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Development Management,
Economic Growth and Neighbourhood Services
Room 401 Town Hall
Darlington
DL1 5QT

Date: 05 February 2021

Our ref: 62941/01/JW/RDi/19390821v1

Your ref: 21/00004/PREAPP

Dear Andrew

Application to Vary Planning Condition - Former Asda Foodstore, Blakett Road, Darlington

Further to our recent discussions and a pre-application enquiry, we are pleased to submit on behalf of our client, Company Shop Ltd, an application under Section 73 of the Town and Country Planning Act 1990 to vary condition no. 12 attached to planning permission ref. 8/94/679/DM.

As you may be aware, the existing foodstore on Blakett Road was recently vacated by Asda. This Section 73 planning application seeks to vary the restrictions imposed by condition no. 12 insofar as they relate to Unit B, in order to enable Company Shop to lawfully sell a wider range of discounted goods from the premises.

Company Shop

The Company Shop Group is the UK's leading surplus redistribution organisation, and works with all the major retailers, manufacturers and brands across the UK to redistribute surplus food and household products, including Morrisons, Marks and Spencer, Nestlé, Iceland and Tesco. All the products sold within the store are in date and perfectly good to eat or use, but are deemed 'surplus' and may have otherwise gone to waste due to incorrect labelling, seasonal packaging or overstock – amongst many other reasons.

With heavily discounted items that are on average around 53 per cent off the normal retail price, Company Shop in Darlington will help to stretch the family budgets of thousands across the local area, whilst simultaneously tackling the challenge of surplus food and product waste. Membership to the store is free and open to those working in the NHS, care and emergency services, prison service, British Armed Forces and the fast-moving consumer goods supply chain. During the current pandemic, membership has also been temporarily extended to include those on a means tested benefit.

As well as being a social enterprise, the opening of a Company Shop store in Darlington would also create 47 new employment opportunities.

Planning Context

The original planning permission related to the development of two retail units, A and B, on land at Blakett Road, Darlington. Each unit was subject to restrictions on the range of goods which could be sold from that

unit, set out at condition no. 12 of the operative planning permission. Following the departure of Asda from Unit B in 2020, the subject Section 73 planning application seeks to vary the restrictions imposed by condition no. 12 insofar as they relate to Unit B, in order to enable Company Shop to sell its full range of goods.

As set out within the accompanying Planning Statement, prepared by Lichfields, Company Shop's business model is dependent upon their facilities being located in discrete yet accessible locations, away from standard retailers to limit competition and presence for those not eligible for membership. It ensures that only those eligible for membership know the location, thus limiting confusion and refusal for those members of the public who are not eligible but may otherwise visit if it were in a traditional high street or other defined centre.

Importantly, the location, membership structure, limited eligibility, nature and customer purchasing limits of the goods stocked means that each outlet has a very limited impact on traditional retailers, both the national multiples and independent stores. In light of these unique characteristics of Company Shop's business model, the proposed variation of condition would be limited on a personal basis to Company Shop only. Equally, however, the revised condition would maintain the current restrictions upon the adjacent Unit A (Wickes) and no future occupier of Unit B would benefit from the relaxed goods restriction.

On this basis, the subject application proposals would not give rise to a significant adverse impact upon any in centre retail provision and it is respectfully requested that the local planning authority approves the application.

The Submitted Application

The subject Section 73 application comprises:

- completed planning application forms and ownership certificates;
- Site Location Plan, prepared by Lichfields;
- a Covering Letter, prepared by Lichfields; and
- this Planning Statement.

The requisite application fee of £234 has been paid online via the Planning Portal.

We will contact you shortly in order to discuss the application and timescales for determination. However, should you have any queries regarding this application in the meantime, or require any further information, then please just let me or my colleague Jonathan Wallace know.

Yours sincerely



Robert Dibden
Associate Director

Copy

Chris Glencorse

Company Shop