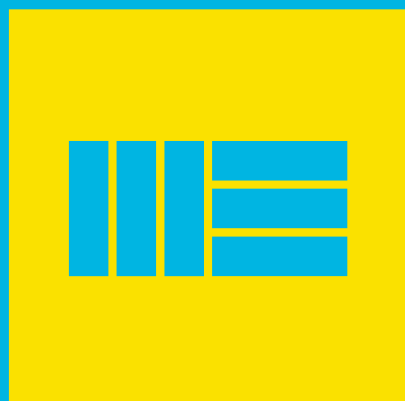


ASDA STORE, CHERRY TREE ROAD, BLACKPOOL

PLANNING AND RETAIL STATEMENT
EG GROUP

07 MARCH 2022



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1.0 INTRODUCTION

1.1 This Planning and Retail Statement has been prepared by Montagu Evans LLP to accompany an application for planning permission submitted on behalf of EG Group in respect of land within Asda Car Park, Cherry Tree Road, Blackpool.

1.2 The application seeks consent for the following development:

Full planning permission for the development of a drive thru restaurant (Class E / Sui Generis use) and associated development

1.3 Blackpool Council granted planning permission in October 2021 to allow for the *development of a coffee shop with drive-thru (Class E(a)) and associated landscaping and access* at the Site (LPA Ref. 21/0534).

1.4 This application proposes a minor deviation from the approved scheme comprising the development of a drive thru restaurant at the site in order to meet operator demand.

PURPOSE AND FORMAT OF PLANNING STATEMENT

1.5 The purpose of this Planning and Retail Statement is to provide information to allow the necessary consideration of the proposal against all relevant policy and other material considerations. It sets out how the planning policies and all other material considerations relevant to the determination of the application have been taken into account in the evolution of the scheme. It also sets out that the application is compliant with all such considerations, the help inform the overall planning balance judgement.

1.6 The statement forms part of the information which has been submitted with the application and should be read in conjunction with the follows:

1. Application Forms;
2. Certificate B;
3. Covering Letter;
4. Plans and Drawings including Landscaping;
5. Planning and Retail Statement;
6. Transport Note;
7. Geo-Environmental Assessment;
8. Flood Risk Assessment
9. Ecological Assessment
10. Drainage Strategy

- 1.7 The above list of application documentation matches that which enabled the LPA to positively determine application LPA Ref. 21/0534 at the site.
- 1.8 [Section 2.0](#) of this Statement provides background information on the Site, while [Section 3.0](#) details the provides information on the applicant and outlines the proposed development. [Section 4.0](#) summarises the legislation and guidance relevant to the Site. The sequential assessment of relevant centres is provided in [Section 5.0](#). and the proposals are assessed against relevant policies in [Section 6.0](#). [Section 7.0](#) presents a conclusion which summarises the planning justification for this scheme.

2.0 APPLICATION SITE AND SURROUNDING AREA

THE SITE AND SURROUNDINGS

- 2.1 The Site falls within the administrative boundary of Blackpool Council. It is located approximately 2.5km from the edge of Blackpool Town Centre. As such, it is classified as an “out of centre” location in retail terms in the adopted Blackpool Core Strategy (2016).
- 2.2 It is located within the car park of the Asda Superstore at Cherry Tree Lane, Blackpool and comprises a segregated area of land marked as car parking in the south-east extent of the Asda car park. The store is located to the east of the proposed drive thru unit whilst Asda’s on site PFS lies to the north. The Site is prominent with a frontage onto Cherry Tree Road.
- 2.3 The current ASDA store provides 515 car parking spaces whilst the store has a Gross Floor Area (GFA) of around 9,335m². Approximately 469 of the spaces are standard with around 28 to mobility impaired standard and approximately 18 as parents and child spaces.
- 2.4 It lies within Flood Zone 1 (extract below). This means it is considered to be at little or no risk of fluvial or coastal/tidal flooding for the purposes of achieving a planning permission:

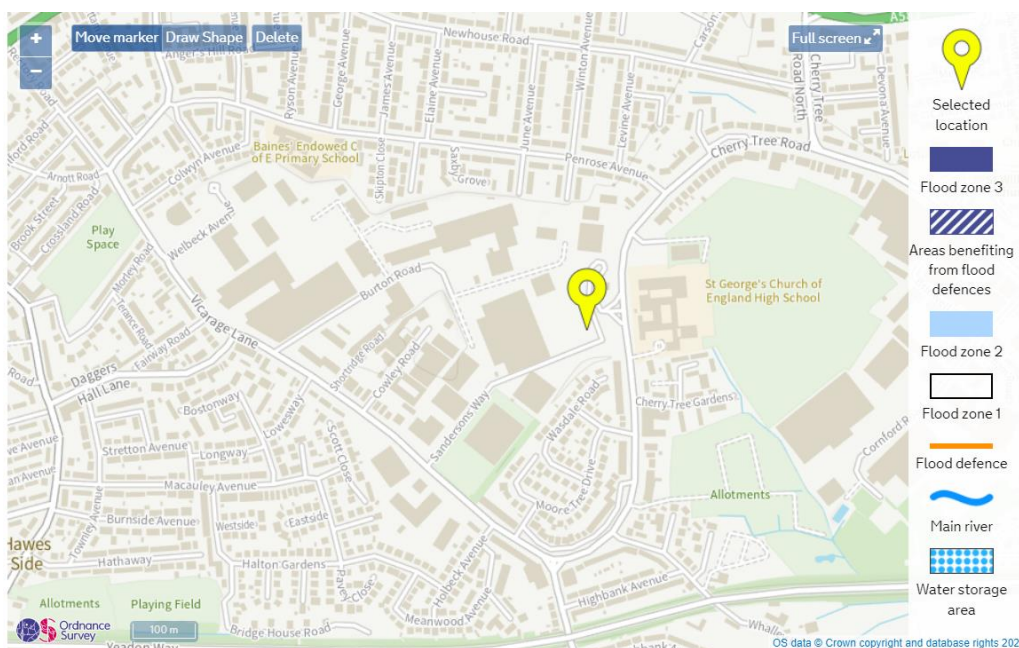


Figure 1 – EA Online Mapping Extract

- 2.5 The Site is not located within a Conservation Area, nor are there any statutory listed buildings located in close proximity.
- 2.6 Surrounding uses are largely commercial in nature. Numerous national multiple retailers and industrial operators are located in the vicinity. Some residential properties are located to the south of the Asda site in addition to the St George Church of England High School to the east.

ACCESS AND ACCESSIBILITY

- 2.7 Vehicular access is achieved via Cherry Tree Road. Access to the Asda store is achieved via an unnamed road.
- 2.8 The site benefits from exceptional transportation links and is strategically located to access a wide highway network including the A583 (Preston Road) and the M55. It is 2km west of M55 Junction 4 which provides connections east towards the M6 and Preston City Centre.
- 2.9 The nearest bus stops are situated to the north and to the south of the junction with Cherry Tree Road. Both stops are reachable within a two-minute walk from the proposed development. Service 8 (Mereside – Grange Park Via Layton) runs at 20 minute intervals and Service 9 (Blackpool – Mereside via South Shore) runs hourly.
- 2.10 Blackpool South Railway Station is the nearest station to the site, situated less than 2.5km to the west, reachable within a ten-minute cycle time. The station is on the South Fylde Line managed by Northern Trains. An hourly service is provided to and from Preston including stops at Blackpool Pleasure Beach, Kirkham and Wesham and St Annes-on-Sea.
- 2.11 The station is approximately 500m from the Blackpool Tramway at Waterloo Road, providing connections to ongoing journeys within the Blackpool area and towards Blackpool North Railway Station and onwards to Fleetwood.

PLANNING HISTORY

- 2.12 A planning history search for the property and its surroundings has been undertaken via the Council's online planning explorer. There are a significant number of applications linked to the wider site. The overwhelming majority are minor in scale and operational requirements linked to Asda's historic applications.
- 2.13 Notwithstanding, the following is of relevance to the application subject of this Statement:
- LPA Ref. 15/0846 – Use of 9 car parking spaces as hand car wash operation including erection of canopy and office and a 1.1m enclosure with associated external lighting. The application was approved in May 2016.
 - LPA Ref. 21/0534 - Erection of a coffee shop with drive-thru (Class E(a)) and associated landscaping and access. The application was approved in October 2021.
- 2.14 The above planning history is positive in respect of the application to which this Statement relates. Planning Permission LPA Ref. 21/0534 comprises a recently permitted and extant approval allowing for the development of a drive thru on an identical plot to that subject of this application.

3.0 DEVELOPMENT PROPOSALS AND EG GROUP

- 3.1 The application seeks full planning permission for the development of a thru restaurant and associated works.
- 3.2 The proposed drive thru restaurant is to be positioned in an identical location to that which benefits from Planning Permission allowing for the erection of a drive thru coffee shop (LPA Ref. 21/0534).
- 3.3 The Site is located to the southwest of the existing Asda store. The drive thru unit will measure (GEA) 182 sq m.
- 3.4 EG Group and Asda have a shared spaces agreement in respect of parking arrangements via use of the wider Asda site. Notwithstanding, proposals for drive thru within the red line site area include 21 parking spaces and EV Charging Facilities This constitutes a reduction of 44 spaces from the current configuration. The Transport Note which forms part of the application package highlights the overprovision at the site.
- 3.5 Vehicular access to and from the Asda store will not be altered as a result of the proposed development.
- 3.6 In regard to appearance of the proposed drive thru unit, it will be engineered to one storey and comprise a modern design which will comprise a positive enhancement to the site and surrounding area.
- 3.7 Once operational, the proposed development will result in significant job creation in the form of 20-30 FTE positions.
- 3.8 No Hours of operation restriction was attached to Planning Permission LPA Ref. 21/0534, it is therefore proposed that the unit will operate 24 hours a day. In accordance with the requirements of Condition 15 attached to the consent, no servicing or deliveries shall be carried out at the premises outside of 07:00 hours to 20:00 hours daily.

EG GROUP

- 3.9 Founded in 2001 by the Issa family with the acquisition of a single site in the UK, today the company is at the forefront of delivering an innovative approach to forecourt convenience retail. EG Group are widely recognised for their investment model, trading performance and providing a best-in-class customer experience in Grocery & Merchandise, Foodservice and Fuel.
- 3.10 The company's transformational convenience retail business model has been built upon excellent relationships with an extensive portfolio of leading retail brands, and through strategic network acquisitions supported by a programme of new-to-industry developments.
- 3.11 EG Group act in accordance with the following company values:
 - Committed to investing in people, infrastructure and systems to build a sustainable business model.
 - Support local communities and empower individuals to grow, contribute and succeed.
 - Deliver value and results consistently to shareholders, stakeholders and partners.

- Awareness and commercial responsiveness to market trends and consumer demands.

- 3.12 The company benefits with a significant presence within the UK, Europe, North America and Australia. In respect of the UK, 666 sites are operated with 12,974 employees and 131 million customers served annually.
- 3.13 EG Group is committed to investing in its people, local communities, infrastructure and systems to deliver value to shareholders and other stakeholders. By incorporating these elements into their investment decisions, they believe that we can continue to drive sustainable value in the business.
- 3.14 The company strives to be a good corporate citizen and an environmentally responsible group. They have robust procedures, systems and controls in place to manage and monitor statutory compliance. This helps build the foundations of a sustainable business model.
- 3.15 EG Group are committed to being an environmentally responsible group and aim to positively manage our impact on the environment. They closely monitor electricity and water consumption, which are the two highest consumers of energy on their sites, and the volume and disposal of waste materials which they seek to minimise.

4.0 LEGISLATION, PLANNING POLICY AND GUIDANCE

- 4.1 We consider national policy contained in the National Planning Policy Framework (July 2021) (NPPF) and the accompanying guidance contained in the Planning Practice Guidance (PPG) relevant to this application. At a local level, we consider the statutory Development Plan to include Blackpool Core Strategy (2016) and Saved Policies from the Blackpool Local Plan (2006).

NATIONAL PLANNING POLICY

- 4.2 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development - performing economic, social and environmental roles. The three roles are interdependent and need to be mutually supported.
- 4.3 **Paragraphs 8-11** confirm that at the heart of the NPPF is a presumption in favour of sustainable development. The planning system should therefore promote sustainable development solutions.

Economic Growth

- 4.4 **Paragraphs 81-83** state that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Planning decisions should also recognise the specific locational requirement of different sectors.

Town Centres

- 4.5 **Paragraphs 86-91** of the NPPF seek to ensure the vitality of town centres, and requires that planning policy should provide a framework to assess proposals for main town centre uses, such as retail, which cannot be accommodated in or adjacent to town centres. Paragraph 86 requires proposals to demonstrate compliance with the sequential test, and paragraph 89 to demonstrate that the proposals will not have a significantly adverse impact on any designated local centres.
- 4.6 LPA's should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. That is to say that 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. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, and the sequential test should be considered in light of the latest NPPF policy, which confirms that when considering availability, it is necessary to consider sites which may become available within a reasonable period.
- 4.7 Details of how this policy should be applied are contained in the NPPF Planning Practice Guidance 2019 as well as relevant Secretary of State decisions, which are explored in more detail later in this Statement.
- 4.8 The application of the sequential test should be proportionate and appropriate for the given proposal. The following considerations should be taken into account in determining whether a proposal complies with the sequential test (Paragraph 011 of Planning Practice Guidance) 11:

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. It is important to set out any associated reasoning 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.

- 4.9 Paragraph 012 of the PPG guidance further states that the implementation of the sequential test should reflect the specific characteristics of the development proposals:

Use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodate in specific locations

- 4.10 With regards to retail impact, the PPG confirms:

The impact test only applies to proposals exceeding 2,500 square metres gross of floorspace unless a different locally appropriate threshold is set by the local planning authority. In setting a locally appropriate threshold it will be important to consider:

- *The scale of proposals relative to town centres;*
- *The existing viability and vitality of town centres;*
- *Cumulative effects of recent developments;*
- *Whether local town centres are vulnerable;*
- *Likely effects of development on any town centre strategy; and*
- *Impact on any other planned investment.*

As a guiding principal impact should be assessed on a like-for-like basis in respect of that particular sector (e.g. it may not be appropriate to compare the impact of an out of centre DIY store with small scale town centre stores as they would normally not compete directly). Retail uses tend to compete with their most comparable competitive facilities. Conditions may be attached to appropriately control the impact of a particular use.

Transport

- 4.11 Transport issues should be considered from the earliest stages of development proposals. In assessing specific applications for development, it should be ensured that:

Appropriate opportunities to promote sustainable transport modes can be 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 or on highway safety can be cost effectively mitigated and acceptable to a degree.

- 4.12 Paragraph 110 of the NPPF confirms that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.13 All developments that will generate significant transport movements should be required to provide a Travel Plan and the application should be supported by a transport statement or transport assessment to enable the likely impacts of the proposal to be assessed.

Sustainability

- 4.14 Paragraph 149 of the NPPF confirms that the planning system should support the transition to a low carbon future in a changing climate, including encouraging the re-use of existing resources, such as the conversion of existing buildings.

LOCAL PLANNING POLICY

- 4.15 Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.16 The statutory Development Plan for the Site consists of the following:
- Blackpool Core Strategy (2016)
 - Saved Policies from the Blackpool Local Plan (2006)
- 4.17 The Blackpool Core Strategy was adopted by the Council in January 2016. It is the principal document against which applications are assessed at a local level.
- 4.18 As shown on the Figure 2, the Adopted Proposals Map identifies the site as white land (unallocated) within the settlement boundary:



Figure 2 – Proposals Map Extract

4.19 The following policies contained within the document are considered relevant to the proposed development:

4.20 **Policy CS1:** Strategic Location of Development sets out that “the overarching spatial focus for Blackpool is regeneration and supporting growth.” The policy sets out:

Blackpool’s future growth, development and investment will be focused on inner area regeneration, comprising:

- a. Blackpool Town Centre, including the three strategic sites of Central Business District, Winter Gardens and Leisure Quarter*
- b. The Resort Core, containing the promenade and the majority of resort attractions and facilities, holiday accommodation and major points of arrival*
- c. Neighbourhoods within the inner areas, including mixed holiday and residential neighbourhoods adjacent to the seafront, and predominately residential neighbourhoods on the edge of the inner areas.*

4.21 **Policy CS3:** Economic Development and Employment sets out the Councils strategy to strengthen economic growth and prosperity:

1. Sustainable economic development will be promoted to strengthen the local economy and meet the employment needs of Blackpool and the Fylde Coast Sub-Region to 2027, with the focus on:

- a. Safeguarding around 180 hectares of existing industrial/business land for employment use; and enhancing these sites with new employment development on remaining available land and through opportunities for redevelopment*
- b. Promoting office development, enterprise and business start-ups in Blackpool Town Centre including the Central Business District*

c. Promoting land in South Blackpool as a strategic priority, to help strengthen the Fylde Coast economy and make an important contribution towards meeting the future employment needs of Blackpool residents

2. To improve employment opportunities for Blackpool residents the focus will be to: a. Develop and deliver an effective skills agenda to ensure local people have the necessary skills; improve aspirations and opportunities for people to move into work; and retain skilled people in Blackpool

b. Secure inward investment into Blackpool including Public Sector and Government Department relocation opportunities

c. Nurture and support responsible entrepreneurship by facilitating a culture of enterprise and promoting Blackpool as a great place for start-up businesses.

4.22 Policy CS4: Retail and Other Town Centre Uses states:

1. In order to strengthen Blackpool Town Centre's role as the sub-regional centre for retail on the Fylde Coast, its vitality and viability will be safeguarded and improved by:

a. Focusing new major retail development in the town centre to strengthen the offer and improve the quality of the shopping experience b. The preparation and implementation of a Town Centre Strategy and Action Plan, working with stakeholders to arrest decline and restore confidence in the town centre

2. For Town, District and Local Centres within the Borough, retail and other town centre uses will be supported where they are appropriate to the scale, role and function of the centre.

3. In edge of centre and out of centre locations, proposals for new retail development and other town centre uses will only be permitted where it can be demonstrated that:

a. It is a tourism attraction located in the Resort Core in accordance with policy CS21; or

b. There are no more centrally located/ sequentially preferable, appropriate sites available for the development; and

c. The proposal would not cause significant adverse impact on existing centres; and

d. The proposal would not undermine the Council's strategies and proposals for regenerating its centres; and

e. The proposal will be readily accessible by public transport and other sustainable transport modes

4. The Council, through the Site Allocations and Development Management DPD, will identify a range of sites for new retail development in Blackpool Town Centre to allow for new comparison goods floorspace over the plan period.

4.23 Policy CS5: Connectivity – the policy sets out the aims and aspirations of the Council in order to achieve “A sustainable, high quality transport network for Blackpool and a quality arrival experience.”

4.24 Policy CS7: Quality of Design and **Policy LQ4:** Building Design are clear in their support for proposals which are “well designed and enhance the character and appearance of the local area.”

Saved Policies from the Blackpool Local Plan (2006)

4.25 The Blackpool Local Plan comprised the Development Plan for the Council prior to the Adoption of the Core Strategy in 2016. Elements of it have been retained as saved policies. We highlight relevant Policies below:

4.26 **Policy BH3:** Residential and Visitor Amenity sets out a series of criteria where developments will not be permitted which would adversely affect the amenity of those occupying residential and visitor accommodation.

4.27 **Policy BH16:** Shopping Developments Outside Existing Frontages sets out:

The development of new local shopping facilities outside existing shopping frontages will only be permitted where:

(a) there is a demonstrable need for the development with no convenient existing local shopping provision (b) the proposed development is appropriate in scale and function to the immediate walk-in local catchment.

4.28 **Policy BH17:** Restaurants, Cafes, Public Houses, Hot Food Takeaways reinforces the Town Centre first approach and a focus amenity for surrounding occupiers:

Proposals for development of hot food take away shops, restaurants, snack bars, public houses or similar uses will be directed to existing shopping frontages and will not be permitted where they would have adverse effects on the amenities of neighbouring premises or residents in the surrounding vicinity

4.29 **Policy AS1:** General Development Requirements (Access and Transport) identifies that “New development will only be permitted where the access, travel and safety needs of all affected by the development are met.”

Supplementary Planning Guidance

4.30 Relevant Supplementary Planning Guidance is provided in the form of “Food and Drink Uses”. Extracts from the document are provided below:

When considering the granting of planning permission for an A3 use, irrespective of the specific use, the question of whether all uses within the A3 classification would be acceptable in the location will be addressed.

When considering the above, the following aspects will be considered relevant:-

To protect the amenities of the occupants of nearby premises from:-

(i) noise nuisance from any internal operations i.e. music, activity, machinery etc;

(ii) noise, nuisance from any external activity persons arriving/departing, car doors/engines etc;

(iii) intrusion of cooking odours; and

(iv) late night activity and whether this problem could be overcome by the imposition of a closing time condition.

(b) Traffic implications and the provision of car parking and servicing facilities.

(c) The need for the installation of any external chimney and/or ventilation ducting and its impact on the appearance of the property.

4.31 (d) Refuse storage and disposal facilities.

4.32 (e) Foul drains should be equipped with grease traps to prevent sewer blockages

SUMMARY OF PLANNING POLICY

4.33 In the context of the scale and type of development proposed, it is our opinion that the proposals should be considered against the following:

- **Are the proposals for a scale of retail development appropriate?** The proposed development seeks the erection of a drive thru restaurant at the site. Planning Permission was approved in October 2021 allowing for the erection of a drive thru coffee shop at the site under LPA Ref. 21/0534. The proposals are tailored to the requirements of market demand. The proposals are therefore of an appropriate scale to its location as an established retail destination benefiting from an extant planning permission;
- **Is the proposed development appropriate to the character and appearance of the site and the surrounding built environment?** The development proposals are tailored to the requirements of an incoming tenant. A unit benefitting from modern appearance is proposed. Therefore, we conclude that the proposals are fully compliant in this regard;
- **Is the proposed development easily accessible, or capable of being made easily accessible, by a choice of means of transport, including by public transport, walking and cycling?** The application site forms part of an existing retail destination that is accessible by train, bus, walking and cycling as well as by private vehicles. The proposed development will provide facilities which are complementary to the surrounding area, ancillary in the context of site and surrounding area with significant potential to benefit from linked trips. Therefore, we conclude that the proposals are fully compliant in this regard;
- **Will the proposals comprise sustainable economic development?** The development will secure the long-term occupation of the Site, provide employment opportunities and generally meet sustainable economic development objectives. Therefore, we conclude that the proposals are compliant in this regard;
- **Are there any sequentially preferable sites?** A sequential assessment has been undertaken and is set out within Section 5 of this Statement. The assessment has been undertaken based on the specific occupier-led floorspace and business model requirements; and
- **Will the proposals have a significant detrimental impact on the vitality and viability of any allocated centres?** The proposed development and use will overwhelmingly be used by individuals already on the network in the vicinity of The Site. Drive thru units are not significant primary trip generators. In addition, the proposal is not of a scale to give rise to concerns in respect of retail impact.

5.0 SEQUENTIAL ASSESSMENT

- 5.1 Paragraph 87 of the NPPF and The Blackpool Core Strategy (2016) Policy C4 requires a sequential assessment to be undertaken for planning applications for main town centre uses, which are not in an existing centre or in accordance with an up-to-date development plan.
- 5.2 The sequential test means wherever possible seeking to focus new development within, or failing that, on well located sites on the edge of existing centres. Only if in-centre or edge-of-centre sites are not available will out-of-centre locations be appropriate, provided they are acceptable in other respects.
- 5.3 Applying the sequential approach should have regard to the need, both consumer and operator, that will be met by the development. It is not an academic exercise divorced from the commercial realities of what it is that developers and landlords are seeking to supply in response to market demand. For it to have meaning, the sequential approach must be applied in a way that allows the identified need to be fully met. Applicants and local planning authorities are to demonstrate flexibility in terms of format and scale of the developments.
- 5.4 The PPG advises that applicants and planning authorities should consider what contribution more central sites are able to make individually to accommodate the proposal. This should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Local planning authorities need to be realistic and flexible in terms of their expectations.
- 5.5 There have been a series of court and appeal decisions which provide the binding authority and guidance on the correct application of national policy relating to the sequential approach. The Supreme Court in *Tesco Stores v Dundee City Council* [2012] UKSC 13, 21 March 2012, considered how the sequential test should be applied. It concluded that:
- “...it is the proposal for which the developer seeks permission that has to be considered when the question is asked whether no suitable site is available within or on the edge of the town centre”*
- 5.6 The Supreme Court was clear that a developer or retailer should not be required to materially change a development to operate in an artificial world. At Paragraph 38 of the transcript, Lord Reed states:
- “The whole exercise is directed to what the developer is proposing, not some other proposal which the planning authority might seek to substitute for which is something less than that sought by the developer...”*
“But these (sequential assessment) criteria are designed for use in the real world in which developers wish to operate, not some artificial world in which they have no interest in doing so”.
- 5.7 It is not the intention of the policy to require a developer or operator to materially alter the proposal to it can be accommodated by an alternative site. The sequential approach is not an academic exercise divorced from the commercial realities of what it is that developers and landlords are seeking to supply in response to market demand.
- 5.8 The High Court supported the principles established in the Supreme Court and confirmed that its decision was binding in England. The Court provided further analysis in *Zurich Assurance Limited (t/a Threadneedle Property Investments) V North Lincolnshire Council and Simons Developments*. In the judgement, Justice Hickinbottom concluded that:
- ‘It is also important to mark that developers, and planning authorities, work in the real world. Working in the real world, the [planning] committee were entitled (and, indeed, bound) to take into account the evidence...*

Marks and Spencer would not locate to Scunthorpe town centre in the event that this application for the site was refused.”

- 5.9 The interpretation of Paragraph 90 of the NPPF and its role in decision making was explored in *Asda Stores Limited v Leeds City Council Respondents and Commercial Development Projects Limited* (*The Leeds Case*). The decision is clear in that:

“The words “should be refused” have a clear meaning, which requires no elaboration by the court. They do not mean “must be refused”. The policy is not imperative. It does not dictate a refusal of planning permission whenever the development proposed is likely to have a “significant adverse impact” on the “vitality or viability” of a town centre”.

- 5.10 Instead, it allows for planning balance. In the Leeds Case, it was acknowledged that the sequential test had not been passed, and that the development would be a significant adverse impact on a town centre. However, in reaching their decision to approve the application, Members determined that, this was outweighed in the planning balance by socio-economic factors and other considerations. The High Court concluded that:

“That balance, conducted within the statutory parameters, depended on an exercise of planning judgment. The panel exercised its planning judgment lawfully”

- 5.11 Of relevance to the proposed development, Appeal Case - APP/00830/A/05/1182303 discusses the suitability of drive thru facilities within Town Centre locations. In his concluding comments, the Inspector confirmed:

“It is difficult to envisage how a developer could be flexible in respect of the format of a drive thru restaurant. Unlike a conventional restaurant, which could be easily accommodated on any of the identified sites, a drive thru, by definition, requires vehicular access and circulation through and around the building.”

- 5.12 In addition, Appeal decision APP/Q1255/A/08/2061585 clearly reinforces the findings of the above Appeal in respect of the limited flexibility which can be shown by drive thru operations as part of a sequential assessment.

THE SEQUENTIAL TEST

- 5.13 The Site is an established retail destination in a highly accessible location. As such, in our view it is an appropriate location for the proposed development. Notwithstanding, given that it is located in an out-of-centre location, a sequential test has been undertaken in line with national and local policy.
- 5.14 Planning Permission LPA Ref. 21/0534 allowed for the development of The Site for the purposes of a drive thru coffee shop in October 2021. Paragraph 7.1.2 of the Officers Report related to the sequential test. It stated:

“The sequential assessment considers alternative sites within the town centre, Harrowside, Waterloo Road, and Whitegate Drive district centres, and various local centres. The search has been limited to these centres as other centres are located a significant distance from the application site and would not serve the catchment area which has been identified – the applicant has set out that the development would perform an ancillary role to the out-of-centre retail estate and it is acknowledged that it would be unreasonable to expect patrons of the retail park to travel a significant distance for the service. As such, in this instance, it is considered reasonable to allow the sequential search to be limited to centres in close proximity to the retail park. The proposed application site is 0.11 hectares and the proposed building would have a floor space of approximately 184sqm. It is expected that flexibility is exercised when considering alternative premises, usually considering premises either 10% larger or 10% smaller than the application site; the search has been carried out with a flexibility of

25%. A list of vacant premises in this area has been provided; the majority of these premises fall outside of the range of flexibility, however those that do fall within range have been considered and discounted for different reasons. For example, a vacant public house at 168-170 North Promenade has been considered but discounted as the site falls within the Resort Core and as the scheme does not propose tourism attractions or holiday accommodation this would be contrary to the Council's regeneration aims. Sites within the relevant district and local centres have been discounted after considering the highway network and accessibility, which is particularly important for a development of this nature and makes sites with limited accessibility impractical alternatives. As well as vacant units, the appraisal has also considered development sites in and on the edge of the centres, however none of the sites would be suitable for the proposed development."

- 5.15 In considering the sequential test in relation to the development proposals, we would set out the following relevant considerations.
- **Format:** The scale of the development has been driven by EG Group's market leading experience in providing drive thru developments throughout the UK. Should the proposed floorspace be any smaller, it would be unable to accommodate their business model, and would therefore have an unacceptable commercial impact on the viability of the proposed unit;
 - **Parking/Servicing:** Given the drive thru nature of the proposed development, EG Group requires appropriate and easily accessible customer car parking; and
 - **Location:** EG Group have identified a need for a drive thru to serve the surrounding area where there is a gap in the market for their customer base. Given the nature of the products sold, the store should be located where it can be served by a range of transport modes, including the private car.
- 5.16 The proposed development requires a site area of 0.1ha including unit, drive thru lane and car parking. Notwithstanding, Eg Group have a shared spaces agreement with the site owners in respect of the car parking serving the wider development as a whole.
- 5.17 In our experience it is typical for a drive thru operation to benefit from 20-25 spaces. We have therefore undertaken the site search for alternative sites within the sequential test based on a similar approach. For any site to be sequentially preferable, it would be required to have capacity for both the Starbucks drive thru, in addition to the required level of car parking (20-25 spaces) in order for it to be suitable and viable. The site area which the sequential test has been based on is therefore 0.3 Ha / 3,000 sqm which would allow for the proposed development in addition to a reasonable level of car parking.
- 5.18 To demonstrate flexibility for the purposes of undertaking the sequential test, we have searched for sites / units of 0.27ha. This demonstrates a flexible interpretation of the sequential test, with sites 10% smaller and larger than EG Group's requirements considered as part of the assessment.
- 5.19 Units below this range would require a material change to the established business model by reducing the range of products that can be sold. Units/Sites larger than this range would result in an over-supply of floorspace that would impact the overall viability of the operation. In addition, it will also be necessary to consider the ability of sites to accommodate the necessary surface level car parking, servicing and access.
- 5.20 Given that the proposals relate to a site which EG Group benefit from an agreement with Asda, the operator's immediate requirement to secure planning permission for an altered drive thru to that recently approved linked to operator demand, for a site to be considered genuinely available, it needs to be currently vacant, or be available in the short term. Sites which require a redevelopment or are not available in the short term cannot be

considered genuinely available in the context of the sequential assessment for the application to which this Statement relates.

5.21 In accordance with approach adopted in respect of planning permission 21/0534, the following centres have been assessed:

Town Centres

- Blackpool Town Centre

District Centres

- Harrowside District Centre
- Waterloo Road District Centre
- Whitegate Drive District Centre

Local Centres

- Vicarage Lane
- Cherry Tree Road
- Langdale Road
- Preston Old Road
- Common Edge Road
- Highfield Road
- Abbey Road
- Squires Gate Lane
- Harrowside Local Centre
- Lytham Road
- St Anne's Road
- Waterloo Road Local Centre
- Watson Road
- Draggers Hall Lane
- Crossland Road
- Oxford Square
- Whitegate Drive Local Centre
- Bloomfield Road
- Westmorland Avenue
- Central Drive

5.22 Other centres, a significant distance from the application site, would not be in "competition" to serve the catchment area where there is an identified need and therefore would not be suitable alternatives for the operator and thus not sequentially preferable.

Blackpool Town Centre

Vacant Units

26-30 Abingdon Street

- 5.23 The largest vacancy within the centre comprises 26-50 Abingdon Street. The unit is 3,680 sq m in extent. It is therefore considerably above the threshold to qualify as a suitable alternative to the application site. The unit was formally a general Post Office.
- 5.24 Irrespective of its size, the frontage unit is located within a pedestrianised element of the City Centre. As such, it would not comprise a suitable location for a drive thru unit. The site can also be accessed via Edward Street to the rear, however, the road only serves a small linear stretch of buildings and then terminates before becoming pedestrianised. Consequently, this area would also not be subject to the vehicular trips required to sustain a successful drive thru operation. The site is therefore not considered to be a viable or suitable alternative to the application site and is discounted from the assessment.
- 5.25 The building is of significant historic quality. Indeed, Historic England's online register identifies it as Grade II Listed (Ref: 1225402). The use of the site for the purposes of a drive thru would require the demolition of existing structures. Any such proposal would negatively impact the site and surrounding area, constituting a departure from Policy DM26 (Listed Buildings) of the Site Allocations and Development Management Policies document.
- 5.26 In accordance with the above, the site has been discounted on the grounds of suitability and viability.

Abingdon Street Market, 16-20 Abingdon Street

- 5.27 16-20 Abingdon Street Market is currently closed to the public. It is 1,750 sq m in extent and therefore too large to comprise an alternative to the application site, even when allowing for flexibility. The unit comprises the indoor market which was closed during the Covid-19 Pandemic.
- 5.28 Planning permission was approved for the comprehensive refurbishment of the market in July 2021 (LPA Ref. 21/0469). The refurbishment will provide:
- An extended food and beverage quarter with 250 seats
 - Stalls for food produce, food and beverage, artisan stalls and flexible retail units as well as a coffee stall and bar area.
- 5.29 Works are currently underway on the refurbishment with a planned opening in spring 2021. The site is therefore not available for the purposes of the sequential test. Irrespective, given its pedestrianised nature, it would not be a suitable location for a drive thru even in the event it was available.
- 5.30 The site has been deleted from our search on the basis of availability and suitability.

Unit N4 – Hounds Hill Shopping Centre

- 5.31 Hounds Hill Shopping Centre comprises a Council owned, indoor shopping centre within the primary frontages of the City Centre. Unit N4 was historically occupied by Debenhams prior to their collapse.
- 5.32 The unit is large in scale at 2,670 sqm at GF and arranged over 2no floors. It is too large to be considered an alternative to the application site. Further to the above, the following is of note:

- The site is available on a “to let” only basis rather than as a development opportunity which would be required to comprise suitable accommodation for a drive thru.
- It is our understanding that the Council are in discussions with a prospective occupier and terms are close to being agreed to enable its comprehensive occupation.
- The unit comprises one which is suited to an anchor tenant. To redevelop it to provide a drive thru unit would comprise a missed opportunity for the Council in the overall regeneration of the centre.
- Any redevelopment of the unit to provide a drive thru unit would be to the detriment of the aesthetic of the shopping centre as existing and require significant alteration to the highway.
- Given its City Centre core location, the rental expectations for the unit would likely be far in excess of those at the application site.

5.33 In accordance with the above, the suite is considered unsuitable and unviable as an alternative to the application site.

13-19 Bank Hay Street

5.34 13-19 Bank Hay Street was formally occupied by Poundland. The unit provides accommodation across 4 levels with 1,150 sq m at ground floor level. The unit is not considered a suitable alternative to the application site for the following reasons:

- The site is available on a “to let” only basis rather than as a development opportunity which would be required to comprise suitable accommodation for a drive thru.
- The primary frontage onto Bank Hay Street is within a pedestrianised area of the City Centre. It is not a suitable location for a drive thru.
- To facilitate occupation by a drive thru operator, a comprehensive redevelopment would be required. Such a redevelopment, with specific regard to public safety would create a conflict between vehicles and pedestrians within the core of the centre.
- A redevelopment would also negatively impact on the street scene within the core of the City Centre where a continuous appearance is currently provided with adjoining units at upper floor level.

5.35 In accordance with the above, it concluded that the site is not available for a redevelopment, suitable or viable as an alternative to the application site.

5.36 The sequential test is therefore satisfied in respect of existing vacancies within Blackpool.

Development Opportunities 407.31

Church Street

5.37 A review of the Blackpool Local Plan Policies Map reveals there is one Town Centre Mixed Use allocation at Church Street (Ref: MUSA1). The allocation comprises a mixed use development including a discount food store (up to 2,500m²) and multi-storey car park. The proposed development would meet neither criteria.

- 5.38 The site has been developed to accommodate a car park by virtue of planning permission LPA Ref. 13/0596. A latter planning permission allowed for the continuation of the use of the site for such purposes under planning permission LPA Ref - 18/0283.
- 5.39 It is evident that car parks serves an important function in the vitality and viability of the City Centre. Development of it for a drive thru restaurant would therefore result in a detrimental impact to the parking provision available in the centre. The site is therefore discounted from the assessment on the grounds of availability and suitability.
- 5.40 Irrespective, the proposed development comprise under 10% of the capacity of the site as per it's allocation. To develop the site as part of a piecemeal approach, not in accordance with its allocation would be detrimental to the prospects of the overall delivery for the intended purposes.
- 5.41 The allocation is therefore not suitable for the proposal and is discounted from the assessment on this basis.
- 5.42 No other potential sites were identified; the sequential assessment is therefore satisfied in respect of Development Opportunities within and on the edge of Blackpool Town Centre

District Centres

Highfield Road District Centre

- 5.43 Highfield Road District Centre is a linear District Centre which lies in a predominantly residential area. It is occupied by a number of independent and national operators including Tesco Express, Well Pharmacy and B&M Bargains. It is situated approximately 2.1km southwest of the application site.
- 5.44 The units within the centre are too small to breach the search threshold for the sequential test. They would therefore not comprise realistic alternatives to the application site and are discounted from the assessment on the grounds of suitability.
- 5.45 Highfield Road comprises minor highway infrastructure. As such, it is not subject to the vehicular trips required to sustain a successful drive thru operation. This emphasises the unsuitability of the centre to accommodate the proposed development in respect of viability.
- 5.46 Accordingly, it is concluded that there are no existing opportunities within Highfield Road that comprise a sequentially preferable option to the application site.

Development Opportunities

- 5.47 The site is tightly bounded by residential development to the south, west and east. There are areas of open space and play at Highfield Park to the north of the centre. However, the area is allocated for Green Infrastructure in accordance with Policy CS6 (Green Infrastructure) of the adopted Core Strategy and as such is protected. Irrespective, it is not being marketed for sale as a development opportunity.
- 5.48 Development of the Park to accommodate a drive thru unit would constitute a departure from Policy CS6 (Green Infrastructure) and would result in an unacceptable loss of open space. The site is therefore discounted from the assessment on the grounds of availability and suitability.
- 5.49 No other potential sites were identified; the sequential assessment is therefore satisfied in respect of Development Opportunities within and on the edge of Highfield District Centre.

Waterloo Road District Centre

- 5.50 Waterloo Road District Centre is situated approximately 2.3km southwest of the application site, to the west of Blackpool. It includes an array of facilities which serve the surrounding residential and tourist accommodations.
- 5.51 The units within the centre are below the threshold figure in order to comprise realistic alternatives to the application site. Accordingly, they have been discounted from the assessment on the grounds of suitability.
- 5.52 Further to the above, the highway in the vicinity of the site is largely one way in nature. It is evident that it would not be subject to the vehicular trips required to sustain a successful drive thru operation and therefore not suitable for the purposes of the sequential test.
- 5.53 It is concluded that there are no existing opportunities within it that comprise a sequentially preferable option to the application site within the Centre.

Development Opportunities

- 5.54 The District Centre is tightly bound by residential properties including tourism uses. The opportunities for expansion are therefore limited.
- 5.55 No development opportunities were identified as part of our search; the sequential assessment is therefore satisfied in respect of Development Opportunities within and on the edge of Waterloo Road District Centre.

Whitegate Drive District Centre

- 5.56 Whitegate Drive District Centre is 2.3km northwest of the application site. It features an array of independent and national operators concentrated along the A583 which serve the surrounding locality.
- 5.57 Policy DM27 (Conservation Area) of the Site Allocations and Development Management Policies document identifies the majority of the centre as within a Conservation Area. The development of a contemporary drive thru unit with associated drive thru lane and parking would therefore be potentially harmful to the special character and appearance of the conservation area. Development of a drive thru would therefore represent a departure from Policy DM27. As such, it would not constitute a realistic alternative to the application site and is again discounted from the assessment on the grounds of suitability.
- 5.58 The overwhelming majority of units comprise small units lower than 100 sq m in scale. As such, these would not comprise suitable alternatives to the application site. There are no vacancies within the centre of the of the required threshold figure. It has therefore been discounted from the assessment on the grounds of availability and suitability of the vacancies within it.
- 5.59 Accordingly, it is concluded that there are no existing opportunities within it that comprise a sequentially preferable option to the application site. The sequential test is therefore satisfied in this respect.

Development Opportunities

- 5.60 The centre is tightly bound by residential properties in all directions. Accordingly, the opportunities to extend it are limited in the extreme and do not extend to allowing enough land for the development of a drive thru unit. There are no such opportunities currently being marketed.
- 5.61 Given the lack of any development opportunities at the centre, the sequential assessment is therefore satisfied in respect of Development Opportunities within and on the edge of Whitegate Drive District Centre. Local Centres.

5.62 There are numerous Local Centres which were assessed as part of the sequential assessment supporting planning permission 21/0534 as follows:

- Vicarage Lane
- Cherry Tree Road
- Langdale Road
- Preston Old Road
- Common Edge Road
- Highfield Road
- Abbey Road
- Squires Gate Lane
- Harrowside Local Centre
- Lytham Road
- St Anne's Road
- Waterloo Road Local Centre
- Watson Road
- Draggers Hall Lane
- Crossland Road
- Oxford Square
- Whitegate Drive Local Centre
- Bloomfield Road
- Westmorland Avenue
- Central Drive

5.63 It was evidenced and accepted by the Council that given their limited scale, format, lack of frontages onto major highway infrastructure, the Local Centres would not comprise suitable alternatives to the application site, even when allowing for flexibility. The focus for the centres is serving a localised convenience shopping focus rather than comprising a suitable or viable location for a drive thru facility.

5.64 Accordingly, it is concluded that there remains no existing opportunities within the centres that comprise a sequentially preferable option to the application site with relevant Local Centres.

Development Opportunities

5.65 Almost exclusively, the Local Centres include occupied residential uses at first floor level above commercial uses. Further to this, the centres are tightly bound by residential properties and in many cases, adjoin protected green space, allocated as such via Policy CS6 (Green Infrastructure).

5.66 No other potential sites were identified; the sequential assessment is therefore satisfied in respect of Development Opportunities within and on the edge of Local Centres.

Summary of Sequential Test

- 5.67 In this section we have considered whether there are any available units or sites in the centres set out in paragraph 5.19 of this Statement. The scope of the assessment tallies with that as part of planning permission LPA Ref. 21/0534.
- 5.68 The assessment has concluded that there are no suitable, available or viable sequentially preferable sites which can accommodate the development proposals. In the absence of any appropriate units or sites, the application site is an appropriate location for the use proposed by this application. As such, we conclude that the sequential test has been passed.

6.0 PLANNING ASSESSMENT

6.1 In this section we set out an overview of the other development management issues associated with the consideration of the application. These are as follows:

- Sustainable Economic Development and Socio-Economic Benefits; and
- Transport and Highways.
- Design and Landscaping
- Flood Risk
- Drainage
- Ecology

SUSTAINABLE ECONOMIC DEVELOPMENT AND SOCIO-ECONOMIC BENEFITS

6.2 Sustainable development is the cornerstone of the planning system under the NPPF. The application proposals relate to the erection of a drive thru restaurant within the car park of the Asda superstore, Cherry Tree Road, Blackpool.

6.3 The Site currently comprises redundant car parking which forms part of a surplus of spaces serving the Asda superstore.

6.4 The proposed development will create significant local employment opportunities, providing a total of 20-30 full time new direct jobs in addition to those associated with the construction of the unit and the supply chain. The development will secure the realisation of a permitted use at The Site and contribute to local economic growth. The proposals have therefore significant planning merit.

6.5 The application Site is accessible by public transport and provides opportunities for linked trips with other existing retail provision within the wider area. It is located within walking and cycling distance of a number of residential areas. As such, it is well placed to meet the needs of users of existing facilities in addition to the local population given its sustainable credentials.

6.6 The proposed development would qualify as sustainable economic development, as it does not require the release of additional or green field land. It will make use of a brownfield site and provide a use for which EG Group has identified a need.

6.7 The units/sites in the surrounding town, district and local centres are generally small in scale, and therefore are not suitable to accommodate the proposed development. By locating the proposed use within an existing retail destination (i.e. the Asda car park), the proposed development will increase choice and retailer competition, contributing positively to consumer choice and reducing the distance users of existing facilities and nearby residents will need to travel to satisfy their leisure requirements.

6.8 The Site is unallocated as per the Proposals Map. Notwithstanding, it is located within an area where the majority of uses are commercial in nature. The proposed unit will be ancillary and complimentary to existing facilities within the surrounding area.

6.9 We therefore conclude that the proposed development represents sustainable economic development, which will

result in the delivery of a use permitted at a site which benefits from a recent, extent planning permission for a drive thru, secure sustainable economic growth by way of job creation and investment in the area and increase consumer choice and competition, and therefore should be treated favourably.

TRANSPORT AND HIGHWAYS

6.10 DTP have prepared a Transport Note to support the application. The Note confirms:

The proposed development will provide a new drive-thru restaurant resulting in the net loss of 44 car parking spaces within the retail park car park, with 21 new parking spaces proposed to serve the drive-thru restaurant.

A review of the existing highway accident data within the vicinity of the site has been undertaken and shows that there are no pre-existing patterns or trends of incidents that could be impacted by the development proposals.

The accessibility of the site by non-car modes of travel has been reviewed and the site is shown to have excellent access by a number of sustainable modes of travel. The TRICS database has been utilised to generate the net increase in anticipated vehicle movements associated with the proposed drive-thru. It is anticipated that the proposed development would result in 66 movements during the busiest weekday peak hour (lunchtime) in either direction.

This increases to around 115 movements during the busiest Saturday peak hour, however, is anticipated that the significant majority of trips would be linked with the existing uses present on the wider site and that there would be negligible further trips that would involve additional vehicle movements on the local public highway network.

The parking provision of the wider retail site has been reviewed and it is shown that significant spare capacity will be retained once the development is in place to cater for the proposed drive-thru unit and the existing retail units across the wider site.

Overall, the proposals will represent an additional facility to uses of the wider retail site and on the basis of the above assessment it is considered that there are no outstanding reasons why the development should not be granted planning permission.

DESIGN AND LANDSCAPING

6.11 DTP have prepared a Landscaping Plan to support the application. The proposals largely match up with the scheme as previously approved.

6.12 Nicola Sugg Hydrology has prepared a Flood Risk Assessment in support of the application. It confirms:

The Environment Agency flood zone map for planning indicates that the application site is entirely within Flood Zone 1 (low probability of flooding). A review of all potential sources of flooding to the application site has been undertaken and confirms that the site is at risk of surface water flooding from incident rainfall and local runoff.

The following mitigation measures have therefore been incorporated within the development design:

- *Site levels shall be altered to eliminate local topographic depressions and to achieve gradients of approximately 1:40 away from the building to surface drainage gullies. The proposed finished floor level of the building is 9.0mAOD which is a minimum of 300mm above existing site levels within the area of development.*
- *A site-specific Surface Water Management Plan has been prepared for the development to ensure the effective management of surface water runoff to minimise the risk of surface water flooding to the development, and to ensure no increased flood risk to others.*

Therefore, this FRA concludes that the proposed development of a drive-through restaurant, classified as 'less vulnerable' in flood risk terms, off Cherry Tree Road, Blackpool, is appropriate and sustainable with regards to flood risk.

DRAINAGE

- 6.13 A Drainage Strategy has been prepared by Goodson's Associates and forms part of the application package. The report confirms the acceptability of the proposal and its accordance with prevailing local and national planning policy.

ECOLOGY

- 6.14 A Phase 1 Ecology Assessment has been undertaken by Rachel Hacking Ecology which confirms:

Protected species are a material consideration when a planning authority is considering a planning application.

Following the findings from the Extended Phase 1 Habitat Survey, no further survey work is required. Sensitive Lighting Scheme.

It is recommended the line of trees adjacent to the southern boundary of the site is protected as a 'dark zone' for foraging and commuting bats through a SLS. Habitat Enhancement General recommendations to bring biodiversity gain to the site are:

- *Soft landscaping should include the provision of native and non-native flowering perennial species, to provide a pollen and nectar source for invertebrates.*
- *Trees planting of native species where practically possible*

7.0 CONCLUSION

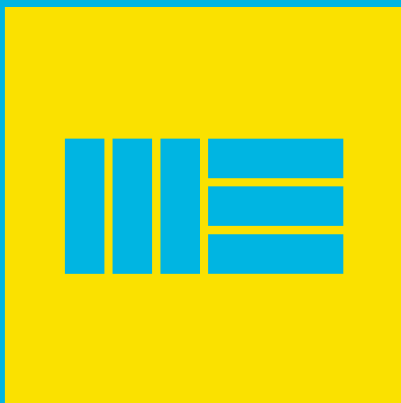
- 7.1 This Planning and Retail Statement has been prepared by Montagu Evans LLP to accompany an application proposing the erection of a drive thru restaurant on land within Asda Car Park, Cherry Tree Road, Blackpool on behalf of EG Group.
- 7.2 The Drive Thru will comprise a complimentary use to the Asda store and wider area. It will perform an ancillary role to existing retail facilities in proximity to the site.
- 7.3 Blackpool Council granted planning permission in October 2021 to allow for the development of a coffee shop with drive-thru (Class E(a)) and associated landscaping and access at the Site (LPA Ref. 21/0534). This application proposes the development of a drive thru restaurant at the site to meet operator demand.
- 7.4 This Planning and Retail Statement has considered the acceptability of the proposal against the relevant policies contained in the NPPF and in local Development Plan policy, and concludes the following:
- The Site is within an area which is an established retail destination. The proposed development will compliment existing facilities as an ancillary offer;
 - The proposed development will deliver significant investment into the local economy by way of new employment opportunities, as well as investment into the local economy;
 - Notwithstanding the out-of-centre location of the site, the sequential assessment concludes that there are no sequentially preferable sites within relevant centres capable of accommodating the development;
 - The proposal are not of a scale where they could lead to a significantly adverse impact on the performance and vitality and viability of the surrounding Centres;
 - The development presents sustainable development, resulting in delivery of a facility for which there is an identified need by the operator, in an accessible location;
 - The proposal will deliver material socio-economic benefits, by securing the long-term occupation the proposed Unit, providing secure employment opportunities to the local community; and
 - The proposed development is acceptable in all material considerations linked to the determination of the application.
- 7.5 Accordingly, we conclude that the application fully accords with both national and local planning policy and should therefore be considered favourably by the Council.

MONTAGU EVANS

70 ST MARY AXE

LONDON

EC3A 8BE



WWW.MONTAGU-EVANS.CO.UK

London | Edinburgh | Glasgow | Manchester

WE CONSIDER OUR CREDENTIALS, HOW WE HAVE STRUCTURED OUR BID AND OUR PROPOSED CHARGING RATES TO BE COMMERCIALY SENSITIVE INFORMATION.
WE REQUEST THAT THESE BE TREATED AS CONFIDENTIAL.