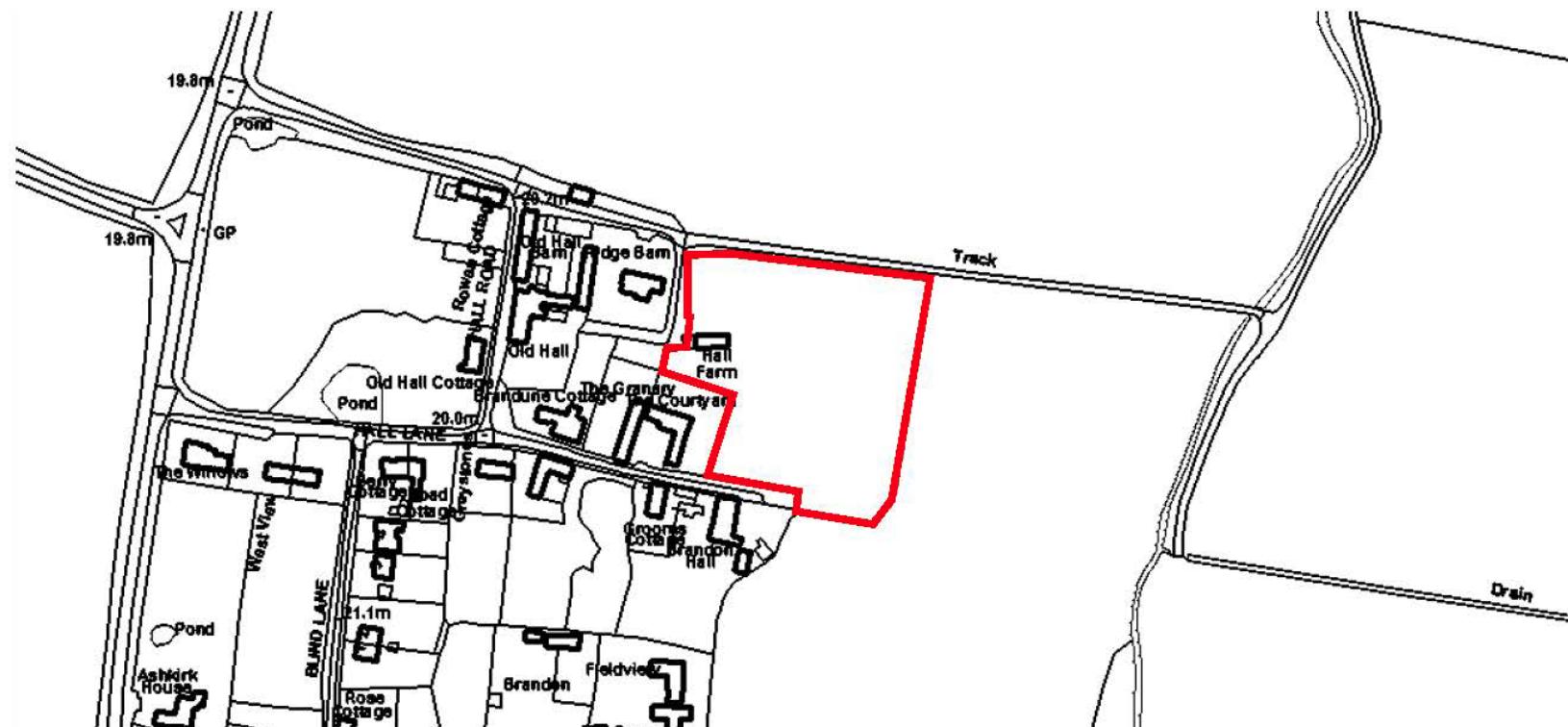
Agenda Item 5c

SHELLY	S18/1979	Target Decision Date: 19th December 2018
		Committee Date: 5 February 2019

Applicant	Mrs D Lang, Balmont House NG32 3RX
Agent	Jonathan Metcalfe Am2architects Suite 2 Navigation Business Centre NEWARK NG244TS
Proposal	Conversion of existing Barn to single dwelling, erection of new hay barn and stable block and paddocks
Location	Brandon Barn Hall Road Brandon Lincolnshire NG32 2AT
Application Type	Full Planning Permission
Parish(es)	Hough On The Hill Parish Council
Reason for Referral to Committee	<p>Councillor Bob Sampson has called in the application on the grounds that the proposal would be:</p> <ol style="list-style-type: none"> 1. Outside the built boundary of the village 2. In conflict with the development plan, especially the policies of the Neighbourhood Plan 3. Sited in close proximity to an existing dwelling causing an adverse impact on residential amenity
Recommendation	That the application is:- approved conditionally
Report Author	Shelly Delderfield - Planning Officer 01476 406080 Ext: 6446 shelly.delderfield@southkesteven.gov.uk
Report Reviewed By	Sylvia Bland - Head of Development Management 01476 406080 Ext: 6388 S.Bland@southkesteven.gov.uk

Key Issues

- Impact on the fabric of the unlisted heritage asset
- Impact on the character of the area
- Impact on the occupiers of neighbouring properties

**Key**

Application
Boundary



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1.0 Description of site and proposal

- 1.1 The site is located to the north-easterly edge of Brandon and is accessed via a private drive to the east of Hall Road. Brandon is a civil parish of Hough-on-the-Hill, Lincolnshire.
- 1.2 This application proposes the conversion and extension of a 19th century outbuilding/carthouse. The barn is a brick/stone and pantile disused farm building. The building is not listed but by virtue of its vernacular design and historic interest is a non-designated heritage asset. It has been identified as a building of note within the Hough-on-the-Hill Neighbourhood Plan.
- 1.3 The outbuilding/carthouse is situated to the south-west of a field largely delineated by mature trees, hedgerows and fencing which forms the plot to which this application is subject. The plot lies to the north-eastern edge of Brandon and is believed to have originally formed part of a wider cluster of farm buildings within Brandon. A public footpath runs to the north of the plot and is separated by mature trees and hedgerow along the boundary perimeter.
- 1.4 This proposal follows a previously withdrawn application that has since been revised following that withdrawal.
- 1.5 The proposal seeks to insert new extensions to the barn to enable its conversion. The new elements will comprise of the following
- 1.6 The projecting cubist element to the front elevation of the barn measures approximately 4.1m x 1.0m comprising of metal alloy cladding and a single ply membrane flat roof to the flat cube shaped addition.
- 1.7 The lean to extension to the southern elevation measuring approximately 9.9m x 5.4m is proposed to be constructed using grey timber cladding and a single ply membrane shallow pitched roof with black chippings. The extension features two windows and two glazed door openings. Timber cladding is proposed to the rear extension (southern elevation).
- 1.8 The side extension (eastern elevation) measuring approximately 3.3m x 5.3m allows for the original building to dominate with the original stone visible from the outside. The extension is proposed to comprise of materials to match the existing stone/brickwork.
- 1.9 The majority of the roof of the barn will comprise of clay pan tiles whilst the southern and eastern extension areas will be constructed using a single ply membrane. Grey aluminium windows and doors are proposed to be used for the openings of the barn.
- 1.10 The barn will have a maximum ridge height of approximately 5.5m which is contained within the existing barn.
- 1.11 The residential curtilage is outlined as the area within the immediate setting of the barn to the north and south with the remainder of the site proposed to form part of a hay/storage barn, stables and paddocks.
- 1.12 The proposed hay/storage block measures approximately 6.5m x 9m with a ridge height of 4.99m and the stable block measures approximately 5.2m x 7.9m with a ridge height of 3.7m. The building is proposed to comprise of grey vertical timber cladding and metal alloy cladding with a wooden door and external staircase leading to the first floor having a maximum ridge height of 4.99m.

2.0 Relevant History

Reference	Proposal	Decision	Date
S05/1640	Barn conversion to residential dwelling	Refused	31/01/2006
S99/0751	Conversion of barn to dwelling	Refused	12/10/1999
S99/1314	Conversion of barn to dwelling	Refused	15/02/2000

3.0 Policy Considerations

3.1 National Planning Policy Framework (NPPF)

Section 9 - Promoting sustainable transport
Section 16 - Conserving and enhancing the historic environment
Hough on the Hill Neighbourhood Development Plan
Section 5 - Delivering a sufficient supply of homes
Section 12 - Achieving well-designed places

3.2 South Kesteven District Council Core Strategy

Policy EN1 - Protection and Enhancement
Policy H1 - Residential Development
Policy SP1 - Spatial Strategy
Policy SP2 - Sustainable Communities

3.3 Submission Draft Local Plan

(policies which are accorded some weight)

SD1 Presumption in Favour of Sustainable Development
SD2 Principles of Sustainable Development in South Kesteven
ID2 Transport and Strategic Transport Infrastructure
EN6 The Historic Environment

3.4 Neighbourhood Plan

Hough on the Hill Neighbourhood Development Plan

4.0 SKDC Corporate Priorities

4.1 Growth – a growing population and a growing economy creates jobs, secures infrastructure and attracts investment.

5.0 Representations Received

South Kesteven District Council Footpaths Officer Public Footpath No. 1 is located to the north of the development site. From the plans submitted it appears to be situated just outside of the proposed development site boundary, although care should be taken during development at the site that the footpath is not obstructed in any way.

Lincolnshire County Council - Footpaths Officers It is expected that there will be no encroachment, either permanent or temporary, onto the rights of way as a result of the proposal

Historic Buildings Advisor (SKDC) The current application includes an additional survey report from the structural engineer which has established that no underpinning will be required with no major rebuilding necessary for the conversion works. This is sufficient evidence to show that the proposal is in accordance with policy SP1.

In design terms the proposed alterations and proposed cubist element are a positive addition providing an interesting visual juxtaposition between the old and new. Having inspected the

building on site, the principal king post roof structure is in remarkably good condition, and contributes strongly towards the significance of the barn as a non-designated heritage asset that can be retained and better revealed within the conversion works.

Whilst there are some new interventions, the original character of the barn remains largely intact and the conversion will help to ensure the long term future of the building.

The floor area of the barn has been reduced, with the introduction of a shallow pitched roof, and the height of the haybarn and storage has been reduced which is more appropriate to the historic context, and subordinate to the existing principle barn.

The colour finish of the cladding sample provided is sufficiently muted not to have any impact upon views into the site and is fitting for the rural context.

Setting the glazing back behind the existing upright beams better reveals the existing historic features of the building and is a welcome addition.

LCC Highways & SuDS Support No objections (informative provided)

Parish Council One Councillor has no objection to this application but two object on the following grounds:

The design proposal still indicates wood cladding of the south extension which is out of keeping with the stone and brick construction of the C19 barn.

Although the applicant has reduced the overall size of the extensions, the total additional floor space still appears to exceed the guideline of 40 per cent increase to the original.

It is however noted that the applicant has brought the plans more in line with the Neighbourhood Plan by changing to a gently sloping roof on the larger of the two extensions. It is also noted that the applicant has attempted to make the stable block more appropriate to its surrounding by reducing its size.

Upper Witham Internal Drainage Board The Board has no comments on this application.

6.0 Representations as a Result of Publicity

6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 22 letters of representation have been received. The points raised can be summarised as follows:

1. Development on this site would extend the village boundaries
2. Brandon has no sewerage system and believe that there is no further capacity for additional dwellings
3. Size of development would dominate the landscape and have a detrimental effect on the

landscape

4. No mention of owl that was known to roost in existing barn
5. Concern regarding footpaths and access around the village
6. Detrimental effect on setting of Old Hall, rear access is restricted
7. Character of development does not fall within Neighbourhood Plan, is at odds with local vernacular
8. Loss of wildlife habitat
9. Concerns regarding overlooking to the southern elevation
10. The rear extension goes against the grain of the existing building
11. The metal alloy clad box like roof extension is out of character with the existing scale, form and character of the existing building
12. Substantial extensions are inappropriate
13. Proposal is contrary to SP1 and EN1 of the Core Strategy
14. Proposed hay barn/stable building is very large and will be prominent and visible from public footpath
15. Proposed materials - glass/metal cladding is inappropriate and not in keeping with Brandon
16. Reference to previous refusals for conversion to dwelling
17. Sewage Disposal/Drainage problems
18. Vehicular access cannot cope with any more traffic/access for fire brigade
19. Proposed design is not in keeping with Brandon
20. Loss of privacy
21. Noise and odour concerns
22. Storage and Hay Barn seem oversized
23. Would affect my property and fail sunlight/daylight test

6.2 1 letter of support has been received

1. The revised plans show a pitched roof extension to the south. This is of a gentle slope and will still leave good visibility of the original barn pantiles. This compromise is aesthetically and functionally effective. Note there is a minimum slope for pantiles to drain; as such this new roof needs to be of a different material. The natural and dark colours proposed will not draw attention to the roof. A number of properties in Brandon have used modern bright red pantile.
2. This application has significantly reduced the footprint and do not now detract from the barn itself.
3. This is reminiscent of The Old Hall Barn northern end, where a similar extension was added at a lower roof line. I believe that the architect has considered local style and form of these buildings. In addition, Rowan Cottage has been extended twice, first roofing open pens and a further wing in recent years.
4. The application has reduced the size of the barn and hay barn/stable block and consider it is in keeping with the historic use of the paddocks
4. The size of the barn is similar to the new garage to the west of Old Hall. Many buildings within Brandon have erected outbuildings. The aesthetic of the proposed barn and stables will be preferable to temporary buildings

7.0 Evaluation

7.1 Principle of the use

7.1.1 The site is located in open countryside outside the built up part of the village and Policy SP1 of the Adopted Core Strategy states that in the countryside development will be restricted. Proposals will only be considered acceptable if they are sites for:

- B. agriculture, forestry or equine development
- F. conversions of buildings provided that the existing building(s):
 - contribute to the character & appearance of the local area by virtue of their historic, traditional or vernacular form;
 - are in sound structural condition; and

- are suitable for conversion without substantial alteration, extension or rebuilding, and that the works to be undertaken do not detract from the character of the building(s) or their setting

7.1.2 Submission Draft Local Plan Policy SD2 seeks to ensure that new development accords with the principles of sustainable development including the conversion of buildings. In paragraph 79 of the NPPF it states that Local Planning Authorities should avoid the development of new isolated homes in the countryside unless there are special circumstances such as where the development would represent the optimal viable use of a heritage asset, would re-use redundant or disused buildings and enhance its immediate setting.

7.1.3 It is considered that the proposal for the barn conversion is acceptable in principle and in accordance with the criteria set out in section F of Policy SP1 as it seeks to convert an unlisted heritage asset in order to provide a long term use of the building. The structural survey submitted to demonstrate the existing building is capable of conversion is considered to meet the criteria set out in Policy SP1 as it indicates that the building does not require any underpinning or any major rebuilding works necessary for its conversion. It is also considered that the proposed extensions to convert the building are not so substantial that they exceed the test. Compliance with criteria F in terms of the impact on the character of the building and its setting is considered later in the report. The proposal seeks to use a large part of the site for equine development which will comprise of a hay/storage and stable block and three paddock areas which meets criteria B of Policy SP1.

7.2 Impact of the use on the character of the area

7.2.1 Policy HoH1 of the Hough-on-the-Hill Neighbourhood Plan supports development which accords with SP1 of the Core Strategy (2010) where it maximises opportunities to protect and enrich the landscape and built setting of the villages and their environs as defined within the Landscape Assessment (October 2013).

7.2.2 The Landscape Assessment set out in the Neighbourhood Plan states that extensions should be sympathetic, set-back and subordinate and in keeping with general character of the village. Roof pitches should be in harmony with the original palette for the village although exemptions would be made for innovative, contemporary solutions that successfully integrate modern architectural design. Natural roof tiles are encouraged i.e. slates, pantiles, plain tiles. In addition, wildlife features are encouraged as well as consideration being given to vehicle arrangements and key views to which this application is one identified within the adopted plan.

7.2.3 Policy HoH2 of the adopted Neighbourhood Plan state that new development should be sympathetic to the existing form, scale and character of its location and be appropriate to its rural context. Development should respond to both the built and natural environment.

7.2.4 Policy H0H4 of the Neighbourhood Plan states that development which would result in the loss of all or part of a heritage asset will not be supported unless it can be demonstrated that the public benefits would outweigh the harm caused.

7.2.5 Policy H0H11 of the Neighbourhood Plan states that development should be supported where it would maintain features which define the character and setting of the Parish, as set out in the Landscape Assessment. In particular, development which would impact on views into and out of the village should demonstrate these features have been sensitively and appropriately considered and incorporated and/or mitigated as necessary.

7.2.6 Policy EN1 of the Adopted Core Strategy states that development must be appropriate to the character and significant natural, historic and cultural attributes and features of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration.

7.2.7 Submission Draft Local Plan Policy EN6 seeks to protect and enhance heritage assets within the District.

7.2.8 Paragraph 127 of the NPPF states that planning policies and considerations should ensure developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

7.2.9 Paragraph 192 of the NPPF states that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and put them to viable uses consistent with their conservation and making a positive contribution to local character and distinctiveness.

7.2.10 The site currently comprises of the redundant barn and paddock area believed to have been used most recently for pasture and reflects the rural character of Brandon and its historic use.

7.2.11 The proposed alterations to the unlisted heritage asset have been amended slightly following consultation with the conservation officer and the Council's urban design officer so as to better reveal elements of the barn to the front elevation. This will result in setting the glazing back behind the existing upright beams which is welcomed by the conservation officer. It is considered that the proposal allows for the original barn to be seen and understood whilst balancing this with more contemporary add-ons so as to enable the long term use of the building. Each element of the proposed alterations to the barn are described in more detail below.

7.2.12 Whilst the projecting element to the northern elevation dominates and blocks from sight the end brick pier it does allow views of the original roof structure/beams and therefore on balance is considered to be an acceptable element of the proposed conversion. A sample of the proposed alloy cladding has been viewed by the conservation officer who is satisfied that the proposed materials are in keeping with the unlisted heritage asset and in the context of the wider setting to which the barn find itself.

7.2.13 The side extension to the eastern elevation differs in its approach as the other two add on features are much more contemporary in their design whereas this element seeks to use stone and roof tiles to match the existing structure. However, the openness of the design and blend of both old and new are considered to be acceptable subject to conditions.

7.2.14 The lean to extension features two windows and two glazed door openings and has been amended so as to include a pitched roof to reflect the Hough-on-the-Hill Neighbourhood Plan. Whilst this proposed new element is contemporary in its design it is considered that this new extension is acceptable and is readable within the historic context of the original outbuilding/cartshed. The proposed materials are considered to be acceptable and an appropriate reflection of both the historic and more contemporary elements of the building.

7.2.15 It is considered that the proposed hay/storage and stable area as well as much of the plot for use as horse paddocks would be in keeping with the rural character and appearance of the surrounding amenity. The ridge height and palette of materials have been addressed so as to be visibility subservient to the unlisted heritage asset. Whilst the building is not strictly in keeping with the materials palette of residential buildings in the area it is considered that this is no less appropriate due to the proposed use. The choice of materials is a reflection of the equine use which is being proposed in a similar way that any agricultural building would be different to building a structure for residential use. The proposal is considered to be compatible with the previous use of the land which is believed to have been for pasture.

7.2.16 In summary it is considered that whilst the proposal does include alterations to the unlisted heritage asset, these alterations on balance allow for the long term use and ultimately the conservation of an unlisted heritage asset. The contemporary design and materials palette is considered to be acceptable and in keeping with the character and appearance of Brandon. It is therefore considered that the choice of materials offers a contemporary feel that can effectively integrate the old and new elements whilst not detracting from the character and appearance of the area or having a negative impact upon the neighbouring properties. It is therefore considered that the proposal is in accordance with Core Strategy Policy EN1, Submission Draft Local Plan Policy EN6 and Policies H0H1, H0H2 and H0H11 of the Hough on the Hill Neighbourhood Plan.

7.3 Impact of the proposal upon neighbouring properties

- 7.3.1 The lean-to extension to the southern elevation of the barn is proposed to be over 23 metres from the nearest property and therefore it is considered that there will be no negative impact in terms of overlooking to the neighbouring properties.
- 7.3.2 The proposed hay/storage barn and stables is of simple design and reflects the equestrian use of the building and surrounding land to the east as paddocks. The building will be approximately 15.5m away from the nearest dwelling which is located to the west of the site and lies opposite the track used to gain access to the proposed dwelling. The ridge height is proposed to be 4.99m and therefore it is considered that the proposed design and scale of the building will not pose an adverse effect upon the neighbouring properties.

7.4 Highway issues

- 7.4.1 Policy HOH15 of the Neighbourhood Plan states that new development should wherever possible ensure that access to existing permissive rights of way are maintained.
- 7.4.2 The proposed development would be accessed via an existing track that runs along the northern boundary of the site. It is considered that the access would not have a negative impact on the highway and provide adequate parking. LCC Highways and SuDS have raised no objections to the proposal. It is therefore considered that the proposal is in accordance with section 9 of the NPPF.
- 7.4.3 It is noted that concerns have been raised about a legal dispute over access to neighbouring properties however the constraints mapping indicates that the public right of way is not affected in this instance and therefore the issues appear to be a civil matter and not a planning matter between the interested parties.

8.0 Crime and Disorder

- 8.1 It is considered that the proposal would not result in any significant crime and disorder implications.

9.0 Human Rights Implications

- 9.1 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.
- 9.2 It is considered that no relevant Article of that act will be breached.

10.0 Conclusion

- 10.1 The principle of the conversion is considered acceptable as the building is of historical significance to the character and appearance of the local area and its conversion would result in its long term conservation and use. In addition, a new building is proposed to create a hay/storage and horse stables block within the plot thus reducing the overall residential curtilage.
- 10.2 It is considered that the proposed hay/storage and stables block will not detract from the important views in and out of the village of Brandon as identified within the Landscape Assessment of the adopted Hough on the Hill Neighbourhood Plan. The proposed equine use of the buildings and land is considered to be in keeping with the rural character and appearance of the area. The proposal in its entirety offers a long term use of the unlisted heritage asset for residential purposes alongside the use of the majority of the plot for the welfare of horses that graze in the three paddock areas.

10.3 It is therefore considered that the proposal is acceptable and in accordance with para. 192 of the NPPF, Policies HoH1, HoH2 and HoH11 of the adopted Hough on the Hill Neighbourhood Plan, Policy SP1 and EN1 of the Core Strategy (2010). It is recommended that the proposal is approved, subject to conditions.

11.0 RECOMMENDATION: that the development is Approved subject to the following conditions

Time Limit for Commencement

1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:

Drawing No. 0396-AM2-GP-LP Location Plan
Drawing No. 0396-AM2-GP-SP Site Plan
Drawing No. 0396-AM2-DP-CP Design Proposal
Drawing No. 0396-AM2-GP-DP Distances Plan
Drawing No. 0396-AM2-PFP-1 Proposed GF
Drawing No. 0396-AM2-PFP-1 Proposed FF
Drawing No. 0396-AM2-PFP-2 Proposed Roof Plan
Drawing No. 0396-AM2-PEP-1 Proposed Elevations
Drawing No. 0396-AM2-PEP-2 Proposed Elevations
Drawing No. 0396-AM2-PSP Proposed Section
Drawing No. 0396-AM2-PSP Proposed Plan Section
Drawing No. 0396-AM2-P3DS1 Proposed 3D Sections
Drawing No. 0396-AM2-PSFP1 Proposed Hay Barn & Stable Floor Plans
Drawing No. 0396-AM2-PSEP-1
Drawing No. 0396-AM2-PSEP-2
Drawing No. 0396-AM2-PS3DS-1 3D Sections
Drawing No. 0396-AM2-PSEP Proposed Site Elevations
Drawing No. 0396-AM2-PV-1 Material Palette

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

Before the Development is Commenced

3 Before any of the works to the extension on the eastern elevations of the building(s) hereby permitted are begun, samples of the materials (including colour of any render, paintwork or colourwash) to be used in the construction of the external surfaces shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

4 Before the works to provide the boundary treatments hereby permitted are commenced, a plan indicating the heights, positions, design, materials and type of boundary treatment to be erected shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To provide a satisfactory appearance to any boundary treatments and by screening rear gardens from public view, in the interests of the privacy and amenity of the occupants of the proposed dwellings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

- 5 Before the installation of any of the new external windows and/or doors hereby consented, full details of all proposed joinery works for those windows/doors, including 1:20 sample elevations and 1:1 joinery profiles, shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory preservation of the building and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

- 6 Before the development hereby permitted is commenced, a written scheme of archaeological investigation shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010) and Paragraph 199 of the NPPF.

- 7 Before the development hereby permitted is commenced, a scheme for the treatment of surface and foul water drainage shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the provision of satisfactory surface and foul water drainage is provided in accordance with Policy EN2 of the adopted South Kesteven Core Strategy (July 2010).

During Building Works

- 8 The external joinery works hereby permitted shall be constructed of wood with no trickle vents and retained as such thereafter.

Reason: To ensure the satisfactory preservation of the character of the building and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010)

- 9 The development shall be carried out in accordance with the recommendations set out in the Protected Species & Bat Survey Report (received 24 October 2018).

Reason: To ensure that the conversion works to the existing barn are carried out in a way that minimises the impact on local wildlife found in the area.

- 10 Prior to the commencement of any works of demolition and rebuilding authorised by this permission, the person/s undertaking the works shall take such measures as may be necessary to secure the stability of the parts of the buildings, or adjacent buildings, which are to be retained.

Reason: To ensure the preservation of the building is considered to be worthy of retention and conversion to an alternative use because of its importance as an examples of traditional buildings that make an important contribution to the distinctiveness of the District.

- 11 The roof lights to be installed in the building shall be of a 'conservation' type, details of which shall be submitted to the Local Planning Authority prior to installation. Only such details as may be approved in writing shall be used in the approved works of conversion.

Reason: To ensure that the type of rooflight installed is in-keeping with the character and appearance of the building being converted.

- 12 Before any part of the development hereby permitted is occupied, a plan clearly outlining the residential curtilage shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure that the residential curtilage is restricted so as to preserve the character and appearance of the local amenity in accordance with Policy EN1 of the Core Strategy.

13 Before the rainwater goods are installed details shall be submitted to the local planning authority of the type of rainwater goods to be installed on the building/s and the means of fixing the goods to the building. Only such type of rainwater goods and fixings as may be approved writing shall be used on the building.

Reason: To ensure that the type of rainwater goods and their means of being secured to the building are appropriate for the context. Only such type rainwater goods and fixings as may be approved in writing shall be installed on the building.

14 Before the development hereby permitted is commenced, details of hard landscaping works shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include:

i. means of enclosure including fencing details within the site

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

Before the Development is Occupied

15 The archaeological investigations shall be completed in accordance with the approved Written Scheme of Investigations.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010) and Paragraph 199 of the NPPF.

16 Before any part of the development hereby permitted is brought into use, the external surfaces shall have been completed in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

17 Before any part of the development hereby permitted is brought into use, the works to provide the surface and foul water drainage shall have been completed in accordance with the approved details.

Reason: To ensure the provision of satisfactory surface and foul water drainage is provided in accordance with Policy EN2 of the adopted South Kesteven Core Strategy (July 2010).

18 Before any part of the development hereby permitted is brought into use, the works to provide the boundary treatments shall have been completed in accordance with the approved boundary treatment scheme.

Reason: To provide a satisfactory appearance to any boundary treatments and by screening rear gardens from public view, in the interests of the privacy and amenity of the occupants of the proposed dwellings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

19 Before any part of the development hereby permitted is brought into use, all hard landscape works shall have been carried out in accordance with the approved hard landscaping details.

Reason: Hard landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

20 Before the part of the building being altered is first brought into use, the joinery works for all windows and doors shall have been completed in accordance with the approved joinery details.

Reason: To ensure the satisfactory preservation of the building and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

21 Before any part of the development hereby permitted is brought into use, all rainwater goods shall have been carried out in accordance with the approved details.

Reason: To ensure that the type of rainwater goods and their means of being secured to the building are appropriate for the context. Only such type rainwater goods and fixings as may be approved in writing shall be installed on the building.

Ongoing Conditions

22 Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the property other than those expressly authorised by this permission shall be carried out without Planning Permission first having been granted by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties.

23 Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B & C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no window, dormer window, rooflight or other shall be inserted into any elevation of the property other than those expressly authorised by this permission without Planning Permission first having been granted by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties.

24 No chimneys or flues shall be installed on the building other than those shown on the approved drawings without the express consent of the Local Planning Authority.

Reason: To ensure that any additional chimneys and/or flues do not compromise the character or appearance of the building.

25 The development shall be carried out strictly in accordance with the approved plans which outline the residential curtilage.

Reason: So as to restrict the residential curtilage to a defined area so as to preserve the character and appearance of the local amenity in accordance with Policy EN1 of the Core Strategy.

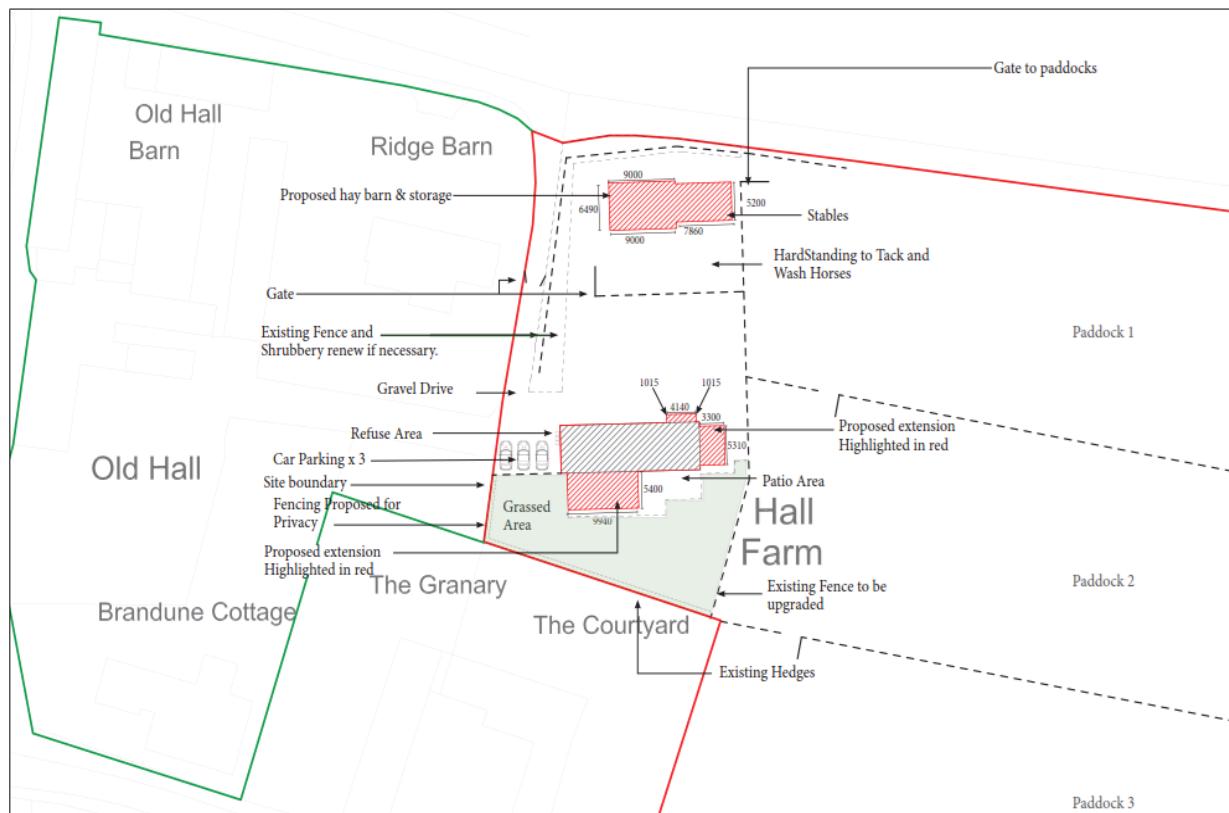
Standard Note(s) to Applicant:

1 Consideration should be given to the storage and disposal of horse manure.

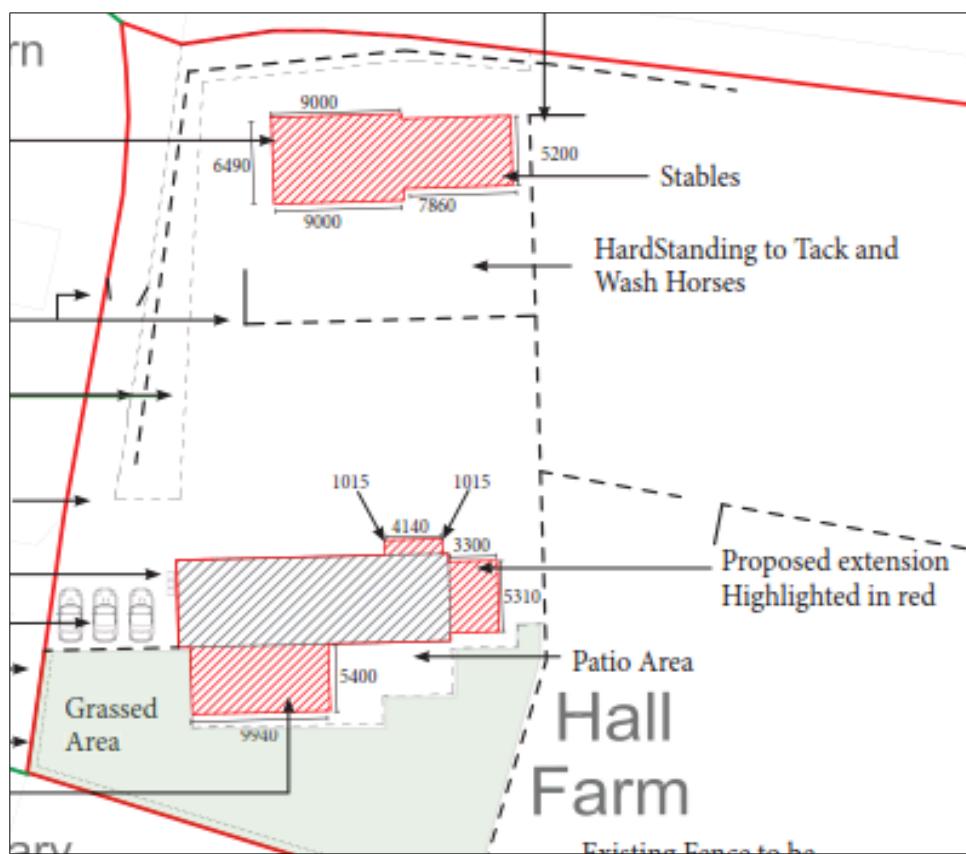
Whilst the regulations as set down by the Environment Protection Act 1990 apply to commercial premises consideration should be given to applying the same standards as this will help to prevent pollution of the environment and public nuisance.

2 Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

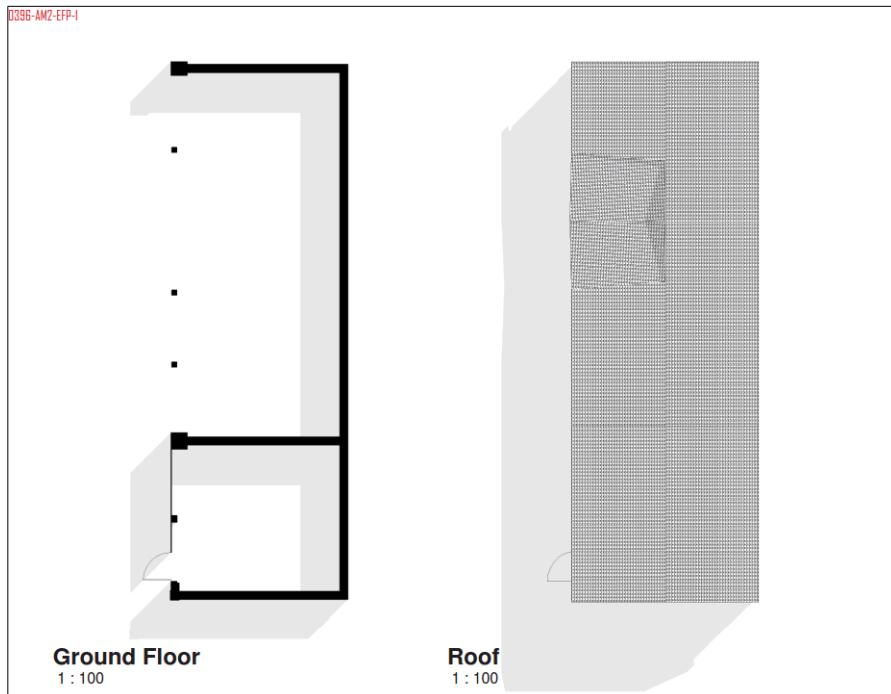
Block Plan



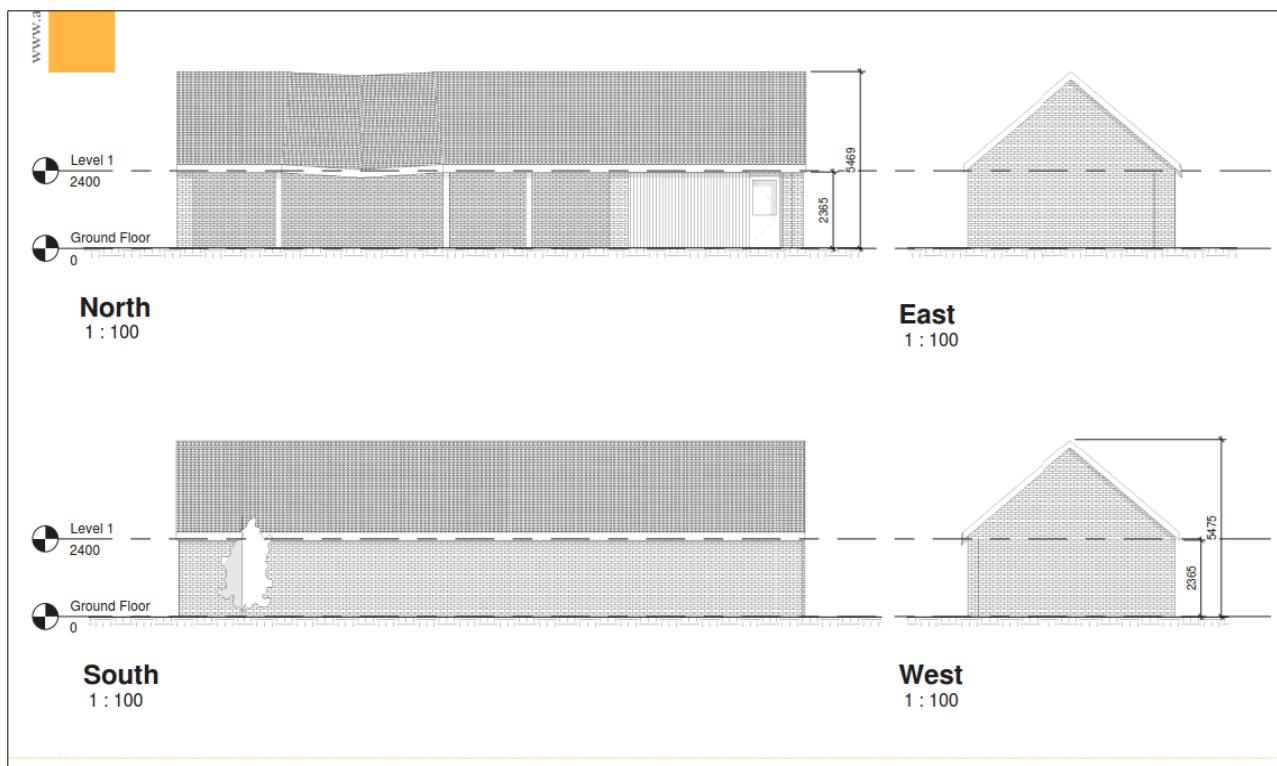
Block Plan (zoomed in view)



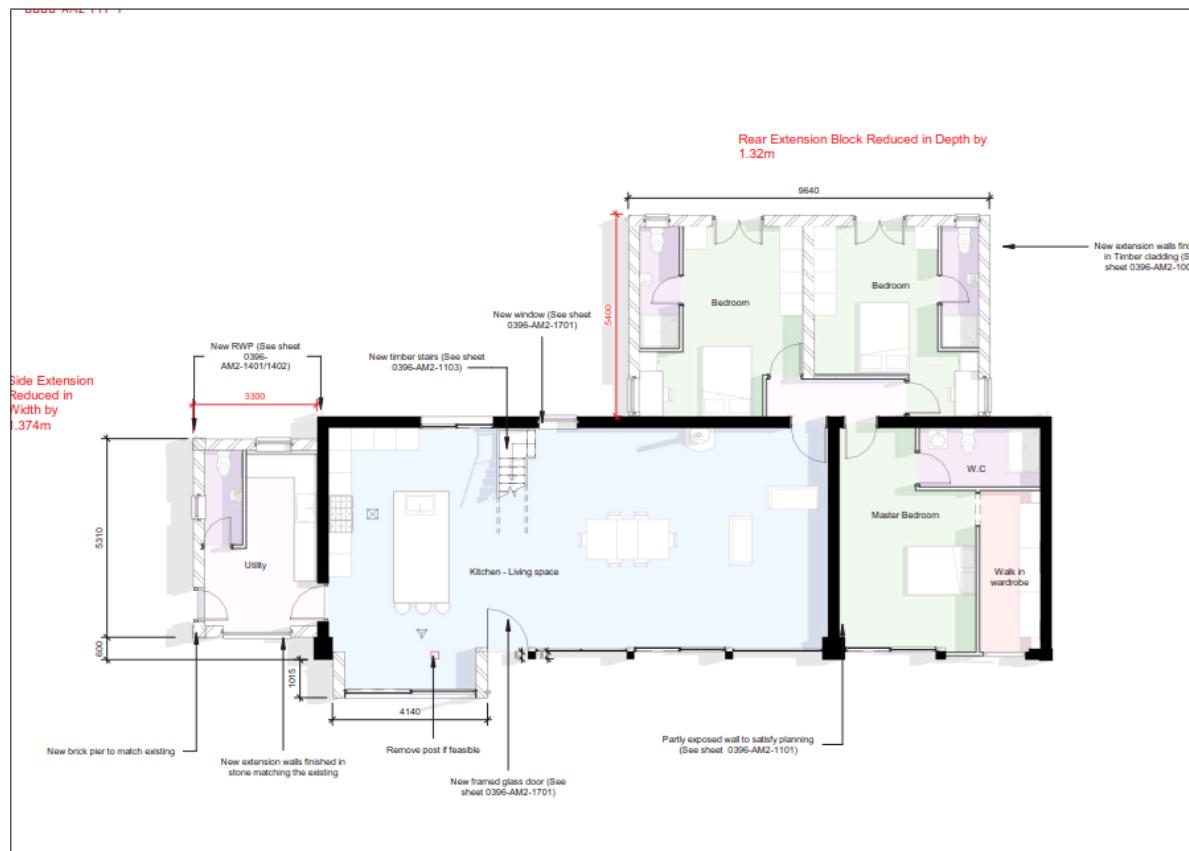
Barn conversion -Existing floor plan



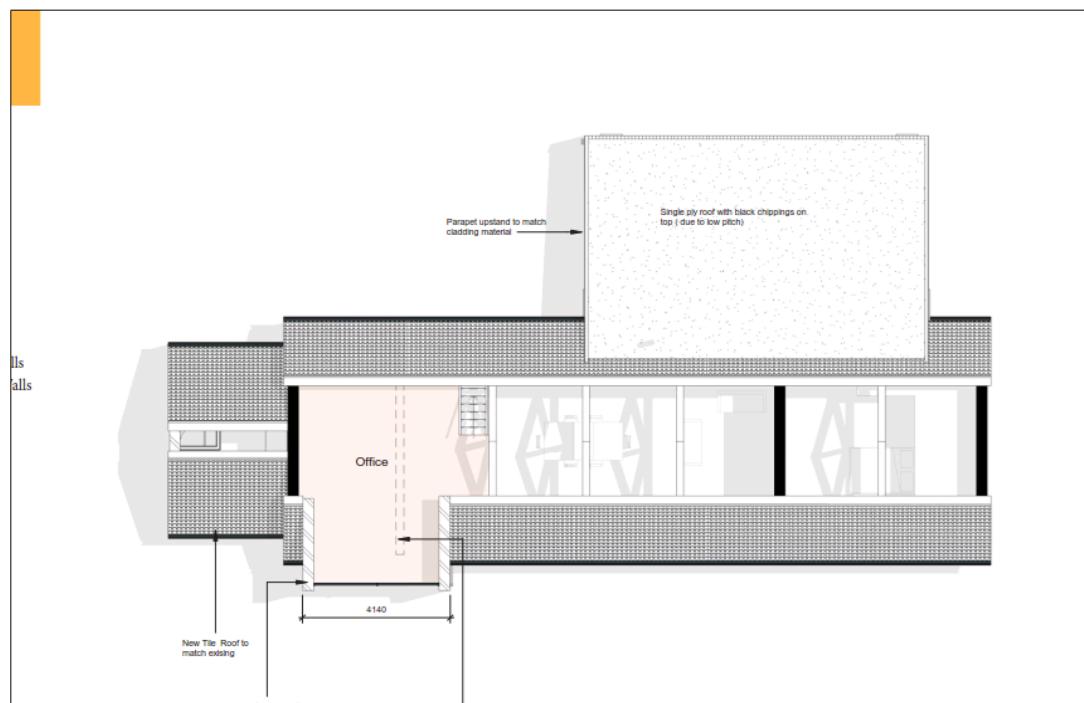
Barn Conversion – Existing Elevations



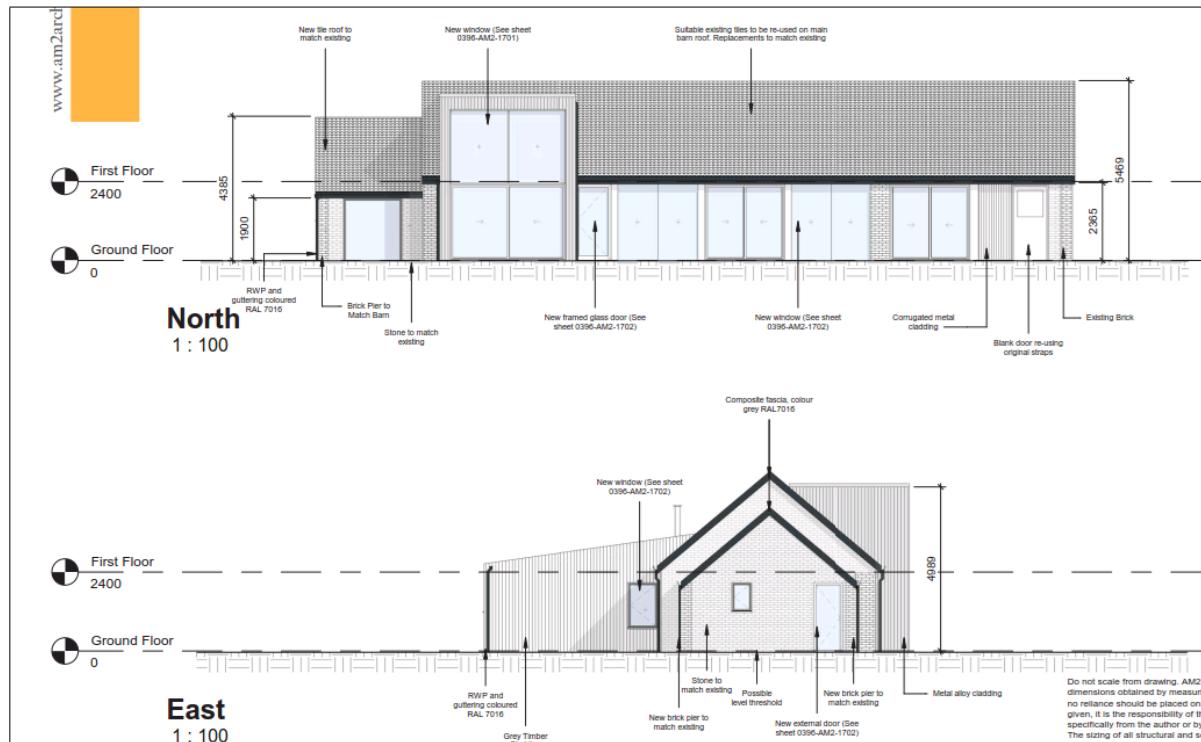
Barn Conversion – Proposed Ground Floor Plan



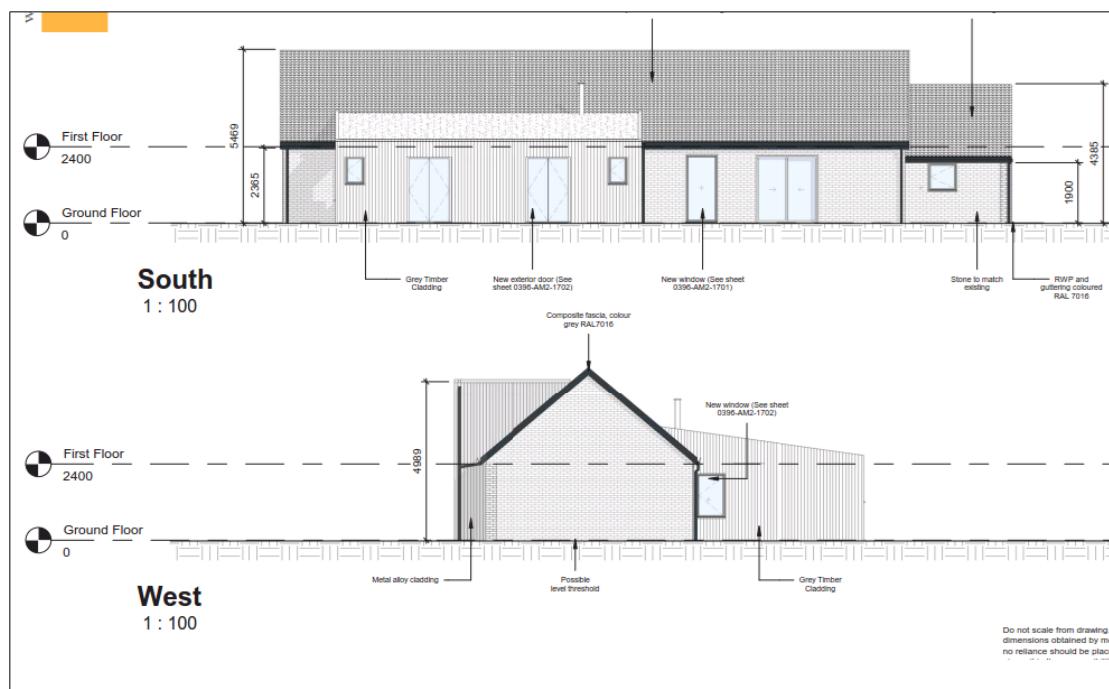
Barn Conversion – Proposed First Floor Plan



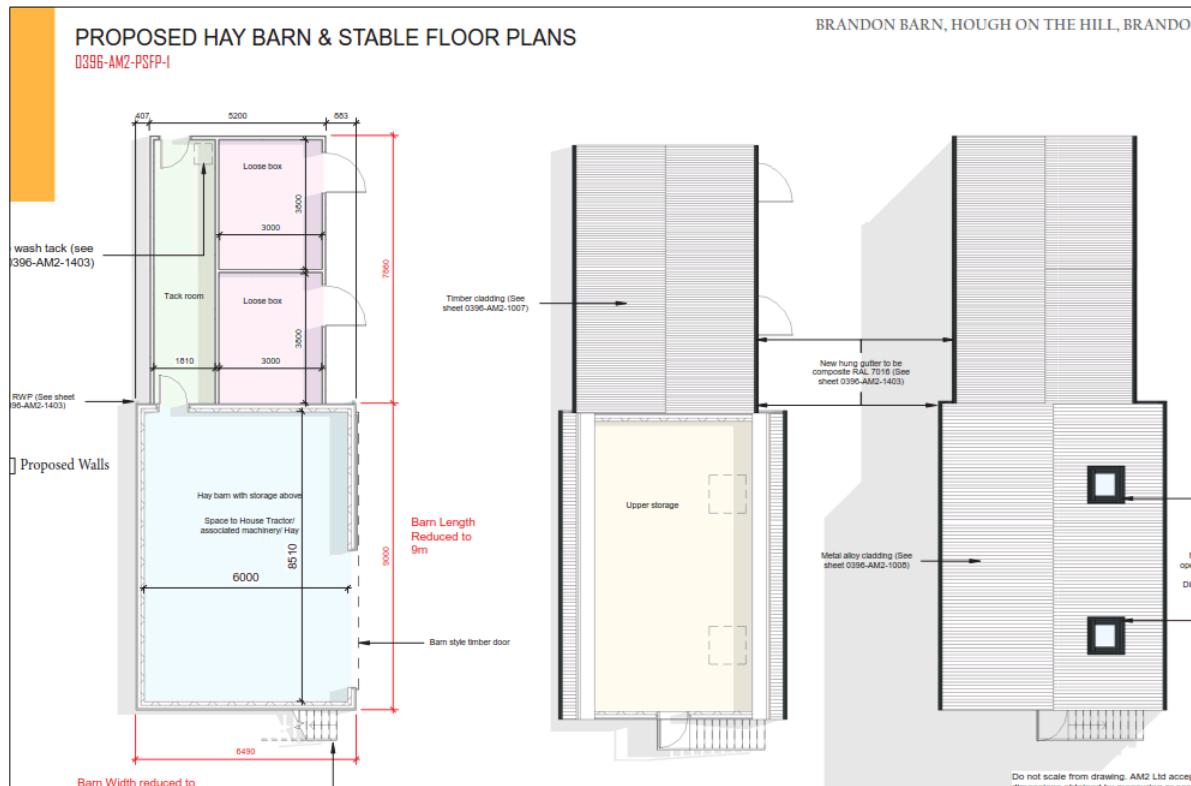
Barn Conversion – Proposed Elevations 1



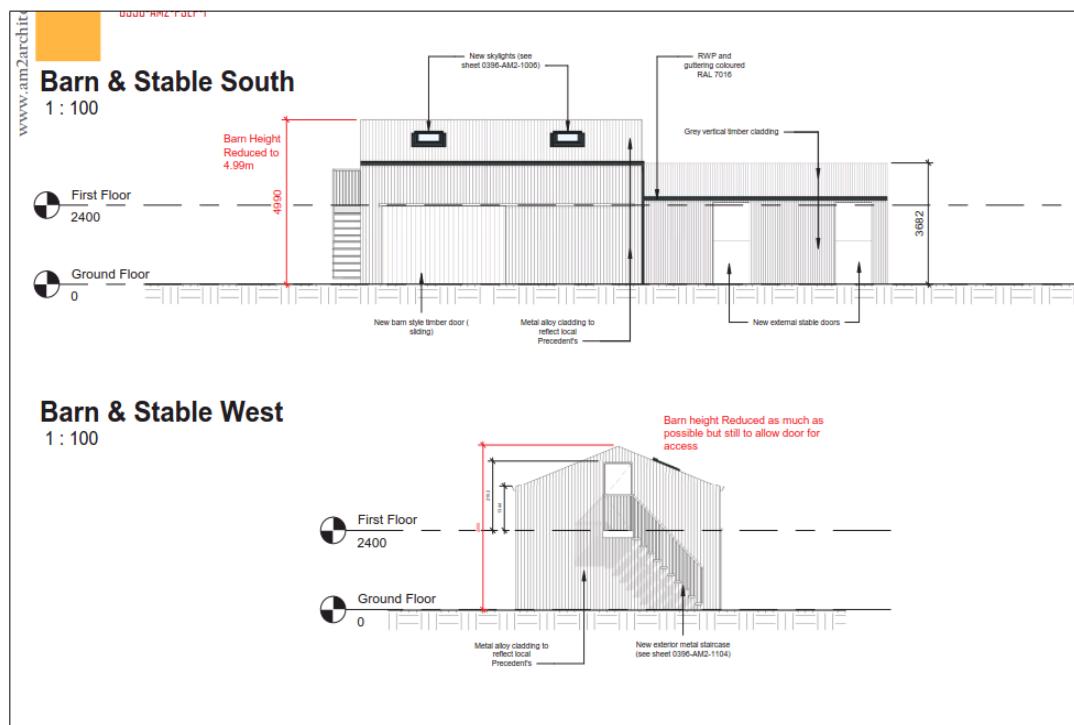
Barn Conversion – Proposed Elevations 2



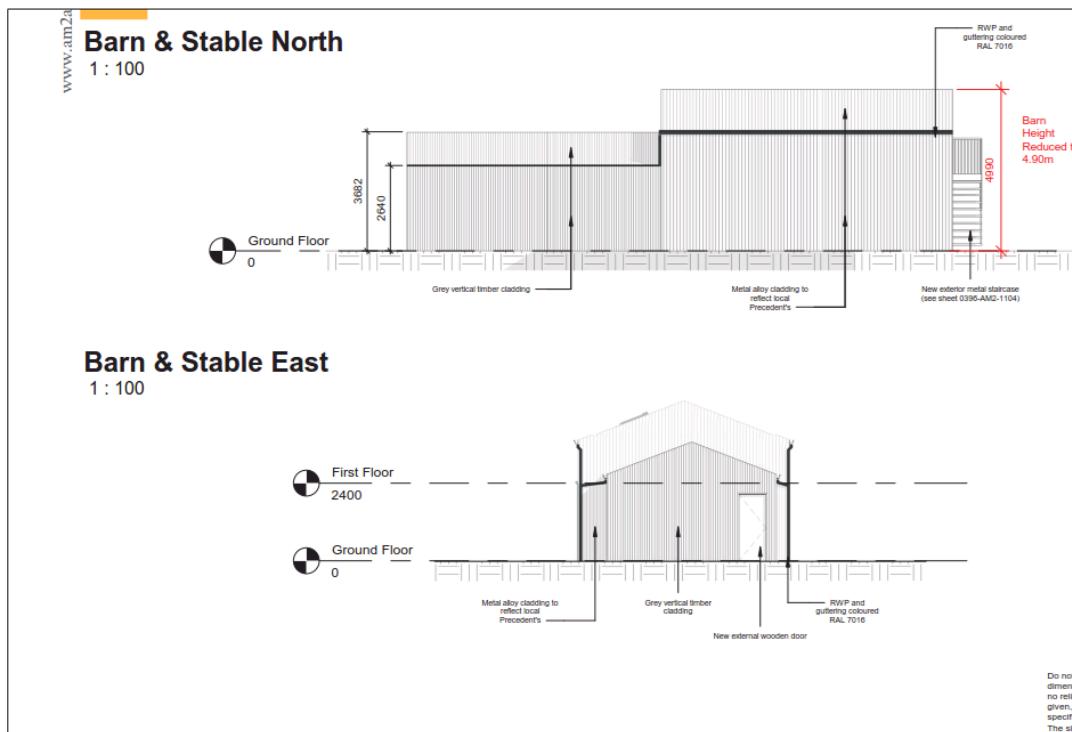
Hay Barn and Stables – Floor Plans



Hay Barn and Stables – Elevations 1



Hay Barn and Stables – Elevations 2



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Agenda Item 5d

PJ	S18/1561	Target Decision Date:15th October 2018
		Extension of Time Date:28th February 2019
		Committee Date:5th February 2019

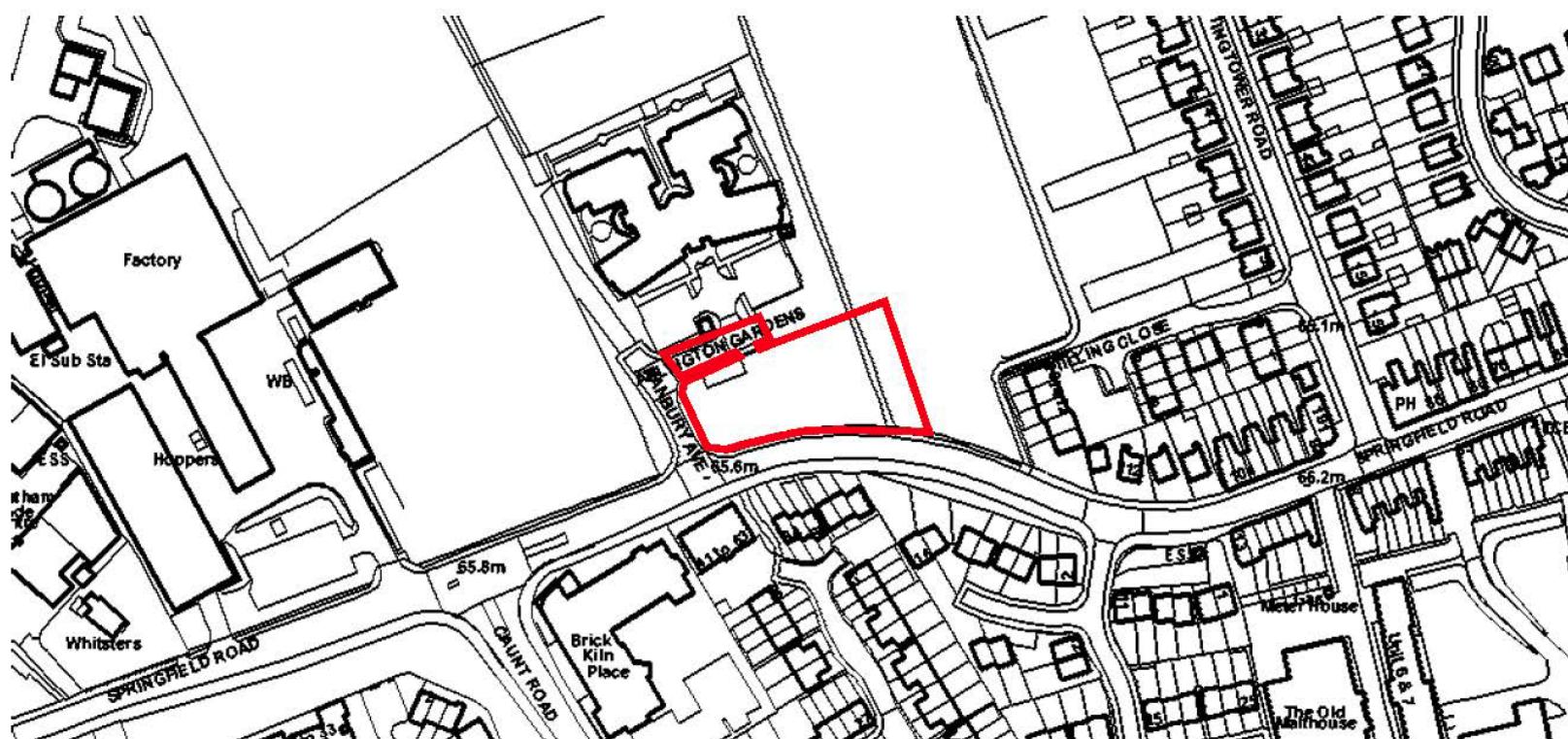
Applicant	Mr Matthew Wilkinson Lincolnshire Co-operative Limited Stanley Bett House 15-23 Tentercroft Street Lincoln LN5 7DB
Agent	Mr Sam Winton framework 3 Marine Studios Burton Waters Lincoln LN1 2WN
Proposal	Erection of a single storey convenience store
Location	Land At Hanbury Avenue Grantham NG31 7GQ
Application Type	Full Planning Permission
Parish(es)	Grantham
Reason for Referral to Committee	At the request of Cllr A Stokes for concerns in relation to design, highway safety and impact on the character and appearance of the area
Recommendation	Approved conditionally
Report Author	Phil Jordan - Development Management Planner 01476 406080 Ext: 6074 p.jordan@southkesteven.gov.uk
Report Checked By	Phil Moore - Development Management Planner 01476 406080 Ext: 6461 p.moore@southkesteven.gov.uk

Key Issues

- Principle of development
- Retail considerations
- Highway considerations
- Impact on the character of the area
- Design

Technical Documents Submitted with the Application

- Transport Assessment
- Arboricultural Impact Assessment
- Noise Assessment
- Surface Water Drainage Strategy
- Contamination Survey
- Design and Access Statement

**Key**

Application
Boundary



1.0 Description of site

1.1 The application site is located towards the south of Grantham in a predominantly residential area. To the north of the site is a recently constructed care home, to south on the opposite side of Springfield Road is a mixture of residential houses and apartments of traditional design and a care home with a more contemporary appearance. To the east is a residential development under construction (approved by S17/2082) and to the west are commercial buildings including the Maltings and some takeaway units on the corner with Harlaxton Road.

2.0 Description of proposal

2.1 Planning permission is sought for the erection of a single storey convenience store which is understood to be intended for occupation by the Co-Op. The proposed retail unit would provide approximately 280 sqm of ground floor retail space and includes provision of 20 car parking spaces of which 2 are designated for accessible parking. The proposed unit would be of a traditional design and constructed from red facing bricks with grey slate effect tiles. The building would be L shaped approximately 21m x 21m on the south and east elevations and set-back between 7m and 10m from Springfield Road. Pedestrian access is proposed off Springfield Road and vehicular access would be via Hanbury Avenue and Arlington Gardens to the north of the car park.

2.2 It is noted the original scheme was amended to provide enhanced landscaping details which include two new trees to be planted to the front of the store in addition to the six trees to be retained. A new hedge is also proposed with some additional planting to help screen the close boarded fence to the front of the unit.

3.0 Relevant History

Reference	Proposal	Decision	Date
S17/2082	Construction of 46 affordable homes including roads, footpaths and associated infrastructure.	Approved Conditionally	26/04/2018

4.0 Policy Considerations

4.1 National Planning Policy Framework (NPPF)

Section 12 - Achieving well-designed places
Section 7 - Ensuring the vitality of town centres
Section 9 - Promoting sustainable transport

4.2 South Kesteven District Council Core Strategy

Policy E2 - Retail Development
Policy EN1 - Protection and Enhancement
Policy EN2 - Reduce the Risk of Flooding
Policy SP1 - Spatial Strategy

4.3 Submission Draft Local Plan

(policies which are accorded some weight)

SD1 Presumption in Favour of Sustainable Development
SD2 Principles of Sustainable Development in South Kesteven
GR4 Grantham Town Centre Policy
ID2 Transport and Strategic Transport Infrastructure

5.0 SKDC Corporate Priorities

5.1 Growth – a growing population and a growing economy creates jobs, secures infrastructure and attracts investment.

6.0 Representations Received

LCC Highways & SuDS Support Does not wish to restrict the grant of permission.

Environmental Protection Services (SKDC) In respect of land contamination, the recommendations in the Phase I & II Geo Environmental Assessment should be implemented.

Regarding noise, the recommendations in the noise report should be conditioned as well as consideration of potential noise from deliveries.

Upper Witham Internal Drainage Board No comments

Arboricultural Consultant (SKDC) Recommend requiring by condition a tree protection scheme including tree protection plan and the submission of a no dig methodology for installing hard surfaces inside the RPA's of the retained trees.

Crime Prevention Design Advisor Lincolnshire Police have no objections to this application. Suggest consideration of the following as the area has experienced some anti-social behaviour and relatively low level criminality:

- Maximise opportunities for natural surveillance
- Avoid low dwarf walls that can be used for ad hoc seating and the provision of public seating that can become a point of congregation
- Include a suitable level of external lighting
- Landscaping should not impede the opportunity for natural surveillance and must avoid the creation of areas of concealment
- Suitable provision of an intruder alarm and CCTV
- Any ATM should include its own alarm, CCTV and be located in a highly visible position

7.0 Representations as a Result of Publicity

7.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and no letters of representation have been received.

8.0 Evaluation

8.1 Principle of the development

8.1.1 Core Strategy Policy SP1 states the majority of all new development should be focused upon Grantham to support and strengthen its role as a Sub-Regional Centre.

Submission Draft Local Plan Policies SD1 and SD2 seek to promote sustainable development in South Kesteven.

- 8.1.2 Core Strategy Policy E2 and Submission Draft Local Plan Policy GR4 seek to support the existing town centre of Grantham through the focus of new retail development towards the defined town centre. The policy identifies that where proposals cannot be located in the town centre, a sequential approach should be applied, taking into consideration the requirements of the latest Retail Needs Study. The policy does not however identify a threshold above which the sequential test should be applied.
- 8.1.3 Para 89 provides a default threshold is 2,500 sqm of gross floorspace for applying the sequential approach where there is no locally set threshold for new retail development. The Council has set the local threshold to be 1,000 sqm. As the proposal is for 280 sqm of new retail space then it is below the local threshold for new retail development and a sequential approach is not required.
- 8.1.4 The development of a small convenience store on brownfield land within a residential area in Grantham is therefore acceptable in principle, in accordance with Core Strategy policies SP1 and E2 and Submission Draft Local Plan Policies SD1 and SD2; subject to the detailed considerations set out in the remainder of the report.

8.2 Design and impact on the form and character of the area

- 8.2.1 Core Strategy Policy EN1 requires development to be appropriate for its context. Further, para 127 of the NPPF provides that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
- 8.2.2 The predominant material type in the area is red bricks and plain tile roofs, although there are some examples of more contemporary buildings in the vicinity of the development site. To the front of the site along Springfield Road is a series of mature, protected trees that provide an attractive frontage to the site. The site itself is currently vacant, except for the north of the site which provides five parking spaces for the care home.
- 8.2.3 The proposed building would be of a traditional appearance and constructed of red bricks and grey slate effect tiles. The existing mature trees along Springfield Road are to be retained and the proposal includes an enhanced landscaping scheme to the frontage of the store and perimeter of the car park. The erection of a new retail store along Springfield Road would provide an active frontage that could be viewed from both directions along the main road.
- 8.2.4 Taking the above into account, the proposal is acceptable in terms of design and the impact on the character and appearance of the area, and would provide a visual enhancement to this currently vacant site in accordance with CS policy EN1 and NPPF section 12.

8.3 Impact on the neighbouring properties

- 8.3.1 Para 127 of the NPPF states planning decisions should create places with a high standard of amenity for existing and future users. By virtue of the design and orientation of the building there would be no unacceptable impact from loss of light, overlooking or dominance of outlook on the residential amenities of the occupiers of

adjacent properties (including those approved and under construction). The closest properties being constructed are to the east of the building which is not proposed to have any external plant and would be separated by a 1.8m close boarded fence.

- 8.3.2 In addition, conditions requiring details of type/location of external plant/equipment (which has been shown indicatively on the west elevation) as well as restricting hours of opening and deliveries have been attached as recommended by the Council's Environmental Protection service to ensure that noise and disturbance is kept to appropriate levels in this generally residential area.
- 8.3.3 In this respect the proposal is in accordance with section 12 of the NPPF.

8.4 Highway issues

- 8.4.1 Para 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.4.2 Vehicular access would be via Hanbury Avenue and Arlington Gardens to the north of the car park. Although the scheme would result in the loss of five parking spaces that currently serve the care home to the north, the residual level of car parking for both the care home and proposed convenience store is considered to be of an acceptable level for this sustainable location. The proposal would not have a severe impact on the road network or lead to unacceptable highway safety issues. The Highway Authority have made no objection to the proposal. In this respect the proposal accords with CS policy SP3 and NPPF section 9.

8.5 Drainage

- 8.5.1 Core Strategy Policy EN2 read together with NPPF section 14 seeks to reduce the risk of flooding from new development proposals.
- 8.5.2 Drainage details have been submitted that show the surface water to be managed through a soakaway. The Lead Local Flood Authority have made no objection to these proposals. These details are considered to be acceptable and in accordance with Core Strategy Policy EN2, Submission Draft Local Plan Policy ID2 and NPPF section 14.

8.6 Contaminated land

- 8.6.1 A Phase I & II Geo-Environmental Assessment was carried out on the land to assess the potential for contaminated land. The survey did find the presence of asbestos which is thought to be linked to the previous use of the land as allotments. In order to mitigate the risks to future users of the site, it was recommended that a simple cover system of 150mm clean topsoil material to be placed in areas of proposed soft landscaping. The recommendations in the report have been included as a condition.

8.7 Preservation of trees

- 8.7.1 There are protected trees along the front of the site adjacent with Springfield Road. In order to ensure protection of these trees during construction, the Council's tree consultant has recommended that a tree protection scheme including a tree protection plan and a no dig methodology for installing hard surfaces inside the root

protection areas of the retained trees is submitted and this has been included as a condition.

9.0 Crime and Disorder

- 9.1 Lincolnshire Police have confirmed they have no objections to the proposal. However, they suggested consideration of a number of design elements of the scheme to help reduce the risk of crime and anti-social behaviour (ASB) as the area has experienced some ASB and low level criminality in the past.
- 9.2 In response to these points, the proposed store is of a good design that would help reduce any opportunities for crime and ASB. The store includes glazed doors and windows to the west and south elevations that would face the car park and small open space off Springfield Road. This would provide a good level of natural surveillance of these areas. Likewise, the landscaping scheme is designed in such a way so as not to impede the opportunity for natural surveillance or create concealed areas.
- 9.3 The applicant has confirmed the proposal does not include an external ATM and any ATM would be sited inside the store in a secure location. A condition requiring further details of external lighting and CCTV has been included to further reduce the risk of any crime and ASB that may arise from the proposal.

10.0 Human Rights Implications

- 10.1 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

11.0 Conclusion

- 11.1 A proposed convenience store at this location is acceptable in principle and the design of the building would be appropriate for the surrounding context. The proposal accords with the Core Strategy Policies SP1, SP3, EN1, EN2 and E2; Submission Draft Local Plan Policies SD1, SD2, GR4, ID2 and the NPPF (sections 7, 9, 12 and 14) and therefore recommended for approval, subject to conditions.

12.0 RECOMMENDATION: that the development is Approved/Allowed subject to the following conditions

Time Limit for Commencement

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

- 2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - i. J1712(08) 03 Rev E received 24th January 2019
 - ii. J1712(08) 04 Rev E received 24th January 2019

- iii. J1712(08) 05 Rev C received 11th January 2019
- iv. J1712(08) 06 Rev C received 11th January 2019
- v. J1712(08) 07 Rev B received 11th January 2019
- vi. J1712(08) 13 Rev B received 11th January 2019
- vii. J1712(08) 14 received 11th January 2019
- viii. 5787/100 Rev P2 received 20th August 2018

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

Before the Development is Commenced

- 3 Before the development hereby permitted is commenced, details of tree protection measures to protect all existing trees shown on the approved plan during construction shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in strict accordance with the approved tree protection measures.

Reason: To prevent unnecessary damage to existing trees and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

During Building Works

- 4 The development hereby approved shall be carried out in accordance with the recommendations contained within the following reports:

- S & D Garrett Noise Impact Assessment received 27th September 2018

Reason: To ensure that the amenity of neighbouring properties is not compromised and to comply with Core Strategy policy EN1.

- 5 Notwithstanding the submitted details on drawing J1712(08) 14, before any of the works on the external elevations for the building(s) hereby permitted are begun, samples of the materials (including colour of any render, paintwork or colourwash) to be used in the construction of the external surfaces shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

- 6 A 'no dig' construction method shall be used for installing all hard surfaces that fall within the root protection areas of retained trees shown on the approved drawing J1712(08) 04 Rev D received 11th January 2019. No development within these areas shall take place until details of such a construction method have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To prevent unnecessary damage to existing trees and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

7 The development hereby approved shall be carried out in accordance with the recommendations contained within the following reports:

- EPS Phase I & II Geo-Environmental Assessment received 20th August 2018

Reason: To ensure that the proposed development not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010) and national guidance contained in the NPPF (Section 15).

8 Before installation of any external plant, final details of the position, type, external appearance, noise emissions and shall have been submitted to and approved in writing by the local planning authority.

Reason: To ensure a satisfactory development and to ensure that neighbours' residential amenity is adequately protected and to comply with Core Strategy policy EN1.

9 Before installation of any external lighting and CCTV, final details of the position, type, external appearance and lux levels shall have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that neighbours' residential amenity is adequately protected and in the interests of crime prevention.

Before the Development is Occupied

10 Before any part of the development hereby permitted is occupied/brought into use, the works to provide the boundary treatments shall have been completed in accordance with the approved boundary treatment scheme on approved drawings J1712(08) 04 Rev D and J1712(08) 13 Rev B received 11th January 2019.

Reason: To provide a satisfactory appearance to any boundary treatments and by screening rear gardens from public view, in the interests of the privacy and amenity of the occupants of the proposed dwellings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

11 Before the end of the first planting/seeding season following the occupation/first use of any part of the development hereby permitted, all soft landscape works shall have been carried out in accordance with the approved soft landscaping details on approved drawing J1712(08) 04 Rev D received 11th January 2019.

Reason: Soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

12 Prior to the premises being brought into use, a Delivery Management Plan shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the amenity of neighbouring properties is not compromised and to comply with Core Strategy policy EN1.

13 Before any part of the development hereby permitted is occupied/brought into use, the works to provide the surface water drainage shall have been completed in accordance with the approved details on drawing 5787/100 Rev P2 received 20th August 2018.

Reason: To ensure the provision of satisfactory surface water drainage is provided in accordance with Policy EN2 of the adopted South Kesteven Core Strategy (July 2010).

14 Before any part of the development hereby permitted is occupied/brought into use, the external surfaces shall have been completed in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

15 Before any part of the development hereby permitted is brought into use, any external plant shall have been completed in accordance with the approved details.

Reason: To ensure neighbour's residential amenities are protected and to ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

16 Before any part of the development hereby permitted is brought into use, any external lighting and CCTV shall have been completed in accordance with the approved details.

Reason: To ensure that neighbours' residential amenity is adequately protected and in the interests of crime prevention.

Ongoing Conditions

17 Deliveries and associated activities shall be carried out in accordance with the delivery management plan as approved unless the Local Planning Authority give written consent to a variation.

Reason: To ensure that the amenity of neighbouring properties is not compromised and to comply with Core Strategy policy EN1.

18 The premises shall not be open for customers other than between the hours 07:00hrs - 22:00hrs unless otherwise agreed in writing by the Local Planning Authority.

Reason: Operation of the use outside these hours would result in unacceptable levels of noise nuisance to local residents.

19 Within a period of five years from the first occupation of the development hereby permitted, any trees or plants provided as part of the approved soft landscaping scheme, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species as was approved in condition above unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

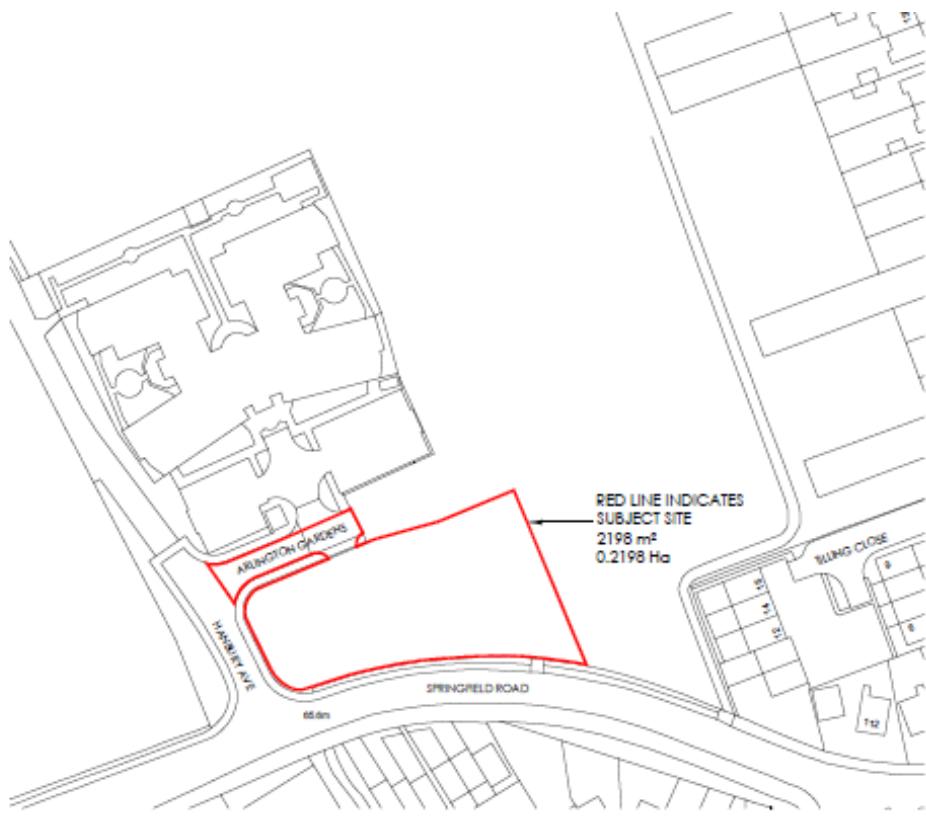
20 The arrangements shown on the approved plan J1712(08) 04 Rev D received 11th January 2019 for the parking/turning/loading/unloading of vehicles shall be available at all times when the premises are in use.

Reason: To allow vehicle to park and turn within the site and leave in forward gear and to reduce any additional on street parking in the interests of highway safety.

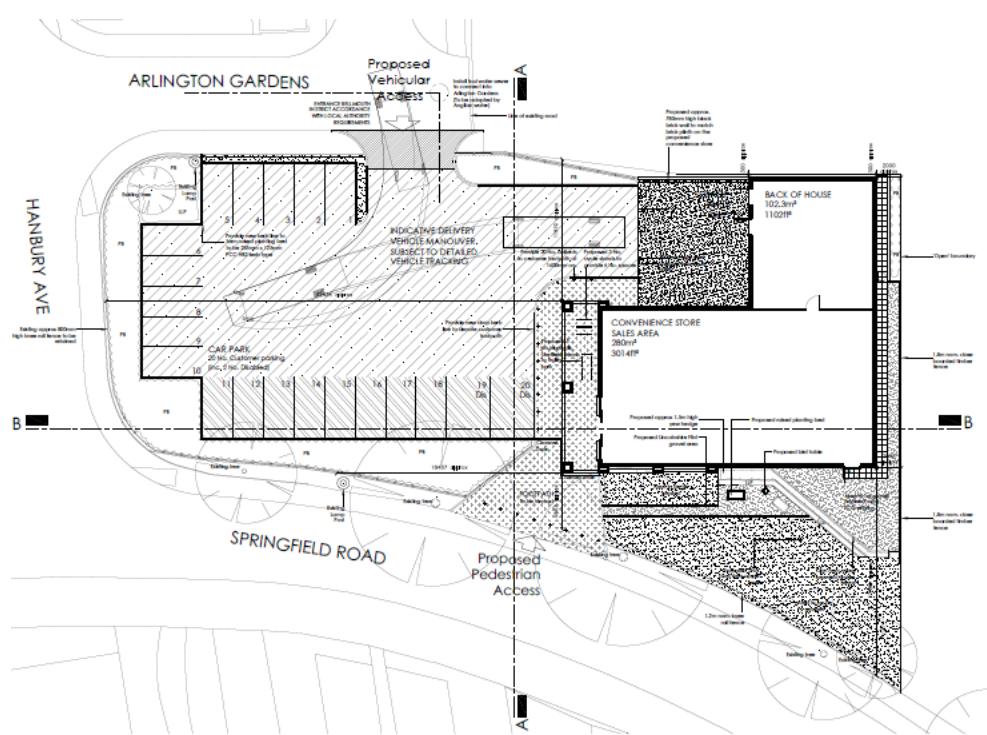
Standard Note(s) to Applicant:

- 1 In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.

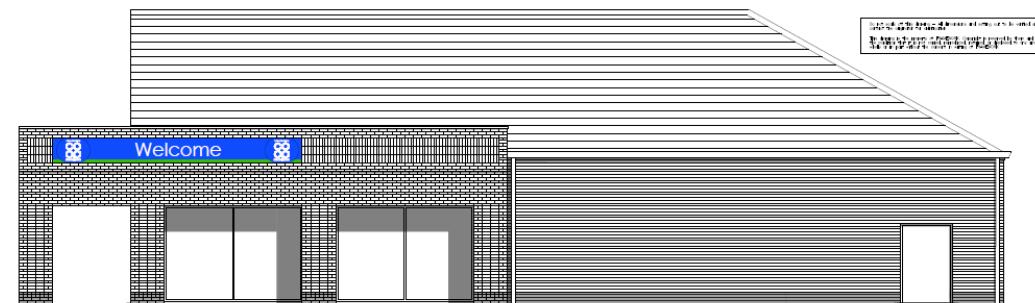
Location Plan



Block plan



Elevations

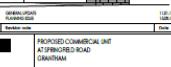


Proposed Side Elevation to Springfield Road



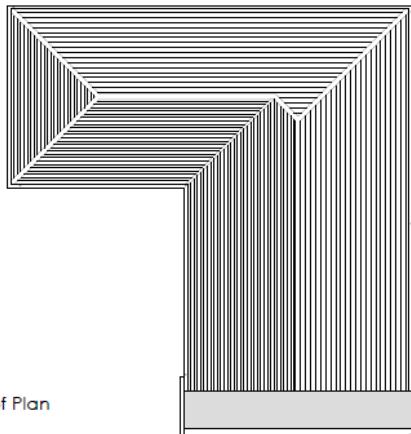
Proposed Front Elevation to Springfield Road (scale 1:50)

PLANNING ISSUE



Floor plan and elevations

Proposed Roof Plan



Proposed Front Elevation (scale 1:100)

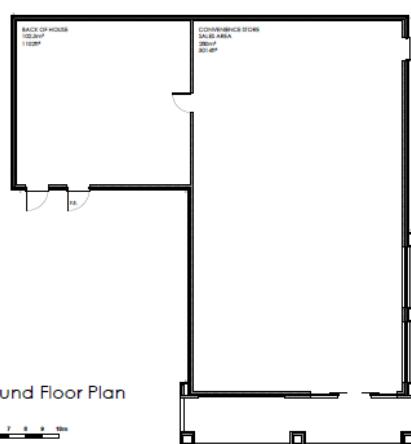


Proposed Side Elevation

Proposed Rear Elevation



Proposed Ground Floor Plan (scale 1:100)



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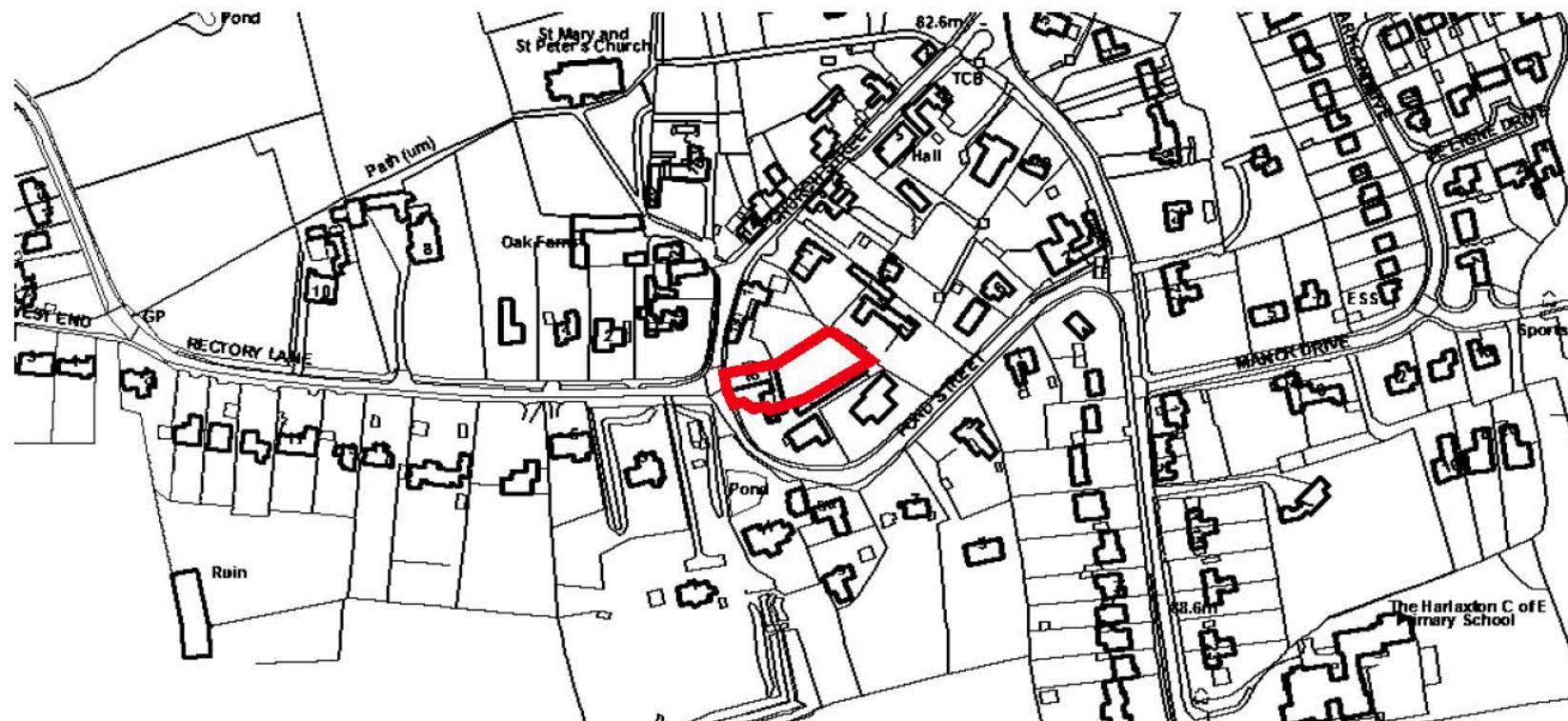
Agenda Item 5e

MJB	S18/2265	Target Decision Date: 7th February 2019 Committee Date: 5th February 2019
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Applicant	Mr & Mrs Morgan White Farm Cottage 16 Pond Street Harlaxton NG32 1HW
Agent	Mr Mark Crowther Verve Architecture 23 Winchelsea Avenue Newark On Trent NG24 4AD
Proposal	Single storey glazed link extension, including conversion of attached outbuildings and addition of roof lights
Location	White Farm Cottage 16 Pond Street Harlaxton NG32 1HW
Application Type	Householder
Parish(es)	Harlaxton Parish Council
Reason for Referral to Committee	The applicant works for the Council.
Recommendation	That the application is:- Approved conditionally
Report Author	Miranda Beavers - Assistant Planning Officer 01476 406080 Ext: 6302 m.beavers@southkesteven.gov.uk
Report Reviewed By	Sylvia Bland - Head of Development Management 01476 406080 Ext: 6388 S.Bland@southkesteven.gov.uk

Key Issues

- Impact on the character and appearance of the area
- Impact on the neighbours' residential amenities
- Highway issues

**Key**

Application
Boundary



1.0 Description of site

1.1 The existing property is a large detached two storey dwellinghouse which has a white render finish and tiled roof. The dwelling occupies a prominent position at the junction of Pond Street, Church Street and Rectory Lane. The site falls within the Harlaxton Conservation Area.

2.0 Description of proposal

2.1 The proposed works include the erection of a glazed link extension to form an entrance hall positioned between the main house and a garage and external store. Other external alterations include the addition of rooflights and patio doors to the existing east facing elevation and the replacement of west facing garage doors with new wider electrically operated roller shutter opening. Internal alterations which do not require planning permission include the conversion of attached outbuildings into a family room and study/home office.

3.0 Relevant History

3.1 No relevant planning history

4.0 Policy Considerations

4.1 National Planning Policy Framework (NPPF)

Section 12 - Achieving well-designed places

Section 16 - Conserving and enhancing the historic environment

4.2 South Kesteven District Council Core Strategy

Policy EN1 - Protection and Enhancement

4.3 Submission Draft Local Plan

(policies which are accorded some weight)

SD1 Presumption in Favour of Sustainable Development

SD2 Principles of Sustainable Development in South Kesteven

EN6 The Historic Environment

5.0 SKDC Corporate Priorities

5.1 Growth – a growing population and a growing economy creates jobs, secures infrastructure and attracts investment.

6.0 Representations Received

Parish Council

Harlaxton Parish Council has no objection to this application.

LCC Highways & SuDS No adverse comments received.
Support

Historic Buildings Advisor White Farm Cottage 16 Pond Street is located in a prominent position within the Harlaxton Conservation Area.

Whilst there are no objections the extensions and glass link, it is recommended that the number of rooflights are reduced to ensure the roofscape is more in keeping with the historic context. A suggestion would be that two can be removed fairly easily, one from above each of the double doors whilst still providing sufficient and comfortable levels of light.

7.0 Representations as a Result of Publicity

7.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and no letters of representation have been received.

8.0 Evaluation

8.1 Impact on the character and appearance of the area

8.1.1 The Local Planning Authority is required to ensure that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, through the Planning (Listed Buildings and Conservation Areas) Act 1990 at Section 72.

8.1.2 Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (NPPF). The NPPF advises that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

8.1.3 Core Strategy Policy EN1 and Submission Draft Policy EN6 seek to ensure the protection and enhancement of heritage assets.

8.1.4 The host dwelling occupies a prominent position at the junction of Pond Street, Church Street and Rectory Lane. Due to its location at the junction the side elevation forms a highly visible element of the townscape along Pond Street. The proposed glazed link extension would form a small glazed link between the main house and the existing garage and external store. Although the new link extension would be visible from the streetscene it would be set back from the street frontage by approximately 13m, would be small in size and would not be visually intrusive within the street scene. The Conservation Officer expressed some concerns regarding the number of rooflights that are proposed to be inserted into the east facing elevation. Therefore to ensure that the roofscape remains in keeping with the surrounding historical context it is suggested that the proposed number of rooflights be reduced from 7 to 5. The agent has been contacted to request this minor amendment to the proposal. At the time of writing this report, a response is still awaited.

8.1.5 By virtue of the design, scale and materials to be used, the proposal would be in keeping with the host dwelling, streetscene and surrounding context. The development would not cause harm to the Harlaxton Conservation Area in accordance with the NPPF Sections 12, NPPF Section 16 and Policy EN1 of the South Kesteven Core Strategy.

8.2 Impact on the neighbours' residential amenities

8.2.1 The impact on the neighbours' residential amenities was taken into consideration when determining this application and due to the position of the proposed extension between the main house and existing garage and other minor alterations it is not considered that there would be any form of overlooking, loss of privacy or over dominance as a result. Taking into account the nature of the proposal, small scale, and adequate separation distances, it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with the NPPF Section 12, and Policy EN1 of the South Kesteven Core Strategy.

8.3 Highway issues

8.3.1 The proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with the NPPF Section 9.

9.0 Crime and Disorder

9.1 It is considered that the proposal would not result in any significant crime and disorder implications.

10.0 Human Rights Implications

10.1 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

11.0 Conclusion

11.1 Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 9, 12 and 16) and Policy EN1 of the South Kesteven Core Strategy

12.0 RECOMMENDATION: that the development is Approved subject to the following conditions

Time Limit for Commencement

1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:

- i. Drawing No.18039.04 Rev C, Proposed Elevations, received 7 December 2018
- ii. Drawing No.18039.03 Rev B, Proposed Ground Floor Plan/Block Plan - Layout 1, received 7 December 2018

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

Before the Development is Occupied

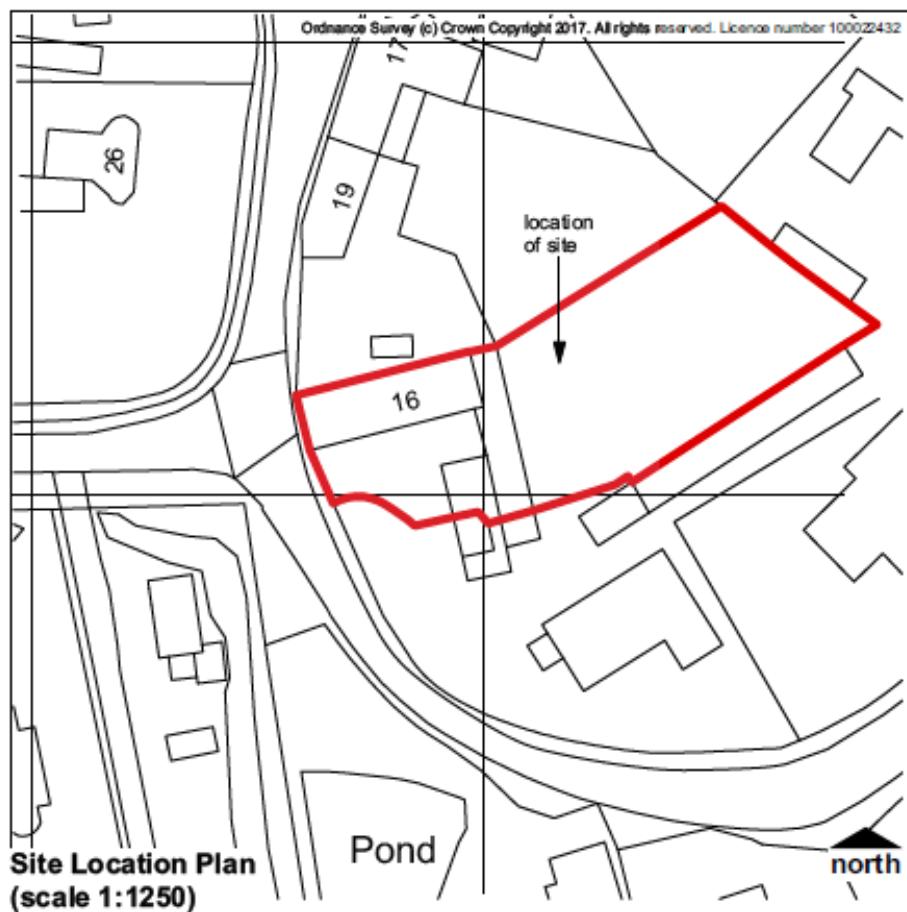
3 Before any part of the development hereby permitted is occupied/brought into use, the external elevations shall have been completed using only the materials stated in the planning application forms and plans unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

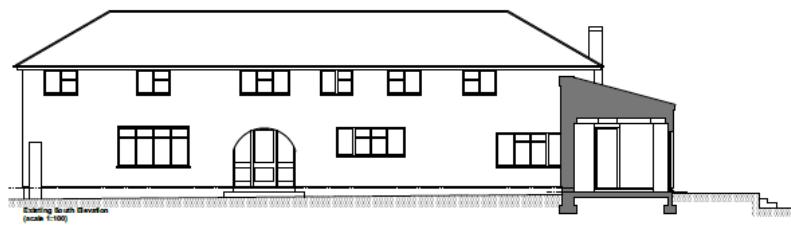
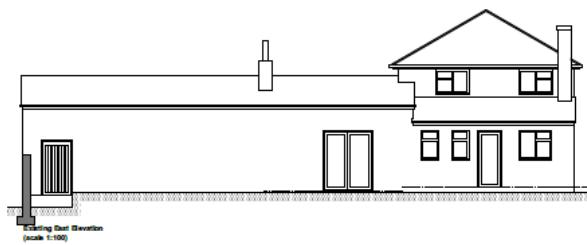
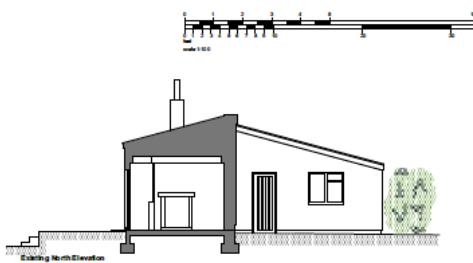
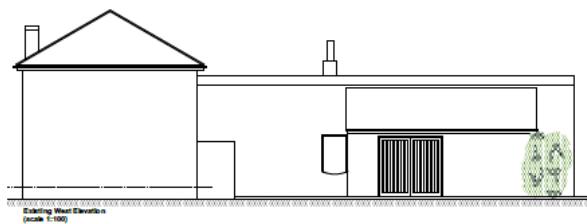
Standard Note(s) to Applicant:

- 1 In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.
- 2 You are advised that the application site falls within an area affected by Radon. You are asked to contact the Council's Building Control section (telephone number 03330 038132) to ascertain the level of protection required and whether a geological assessment is necessary.

Location Plan



Existing Elevations

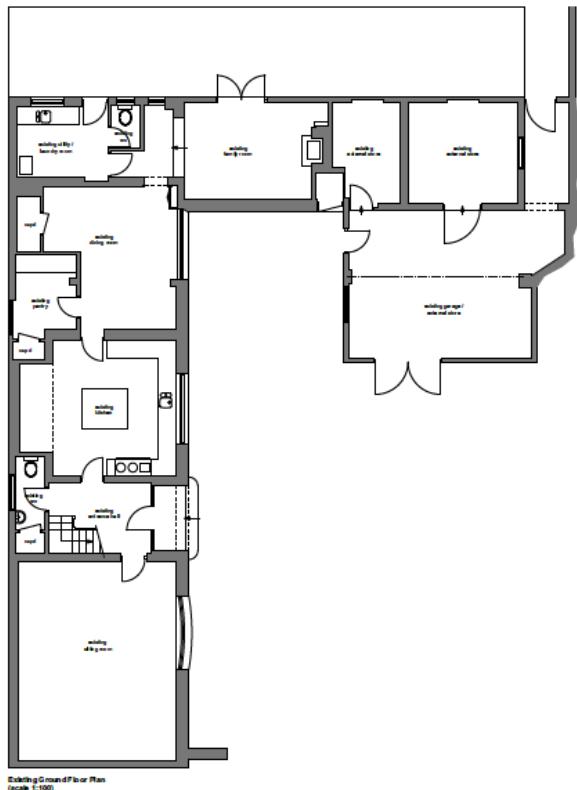


Ref: 10/039/02
Planning and Building application
26 October 2018
Existing Elevation
Project:
Proposed Extension & Alterations
16 Pond Street, Harrogate
North Yorkshire
M. & Mrs. Morgan
10/039.02 a planning
Drawing: 00000000000000000000000000000000
Scale: A3 Date: 26/10/2018
Mac: A3 Date: 26/10/2018
August 2018

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architecture + planning consultancy
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mail@vervearchitecture.co.uk
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Existing ground floor plan



Proposed Elevations



Planning application
Planning reference
Planning application
Proposed Elevation - Layout 1
Proposed Extension & Alterations
104 Highgate Road, Redditch
Graham, Mr & Mrs Morgan
Planning reference
18039.04 C planning
Planning
Area: A3 Date: 10/08/2018
Scale: 1:100 Date: 10/08/2018
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Proposed Floor Plans and Proposed Block Plan

