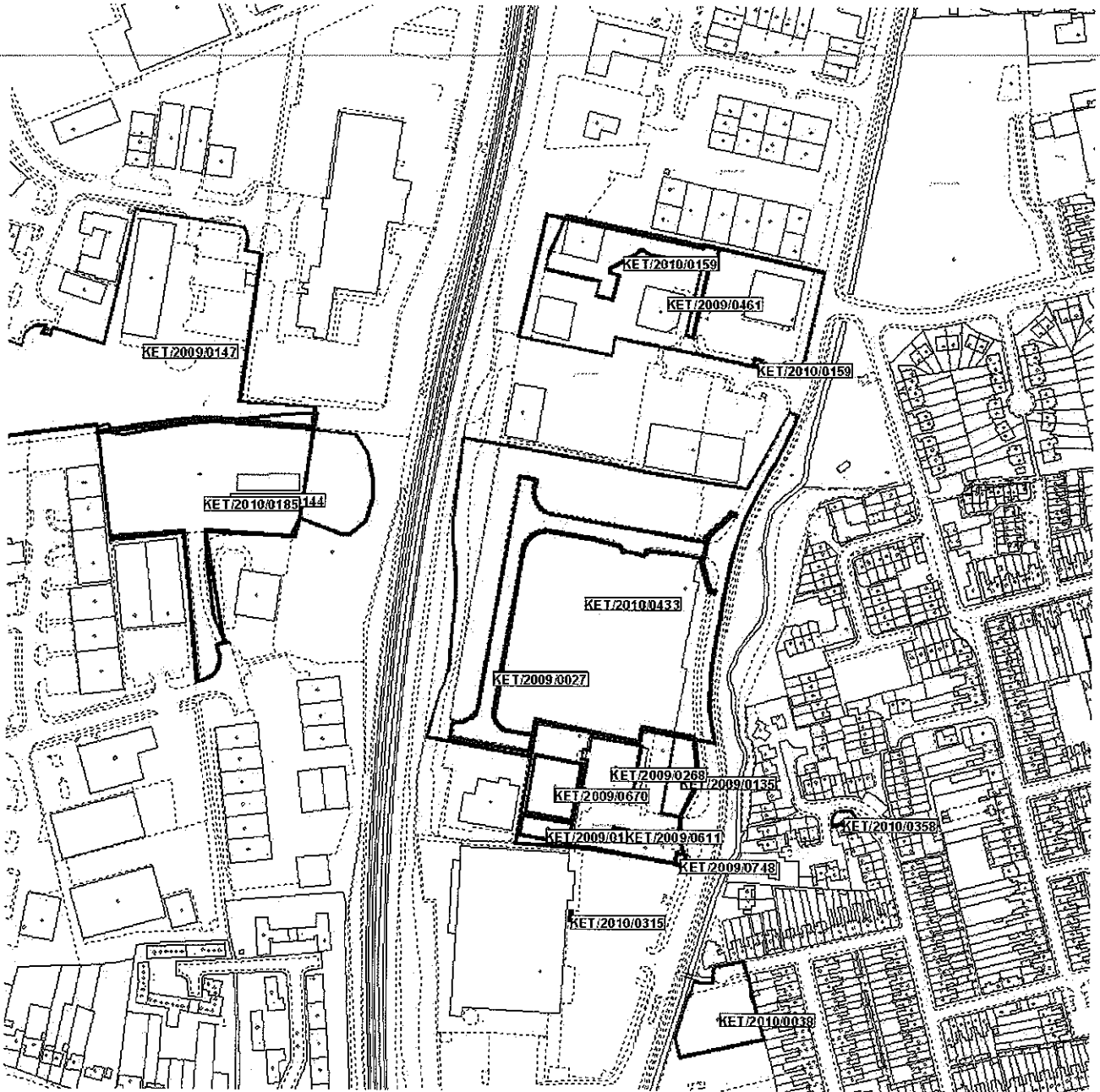


SITE LOCATION PLAN

Stanier Close (Land at), Kettering
Application No.: KET/2010/0433



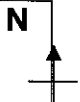
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LA078344

Date:

28/06/2010 □ 25/06/2010 □ 25/06/2010 □ 25/06/2010 □ 25/06/2010 □ 25/06/2010 □ 25/06/2010 □ 25/06/2010 □ 25/06/2010 □ 25/06/2010

Do not scale from this map. For illustrative purposes only.



APPENDICES TO COMMITTEE REPORT 22 NOVEMBER 2010

- 1. ILLUSTRATIVE PLAN SHOWING POSITION OF DUNELM STORE**
- 2. PLAN OF TOWN CENTRE BOUNDARY (TAKEN FROM AREA ACTION PLAN) SHOWING RELATIONSHIP WITH STANIER CLOSE SITE**
- 3. PROVISIONAL FINDINGS PROVIDED BY ROGER TYM AND PARTNERS TO KETTERING BOROUGH COUNCIL 09/11/10 PENDING RELEASE OF THE ROGER TYM AND PARTNERS NORTH NORTHANTS RETAIL STUDY REPORT**
- 4. DEVELOPMENT MANAGEMENT POLICIES OF PPS4**
- 5. RETAIL ASSESSMENT PROVIDED BY NATHANIEL LICHFIELD AND PARTNERS AS PART OF THE SECTION 73 PLANNING APPLICATION KET 2010 0433**
- 6. COPY OF OUTLINE PLANNING PERMISSION REF: KET/2007/0252 DATED 10 FEBRUARY 2010**

The drawings shall be the responsibility of the applicant and shall be prepared in accordance with the provisions of the Planning and Building Acts 2000 and 2004 respectively as far as they relate to the preparation of drawings for planning purposes.

All dimensions shall be in metres unless otherwise stated.

The drawings shall be prepared in accordance with the provisions of the Planning and Building Acts 2000 and 2004 respectively as far as they relate to the preparation of drawings for planning purposes.

The drawings shall be prepared in accordance with the provisions of the Planning and Building Acts 2000 and 2004 respectively as far as they relate to the preparation of drawings for planning purposes.

Scale: 1:500

DATE: 11/11/2010

PROJECT: NORTHFIELD AVE, KETTERING

CLIENT: MOUNTFORDPIGOTT

DESIGNER: MOUNTFORDPIGOTT

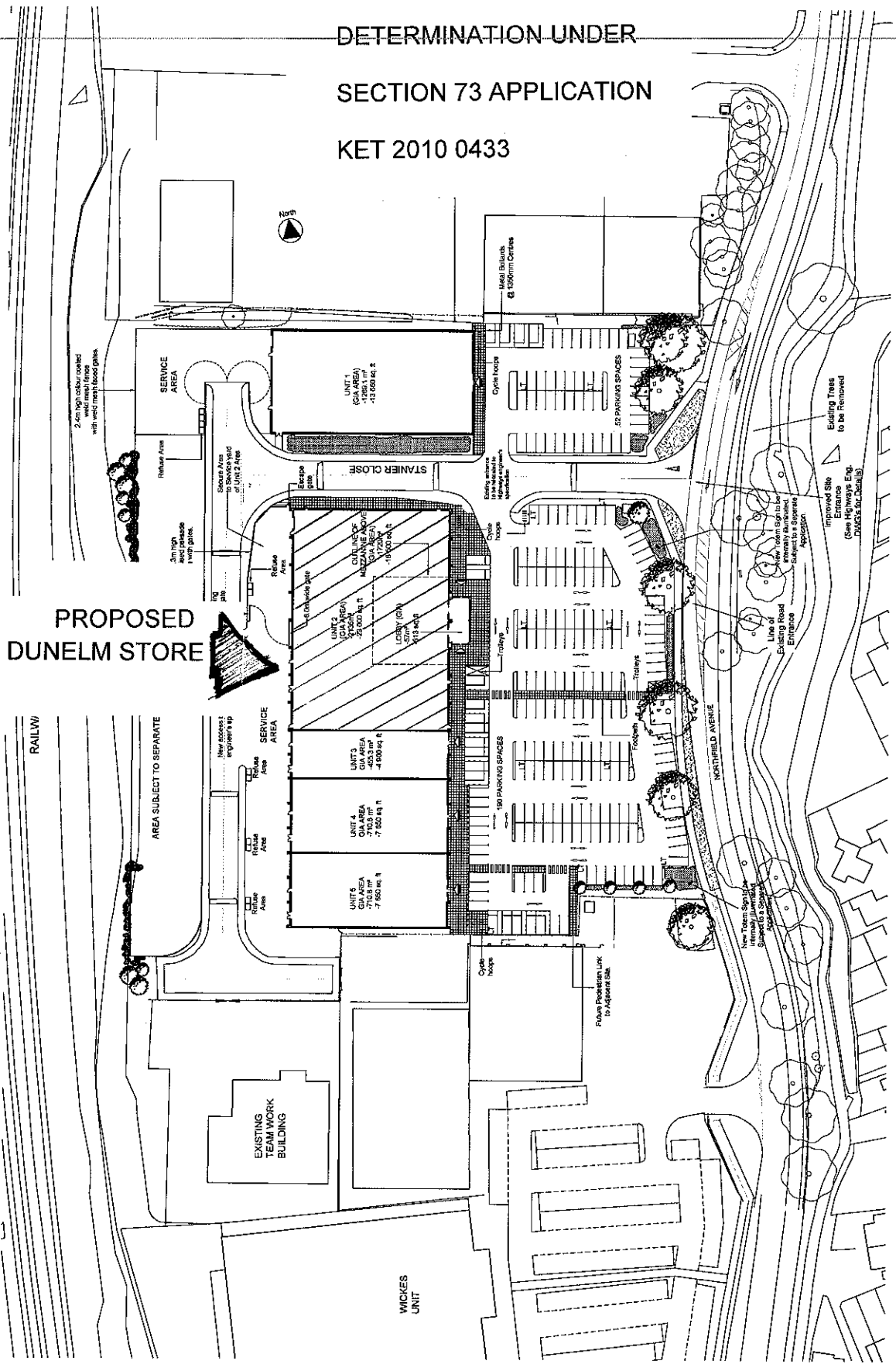
LIGHTING (L)

CAR PARK - 80 HIGH COLUMNS
 AVERAGE AND 10 LUX MIN AT
 GROUND LEVEL

SERVICE YARD - ACHIEVE 20 LUX MIN.

NOTE

- TWO-WAY CAR PARK ROADWAYS 6M WIDE
- HATCHED ZONE TO DISABLED SPACES & PARENT/CHILD PARKING BAYS ARE 1.2M WIDE

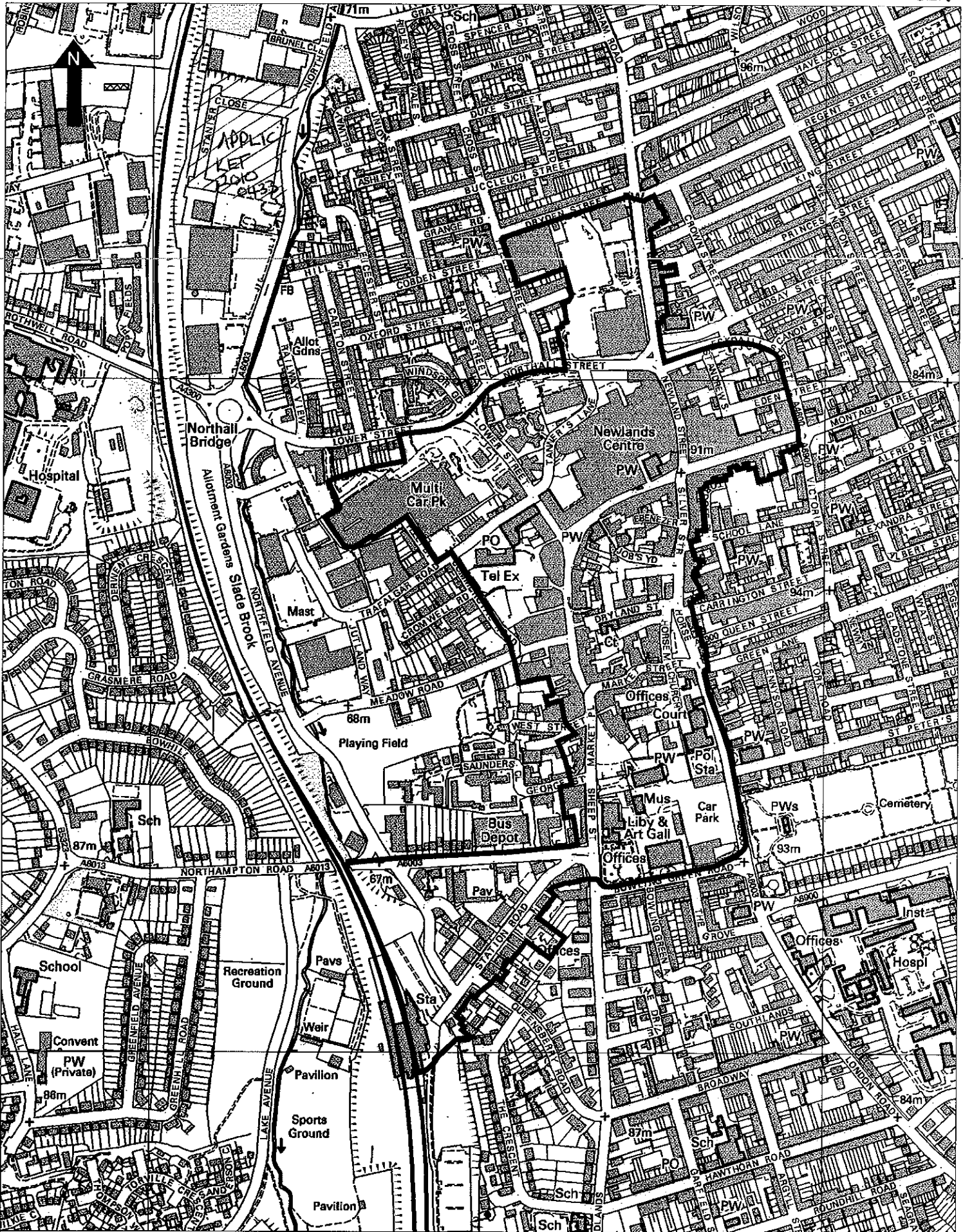


**PROPOSED
DUNELM STORE**

FOR ILLUSTRATION ONLY
 POSITION PROPOSED
 FOR DUNELM STORE.
 NB NO PHYSICAL DETAILS
 ON PLAN ARE FOR
 DETERMINATION UNDER
 SECTION 73 APPLICATION
 KET 2010 0433

NORTHFIELD AVE, KETTERING

MountfordPigott
 NORTHFIELD AVE, KETTERING
 PROPOSED SITE PLAN
 0468-P20-B
 1:500 @ A1 11/11/2010
 09.08.07
 04/01/11



Kettering Town Centre boundary
 (as delineated in Area Action Plan 2010)
 and location of Stanier Close

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100017647

Kettering
 Borough Council

Date: 15:11:10

Scale: 1:7500

Drawn by: Drawn by:

North Northamptonshire Retail Study 2010:

THESE FINDINGS PROVIDED BY ROGER TYM AND PARTNERS TO KETTERING BOROUGH COUNCIL ARE PROVISIONAL PENDING THE RELEASE OF THEIR RETAIL STUDY REPORT, WHICH AS AT 09/11/10 IS STILL AWAITED.

Some headline points emerging from Roger Tym and Partners retail study in respect of the performance of Kettering town centre and the town's retail parks.

Change in market share of Kettering town centre

In the 2005 study, the household survey indicated that Kettering town centre drew a market share from its 'local' zone (i.e. the survey zone which covers Kettering) of 52.9%. The updated survey suggests a decline of almost 10% from this figure to 43.5%, and therefore the town centre is now attracting under 50% of the market share from residents who live in the town.

From across the wider North Northamptonshire catchment area, Kettering town centre attracted 19.5% of comparison goods spending in 2005; this figure has now dropped to 14.3%.

The findings of the household survey for the update study indicate that the market share which is attracted to Kettering town centre has dropped from both the Kettering town zone and Kettering hinterland zone (see table below), which effectively forms the primary catchment area for the town (The attached plan shows for reference the survey zones – Zone 5 is the zone for the Kettering hinterland and Zone 6 covers Kettering town).

Market share of Kettering town centre (for survey zones where Kettering has a market share of 10%+)

	Market share from Kettering town (Zone 6)	Market share from Kettering hinterland (Zone 5)	Market share from Rothwell & Desborough (Zone 3)	Market share from Thrapston (Zone 7)
2005	52.9%	45.5%	31.3%	29.2%
2010	43.5%	39.2%	18.1%	28.9%
Change 2005-2010	-9.4%	-6.3%	-13.2%	-0.3%

Therefore it can be seen that the town centre has lost market share from its local and wider catchment areas since the 2005 survey. In the zones not listed above, Kettering town centre attracts a market share of under 10%.

Change in market share of Kettering retail parks

The retail parks in Kettering accounted for 2.7% of the total expenditure in the North Northamptonshire catchment area in 2005; this has now increased to 7.3%.

In the 2005 study, the household survey indicated that retail warehouses in Kettering were attracting a market share of just 5.9 per cent from the Kettering local zone. The new survey suggests that this has increased significantly to 24.9 per cent, or if the Tesco in Kettering is included, to 29.6 per cent.

This reflects the fact that since the 2005 survey there have been a number of enhancements to the retail provision out-of-town in Kettering, chiefly the development of the Northfield Avenue Retail Park; the adjacent Belgrave Retail Park; the extension of Tesco at Carina Way. The attraction of 'high street' brands to out of centre retail parks – e.g Argos and Next at Carina Way, Sports Soccer at Northfield Avenue – is also likely to contribute.

Combined market share of Kettering retail parks (for survey zones with a market share of 10%+)

	Market share from Kettering town (Zone 6)	Market share from Kettering hinterland (Zone 5)	Market share from Rothwell & Desborough (Zone 3)	Market share from Thrapston (Zone 7)
2005	5.9%	7.6%	5.3%	7.5%
2010	24.9%	16.4%	8.3%	10.5%
Change 2005-2010	+19.0%	+8.8%	+3.0%	+3.0%

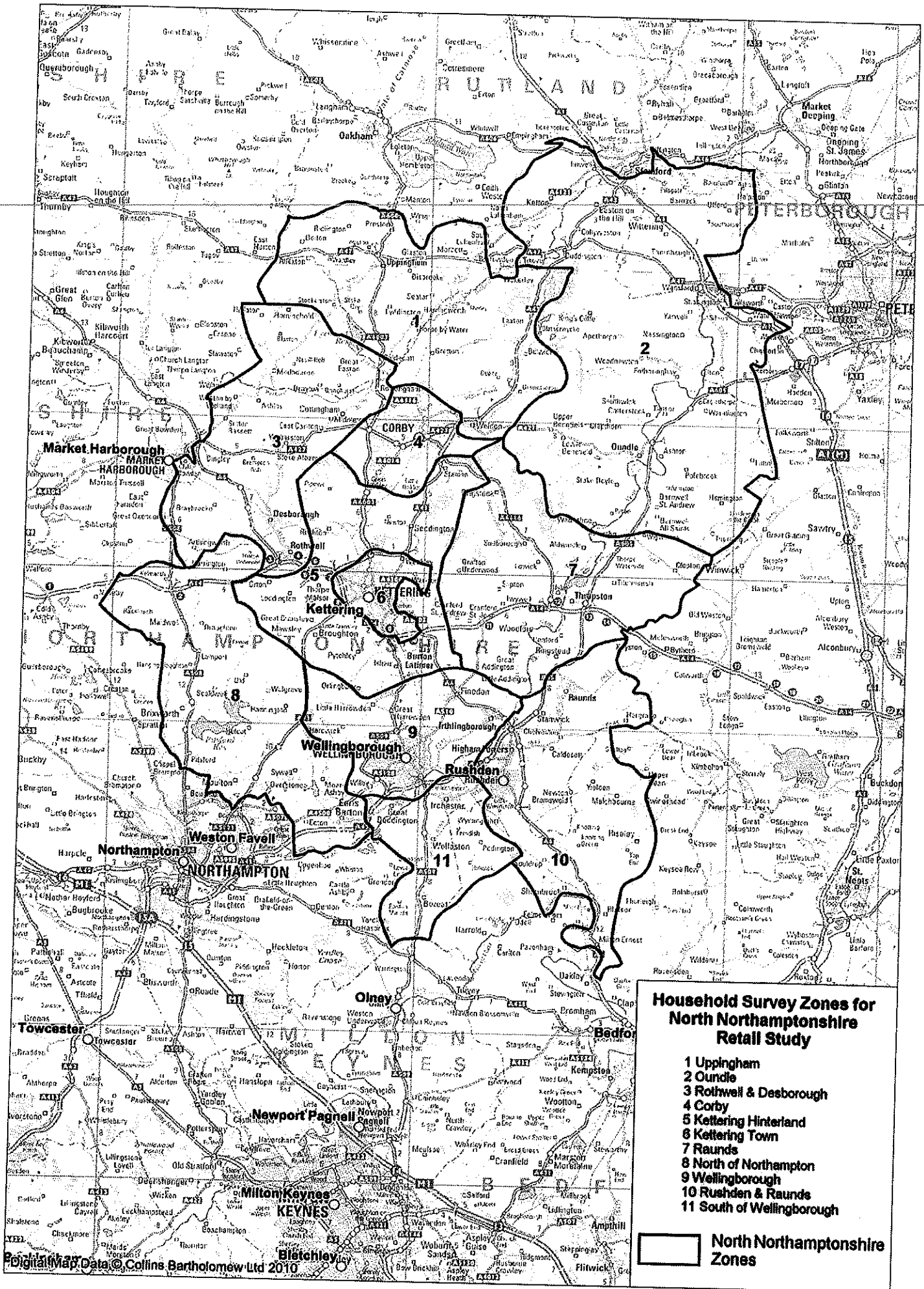
Figures exclude market shares to Tesco, Kettering

Kettering has also seen a reduction in market share from residents in the Corby zone (of approx 10%), which can largely be attributed to the development of Willow Place. Corby town centre and the retail parks in Corby have attracted a marginally higher market share of residents from Kettering when compared to the 2005 study.

Changes to survey area

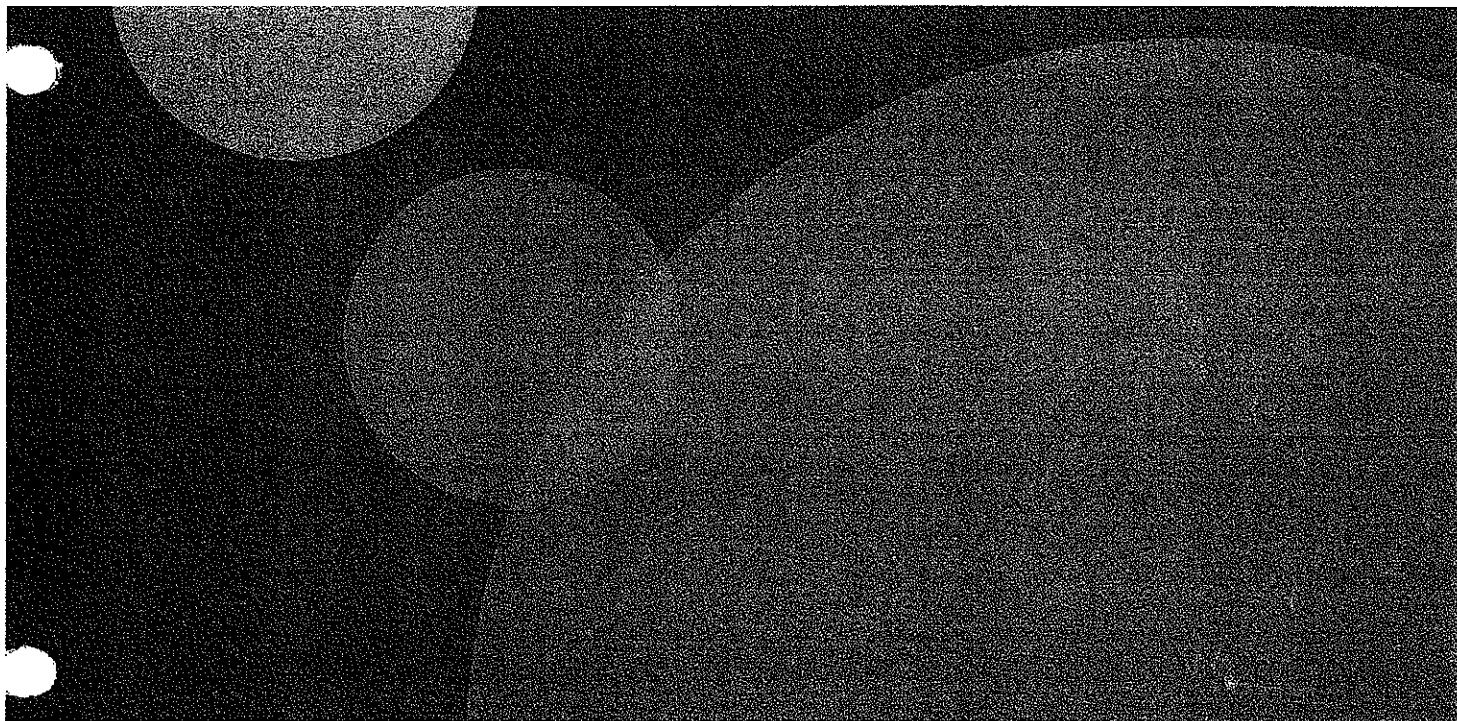
There has been an extension of the survey area, which now takes in the entirety of East Northamptonshire District up to its boundaries with Stamford. There has also been some amalgamation of zones in the Wellingborough area. However the survey zones which cover Kettering have remained unchanged - Zones 3, 5, 6 and 7 as listed above have identical survey boundaries with the previous study (although the numbering has been revised), and therefore direct comparison of market shares between the two surveys is robust.

Source: Rodger Tym and Partners: 09/11/10





Planning shapes the places where people live and work and the country we live in. It plays a key role in supporting the Government's wider social, environmental and economic objectives and for sustainable communities.



Planning Policy Statement 4:

Planning for Sustainable Economic Growth

DEVELOPMENT MANAGEMENT POLICIES

POLICY EC10: DETERMINING PLANNING APPLICATIONS FOR ECONOMIC DEVELOPMENT

- EC10.1 Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably.
- EC10.2 All planning applications for economic development should be assessed against the following impact considerations:
- a. whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to, climate change¹⁴
 - b. the accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially to the trunk road network) after public transport and traffic management measures have been secured¹⁵
 - c. whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions
 - d. the impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives
 - e. the impact on local employment

POLICY EC11: DETERMINING PLANNING APPLICATIONS FOR ECONOMIC DEVELOPMENT (OTHER THAN MAIN TOWN CENTRE USES) NOT IN ACCORDANCE WITH AN UP TO DATE DEVELOPMENT PLAN

- EC11.1 In determining planning applications for economic development other than for main town centre uses which are not in accordance with the development plan, local planning authorities should:
- a. weigh market and other economic information alongside environmental and social information
 - b. take full account of any longer term benefits, as well as the costs, of development, such as job creation or improved productivity including any wider benefits to national, regional or local economies; and
 - c. consider whether those proposals help to meet the wider objectives of the development plan

¹⁴ See Paragraph 9 and 42 of *Planning and Climate Change: Supplement to Planning Policy Statement 1* (CLG, 2007).

¹⁵ Advice on assessing transport impacts is set out in *Guidance on Transport Assessments* (DfT and CLG, 2007).

POLICY EC12: DETERMINING PLANNING APPLICATIONS FOR ECONOMIC DEVELOPMENT IN RURAL AREAS

- EC12.1 Re-use of buildings in the countryside for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations and for some types of building. In determining planning applications for economic development in rural areas, local planning authorities should:
- a. support development which enhances the vitality and viability of market towns and other rural service centres
 - b. support small-scale economic development where it provides the most sustainable option in villages, or other locations, that are remote from local service centres, recognising that a site may be an acceptable location for development even though it may not be readily accessible by public transport
 - c. take account of the impact on the supply of employment sites and premises and the economic, social and environmental sustainability of the area, when considering planning applications involving the loss of economic activity.
 - d. approve planning applications for the conversion and re-use of existing buildings in the countryside for economic development, particularly those adjacent or closely related to towns or villages, where the benefits outweigh the harm in terms of:
 - i. the potential impact on the countryside, landscapes and wildlife
 - ii. local economic and social needs and opportunities
 - iii. settlement patterns and the level of accessibility to service centres, markets and housing
 - iv. the need to conserve, or the desirability of conserving, heritage assets and
 - v. the suitability of the building(s), and of different scales, for re-use recognising that replacement of buildings should be favoured where this would result in a more acceptable and sustainable development than might be achieved through conversion

POLICY EC13: DETERMINING PLANNING APPLICATIONS AFFECTING SHOPS AND SERVICES IN LOCAL CENTRES AND VILLAGES

- EC13.1 When assessing planning applications affecting shops, leisure uses including public houses or services in local centres and villages, local planning authorities should:
- a. take into account the importance of the shop, leisure facility or service to the local community or the economic base of the area if the proposal would result in its loss or change of use
 - b. refuse planning applications which fail to protect existing facilities which provide for people's day-to-day needs
 - c. respond positively to planning applications for the conversion or extension of shops which are designed to improve their viability
 - d. respond positively to planning applications for farm shops which meet a demand for local produce in a sustainable way and contribute to the rural economy, as long as they do not adversely affect easily accessible convenience shopping

POLICY EC14: SUPPORTING EVIDENCE FOR PLANNING APPLICATIONS FOR MAIN TOWN CENTRE USES

- EC14.1 References in this policy to planning applications for main town centre uses include any applications which create additional floorspace, including applications for internal alterations where planning permission is required, and applications to vary or remove conditions changing the range of goods sold.
- EC14.2 The town centre policies in this PPS apply to planning applications for the above uses unless they are ancillary to other uses. Where office development is ancillary to other forms of economic development not located in the town centre there should be no requirement for such offices to be located in the town centre.
- EC14.3 A sequential assessment (under EC15) is required for planning applications for main town centres uses that are not in an existing centre and are not in accordance with an up to date development plan. This requirement applies to extensions to retail or leisure uses only where the gross floor space of the proposed extension exceeds 200 square metres.
- EC14.4 An assessment addressing the impacts in policy EC16.1 is required for planning applications for retail and leisure developments over 2,500 square metres gross floorspace or any local floorspace threshold set under policy EC3.1.d not in an existing centre and not in accordance with an up to date development plan.

- EC14.5 In advance of development plans being revised to reflect this PPS, an assessment of impacts in policy EC16.1 is necessary for planning applications for retail and leisure developments below 2,500 square metres which are not in an existing centre and not in accordance with an up to date development plan that would be likely to have a significant impact on other centres.
- EC14.6 An impact assessment dealing with the impacts set out in policy EC16.1 is also required for planning applications in an existing centre which are not in accordance with the development plan and which would substantially increase the attraction of the centre to an extent that the development could have an impact on other centres.
- EC14.7 Assessments of impacts should focus in particular on the first 5 years after the implementation of a proposal and the level of detail and type of evidence and analysis required in impact assessments should be proportionate to the scale and nature of the proposal and its likely impact. Any assumptions should be transparent and clearly justified, realistic and internally consistent.
- EC14.8 Local planning authorities should respond positively to approaches from applicants to discuss their proposals before a planning application is submitted and seek to agree the type and level of information that needs to be included within an impact assessment.

POLICY EC15: THE CONSIDERATION OF SEQUENTIAL ASSESSMENTS FOR PLANNING APPLICATIONS FOR MAIN TOWN CENTRE USES THAT ARE NOT IN A CENTRE AND NOT IN ACCORDANCE WITH AN UP TO DATE DEVELOPMENT PLAN

- EC15.1 In considering sequential assessments required under policy EC14.3, local planning authorities should:
- a. ensure that sites are assessed for their availability, suitability and viability.
 - b. ensure that all in-centre options have been thoroughly assessed before less central sites are considered
 - c. ensure that where it has been demonstrated that there are no town centre sites to accommodate a proposed development, preference is given to edge of centre locations which are well connected to the centre by means of easy pedestrian access
 - d. ensure that in considering sites in or on the edge of existing centres, developers and operators have demonstrated flexibility in terms of:
 - i. scale: reducing the floorspace of their development;

- ii. format: more innovative site layouts and store configurations such as multi-storey developments with smaller footprints;
- iii. car parking provision; reduced or reconfigured car parking areas; and
- iv. the scope for disaggregating specific parts of a retail or leisure development, including those which are part of a group of retail or leisure units, onto separate, sequentially preferable, sites. However, local planning authorities should not seek arbitrary sub-division of proposals

EC15.2 In considering whether flexibility has been demonstrated under policy EC15.1.d above, local planning authorities should take into account any genuine difficulties which the applicant can demonstrate are likely to occur in operating the proposed business model from a sequentially preferable site, for example where a retailer would be limited to selling a significantly reduced range of products. However, evidence which claims that the class of goods proposed to be sold cannot be sold from the town centre should not be accepted.

POLICY EC16: THE IMPACT ASSESSMENT FOR PLANNING APPLICATIONS FOR MAIN TOWN CENTRE USES THAT ARE NOT IN A CENTRE AND NOT IN ACCORDANCE WITH AN UP TO DATE DEVELOPMENT PLAN

EC16.1 Planning applications for main town centres uses that are not in a centre (unless EC16.1.e applies) and not in accordance with an up to date development plan should be assessed against the following impacts on centres:

- ✓ a. 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
- b. the impact of the proposal on town centre vitality and viability, including local consumer choice and the range and quality of the comparison and convenience retail offer
- c. the impact of the proposal on allocated sites outside town centres being developed in accordance with the development plan
- d. in the context of a retail or leisure proposal, the impact of the proposal on in-centre trade/turnover and on trade in the wider area, taking account of current and future consumer expenditure capacity in the catchment area up to five years from the time the application is made, and, where applicable, on the rural economy
- e. if located in or on the edge of a town centre, whether the proposal is of an appropriate scale (in terms of gross floorspace) in relation to the size of the centre and its role in the hierarchy of centres
- f. any locally important impacts on centres under policy EC3.1.e

POLICY EC17: THE CONSIDERATION OF PLANNING APPLICATIONS FOR DEVELOPMENT OF MAIN TOWN CENTRE USES NOT IN A CENTRE AND NOT IN ACCORDANCE WITH AN UP TO DATE DEVELOPMENT PLAN.

- EC17.1 Planning applications for main town centre uses that are not in an existing centre and not in accordance with an up to date development plan should be refused planning permission where:
- a. the applicant has not demonstrated compliance with the requirements the sequential approach (policy EC15); or
 - b. there is clear evidence that the proposal is likely to lead to significant adverse impacts in terms of any one of impacts set out in policies EC10.2 and 16.1 (the impact assessment), taking account of the likely cumulative effect of recent permissions, developments under construction and completed developments
- EC17.2 Where no significant adverse impacts have been identified under policies EC10.2 and 16.1, planning applications should be determined by taking account of:
- a. the positive and negative impacts of the proposal in terms of policies EC10.2 and 16.1 and any other material considerations; and
 - b. the likely cumulative effect of recent permissions, developments under construction and completed developments
- EC17.3 Judgements about the extent and significance of any impacts should be informed by the development plan (where this is up to date). Recent local assessments of the health of town centres which take account of the vitality and viability indicators in Annex D of this policy statement and any other published local information (such as a town centre or retail strategy), will also be relevant.

POLICY EC18: APPLICATION OF CAR PARKING STANDARDS FOR NON-RESIDENTIAL DEVELOPMENT

- EC18.1 Local parking standards should apply to individual planning applications unless:
- a. the applicant has demonstrated (where appropriate through a transport assessment) that a higher level of parking provision is needed and shown the measures proposed to be taken (for instance in the design, location and operation of the scheme) to minimise the need for parking.

- b. for retail and leisure developments located in a town centre, or on an edge of centre site, the local planning authority is satisfied that:
 - i. the parking provision is consistent with any town centre parking strategy and the facilities will genuinely serve the town centre as a whole and this has been secured before planning permission is granted
 - ii. the scale of parking is proportionate to the size of the centre

EC18.2 In the absence of local parking standards, the maximum standards set out in Annex D of Planning Policy Guidance Note 13: Transport will apply (subject to the provisions in Policy EC18.1).

POLICY EC19: THE EFFECTIVE USE OF CONDITIONS FOR MAIN TOWN CENTRE USES

- EC19.1 Local planning authorities should make effective use of planning conditions to implement their policies and proactively manage the impacts of development by imposing planning conditions to:
- a. prevent developments from being sub-divided into a number of smaller shops or units, or to secure the provision of units suitable for smaller business, by specifying the maximum size of units
 - b. ensure that ancillary elements remain ancillary to the main development
 - c. limit any internal alterations to increase the amount of gross floorspace by specifying the maximum floorspace permitted
 - d. limit the range of goods sold, and to control the mix of convenience and comparison goods and
 - e. resolve issues relating to the impact of the development on traffic and the amenity of neighbouring residents, such as the timing of the delivery of goods to shops and the adequate provision for loading and unloading
- EC19.2 In considering restrictions on deliveries, local authorities should take account of all relevant factors, including impact on congestion, especially in peak periods. In considering how to mitigate night-time noise, local authorities should consider alternatives to a complete ban, such as embodying codes of practice into planning obligations relating to the number of vehicles and noise standards.

ANNEX A: List of cancelled policy and guidance

- *Planning Policy Guidance Note 4: Industrial, commercial development and small firms (PPG4, 1992)*
- *Planning Policy Guidance Note 5: Simplified Planning Zones (PPG5, 1992)* will be reissued as practice guidance
- *Planning Policy Statement 6: Planning for town centres (PPS6, 2005)*
- Objectives (i-iv) and paragraphs 1 (ii-vi), 2, 3, 4, 5, 6, 7, 16 (i-ii), 17, 18, 19, 22, 30 (i-ii), 32, 34 (i-ii), 35, 36, 37, 38, 39, 40 of *Planning Policy Statement 7: Sustainable development in rural areas (PPS7)*
- Paragraphs 53, 54 and Annex D of *Planning Policy Guidance Note 13: Transport* (unless individual local planning authorities prepare local maximum parking standards in line with policy EC8 of this PPS)

ANNEX B: Definitions

City centres are the highest level of centre identified in development plans. In terms of hierarchies, they will often be a regional centre and will serve a wide catchment. The centre may be very large, embracing a wide range of activities and may be distinguished by areas which may perform different main functions. Planning for the future of such areas can be achieved successfully through the use of area action plans, with masterplans or development briefs for particular sites. In London the 'international' and 'metropolitan' centres identified in the Mayor's *Spatial Development Strategy* typically perform the role of city centres.

Town centres will usually be the second level of centres after city centres and, in many cases, they will be the principal centre or centres in a local authority's area. In rural areas they are likely to be market towns and other centres of similar size and role which function as important service centres, providing a range of facilities and services for extensive rural catchment areas. In planning the future of town centres, local planning authorities should consider the function of different parts of the centre and how these contribute to its overall vitality and viability. In London the 'major' and many of the 'district' centres identified in the Mayor's *Spatial Development Strategy* typically perform the role of town centres.

District centres will usually comprise groups of shops often containing at least one supermarket or superstore, and a range of non-retail services, such as banks, building societies and restaurants, as well as local public facilities such as a library.

Local centres include a range of small shops of a local nature, serving a small catchment. Typically, local centres might include, amongst other shops, a small supermarket, a newsagent, a sub-post office and a pharmacy. Other facilities could include a hot-food takeaway and launderette. In rural areas, large villages may perform the role of a local centre.

Small parades of shops of purely neighbourhood significance are not regarded as centres for the purposes of this policy statement.

TYPES OF LOCATION

TOWN CENTRE

Defined area, including the primary shopping area and areas of predominantly leisure, business and other main town centre uses within or adjacent to the primary shopping area. The extent of the town centre should be defined on the proposals map.

PRIMARY SHOPPING AREA

Defined area where retail development is concentrated (generally comprising the primary and those secondary frontages which are contiguous and closely related to the primary shopping frontage). The extent of the primary shopping area should be defined on the proposals map. Smaller centres may not have areas of predominantly leisure, business and other main town centre uses adjacent to the primary shopping area, therefore the town centre may not extend beyond the primary shopping area.

PRIMARY FRONTAGE

Primary frontages are likely to include a high proportion of retail uses.

SECONDARY FRONTAGE

Secondary frontages provide greater opportunities for a diversity of uses.

EDGE-OF-CENTRE

For retail purposes, a location that is well connected to and within easy walking distance (ie. up to 300 metres) of the primary shopping area. For all other main town centre uses, this is likely to be within 300 metres of a town centre boundary¹⁶.

In determining whether a site falls within the definition of edge-of-centre, account should be taken of local circumstances. For example, local topography will affect pedestrians' perceptions of easy walking distance from the centre. Other considerations include barriers, such as crossing major roads and car parks, the attractiveness and perceived safety of the route and the strength of attraction and size of the town centre. A site will not be well connected to a centre where it is physically separated from it by a barrier such as a major road, railway line or river and there is no existing or proposed pedestrian route which provides safe and convenient access to the centre.

OUT-OF-CENTRE

A location which is not in or on the edge of a centre but not necessarily outside the urban area.

OUT-OF-TOWN

An out-of-centre development outside the existing urban area.

¹⁶ For office development, locations outside the town centre but within 500 metres of a public transport interchange, including railway and bus stations, within the urban area should be considered as edge-of-centre locations for purposes of the sequential approach.

DESCRIPTIONS OF TYPES OF DEVELOPMENT

RETAIL

Convenience shopping: Convenience retailing is the provision of everyday essential items, including food, drinks, newspapers/magazines and confectionery.

Supermarkets: Self-service stores selling mainly food, with a trading floorspace less than 2,500 square metres, often with car parking.

Superstores: Self-service stores selling mainly food, or food and non-food goods, usually with more than 2,500 square metres trading floorspace, with supporting car parking.

Comparison shopping: Comparison retailing is the provision of items not obtained on a frequent basis. These include clothing, footwear, household and recreational goods.

Retail warehouses: Large stores specialising in the sale of household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods, catering mainly for car-borne customers.

Retail parks: An agglomeration of at least three retail warehouses.

Warehouse clubs: Large businesses specialising in volume sales of reduced priced goods.

The operator may limit access to businesses, organisations or classes of individual.

Factory outlet centres: Groups of shops specialising in selling seconds and end-of-line goods at discounted prices.

Regional and sub-regional shopping centres: Out-of-centre shopping centres which are generally over 50,000 square metres gross retail area, typically comprising a wide variety of comparison goods stores.

LEISURE

Leisure parks: Leisure parks often feature a mix of leisure facilities, such as a multiscreen cinema, indoor bowling centres, night club, restaurants, bars and fast-food outlets, with car parking.

BUSINESS

Business parks: A grouping of purpose-built office accommodation and other business uses with some shared facilities and car parking.

ANNEX C: Compiling the evidence base

This annex sets out a range of economic and social information which can be used in establishing a robust evidence base for development plans and development management, and as the basis for prediction of the effects of the plan in the sustainability appraisal.

Details of main sources of information are given at the end.

Workforce and employment:

- employment by sector: gives background on economic structure and the relative importance of different sectors (Office for National Statistics Annual Business Inquiry)
- occupations: percentages of the population of a specific area or region employed in different jobs (ONS Annual Population Survey)
- unemployment: gives background on the scope for economic development opportunities. It needs to be understood in the context of the qualification and skills of a potential workforce (ONS)
- worklessness: a wider definition that uses benefit claimants data, including Jobseekers' Allowance, Incapacity Benefit and Severe Disability Allowance (DWP Working Age Client Group)
- earnings: can give an insight into the appropriate scale and type of economic development in an area, on a regional and county/unitary authority basis (ONS Annual Survey of Hours and Earnings (ASHE), Annual Business Inquiry)
- changes in employment patterns: can give an insight into the growth or decline of different sectors for regional employment (ONS Annual Business Inquiry)
- economic activity rate: this shows the percentage of the population that is either in work or looking for work and can be used to help understand the potential workforce for new business development (ONS Annual Population Survey)

Business activity and performance:

- business size: the number of different business sizes can also inform an understanding of the importance of different industries to a region. Detailed yearly data is available on the number of different businesses in different employment size bands for broad categories (ONS Annual Business Inquiry)
- VAT registrations/de-registrations: gives an indication of entrepreneurship over time and business failure. It is available on a regional and a county/unitary authority basis and can be compared against stocks of registrations from the same source (ONS Inter-Departmental Business Register)
- gross value added (GVA): this measures the difference between the value of the output businesses and the value of their inputs and is available for NUTS1, NUTS2 and NUTS3 geographic areas¹⁷ (ONS Regional Accounts)

¹⁷ NUTS: Nomenclature of Units for Territorial Statistics (EU classification – see ONS website)

Land and property markets:

- unimplemented planning permissions: data held by local planning authorities
- existing floorspace: data on floorspace currently available can provide an insight into how much spare capacity exists for businesses (Valuation Office Agency)

Social context

- resident populations of authority areas (Census; ONS Nomis)
- percentages of population with different levels of qualifications (Census; ONS Annual Population Survey)
- Indices of Multiple Deprivation 2004 and 2007; Economic Deprivation Index giving Lower Super Output Area data from 1999-2005 (CLG)
- housing affordability: CLG data relates lower quartile house prices to lower quartile earning by district, giving an indication of housing need See also CLG publication "Measuring Housing Affordability: Review of Data Sources".
- travel to work: information on methods of commuting and catchment areas can help to inform infrastructure issues. ONS used 2001 census data to produce travel to work areas which form relatively self-contained labour markets (Census; ONS CommuterView and Travel to Work Areas)

Survey data

In conjunction with more regional information, up to date local survey data can identify economic and property challenges to be considered in plan making, review and development control decisions. Examples include:

- floorspace availability by rent and size
- rents by grade
- office land values
- construction rates
- trends and demand
- stock condition
- likely future changes to stock
- known infrastructure issues
- marketability of sites

Forecasts and projections

Forecasts and projections may also be useful to inform the review of planning strategies at regional and sub-regional level:

- demographic (population and household numbers – ONS and CLG).
- economic (GVA). This measures the difference between the value of the output businesses and the value of their inputs and is available for NUTS1, NUTS2 and NUTS3 geographic level.
- spatial implications of forecasts and projections (modelling based upon sectional and spatial implications of economic change)

SOURCES OF INFORMATION

Office of National Statistics (ONS)

ONS homepage: www.statistics.gov.uk

ONS Nomis (labour market and related population data for local areas):
<https://www.nomisweb.co.uk>

ONS Annual Business Inquiry (ABI – employment and financial information):
www.statistics.gov.uk/abi (access requires authorisation from ONS)

ONS Inter-Departmental Business Register (IDBR): <http://www.statistics.gov.uk/idbr>

ONS Neighbourhood Statistics: <http://www.neighbourhood.statistics.gov.uk>

ONS Regional Accounts (information including regional, NUTS2 and NUTS3 GVA and regional household income estimates):
<http://www.statistics.gov.uk/StatBase/Product.asp?vlnk=7359>

ONS travel to work data:
<http://www.neighbourhood.statistics.gov.uk/CommuterView>
<http://www.statistics.gov.uk/geography/ttwa>

Communities and Local Government (CLG):

CLG homepage: www.communities.gov.uk

Data for Neighbourhoods and Regeneration (includes links to local information systems and data at district level and below): <http://www.data4nr.net>

Economic Deprivation Index:
<http://www.communities.gov.uk/publications/communities/trackingneighbourhoods2008>

Index of Multiple Deprivation:

<http://www.communities.gov.uk/communities/neighbourhoodrenewal/deprivation/deprivation>

Household projections (based on ONS population projections):

<http://www.communities.gov.uk/housing/housingresearch/housingstatistics/housingstatisticsby/householdestimates/livatables-households/>

Housing affordability:

<http://www.communities.gov.uk/housing/housingresearch/housingstatistics/housingstatisticsby/housingmarket/livatables/affordabilitytables/>

The Places Database:

<http://www.places.communities.gov.uk>

The Places Analysis Tool:

<http://www.pat.communities.gov.uk/pat>

Department for Work and Pensions

Statistics and research webpage: <http://research.dwp.gov.uk/asd>

Improvement and Development Agency (IDeA)

Information and case studies on economic development and regeneration:

<http://www.idea.gov.uk/idk>

Valuation Office Agency

VOA homepage: <http://www.voa.gov.uk>

Regional Observatories

Regional Observatories hold a range of information which may be useful for planning authorities. Information holdings and structures vary between regions. They can be accessed via the website of the Association of Regional Observatories: <http://www.regionalobservatories.org.uk>

ANNEX D: Town Centre Health Check Indicators

- A1 Diversity of main town centre uses (by number, type and amount of floorspace): the amount of space in use for different functions – such as offices; shopping; leisure, cultural and entertainment activities; pubs, cafes and restaurants; and, hotels.
- A2 The amount of retail, leisure and office floorspace in edge-of-centre and out-of-centre locations.
- A3 The potential capacity for growth or change of centres in the network: opportunities for centres to expand or consolidate, typically measured in the amount of land available for new or more intensive forms of town centre development.
- A4 Retailer representation and intentions to change representation: existence and changes in representation of types of retailer, including street markets, and the demand of retailers wanting to come into the centre, or to change their representation in the centre, or to reduce or close their representation.
- A5 Shopping rents: pattern of movement in Zone A rents within primary shopping areas (ie. the rental value for the first 6 metres depth of floorspace in retail units from the shop window).
- A6 Proportion of vacant street level property and the length of time properties have been vacant: vacancies can arise even in the strongest town centres, and this indicator must be used with care. Vacancies in secondary frontages and changes to other uses will also be useful indicators.
- A7 Commercial yields on non-domestic property (i.e. the capital value in relation to the expected market rental): demonstrates the confidence of investors in the long-term profitability of the centre for retail, office and other commercial developments. This indicator should be used with care.
- A8 Land values and the length of time key sites have remained undeveloped: data on changes in land value and how long key town centre and edge of centre sites have remained undeveloped provide important indicators for how flexible policies should be framed and can help inform planning decisions.
- A9 Pedestrian flows (footfall): a key indicator of the vitality of shopping streets, measured by the numbers and movement of people on the streets, in different parts of the centre at different times of the day and evening, who are available for businesses to attract into shops, restaurants or other facilities.
- A10 Accessibility: ease and convenience of access by a choice of means of travel, including – the quality, quantity and type of car parking; the frequency and quality of public transport services and the range of customer origins served; and, the quality of provision for pedestrians, cyclists and disabled people and the ease of access from main arrival points to the main attractions.

-
- A11 Customer and residents' views and behaviour: regular surveys will help authorities in monitoring and evaluating the effectiveness of town centre improvements and in setting further priorities. Interviews in the town centre and at home can be used to establish views of both users and non-users of the centre, including the views of residents living in or close to the centre. This information could also establish the degree of linked trips.
 - A12 Perception of safety and occurrence of crime: should include views and information on safety and security, including from the threat of terrorism, and where appropriate, information for monitoring the evening and night-time economy.
 - A13 State of the town centre environmental quality: should include information on problems (such as air pollution, noise, clutter, litter and graffiti) and positive factors (such as trees, landscaping and open spaces).



Nathaniel Lichfield
and Partners

Planning Design Economics

**Retail Assessment,
Stanier Close
Stanier Close**

HB Pearce
(Contractors) Ltd

June 2010

Nathaniel Lichfield
and Partners
14 Regent's Wharf
All Saints Street
London N1 9RL

nlplanning.com

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Registered Office:
14 Regent's Wharf
All Saints Street
London N1 9RL

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1.0 Introduction

- 1.1 This retail assessment has been prepared by Nathaniel Lichfield and Partners (NLP) on behalf of HB Pearce (Contractors) Ltd to accompany a S73 application to 1) amend the range of goods permitted; and 2) install a mezzanine floor, within the recently approved development at Stanier Close, Northfield Avenue, Kettering.
- 1.2 Outline planning permission was granted on 10 February 2010 for the development of non-food retail units and Class B1, B2 and/or B8 units at Stanier Close, Northfield Avenue, Kettering (LPA Ref. KET/2007/0252).
- 1.3 The illustrative scheme submitted with the application shows a range of retail units with a total floorspace of 5,339 sq.m gross plus a garden centre of 696 sq.m.
- 1.4 Dunelm is interested in occupying a unit on the site with a gross area of approximately 3,913 sq.m, including a mezzanine floor. In order to allow Dunelm to operate from the approved scheme, a S.73 application is required to vary conditions 3 and 12 attached to planning permission KET/2007/0252, to widen the range of goods permitted and to enable the creation of the additional floorspace through the addition of a mezzanine floor.
- 1.5 This report has been prepared to provide an assessment of the retail issues raised by this planning application and follows a number of discussions with Council officers. The issues considered include retail planning policy, the sequential approach and retail impact in respect of the proposed Dunelm store.
- 1.6 The structure of the report is as follows:
- Section 2 a brief summary of the application site, the proposed development, and the relevant planning history of the site
 - Section 3 a summary and commentary on the relevant retail planning policy framework
 - Section 4 an assessment of the "North Northamptonshire Town Centres Roles and Relationships Study"
 - Section 5 a consideration of the retail hierarchy within Kettering Borough and the proposed Dunelm store catchment area, together with a consideration of the role, retail composition and health of Kettering town centre
 - Section 6: a review of the availability, suitability and viability of alternative development sites (i.e. the sequential approach)
 - Section 7 an assessment of the retail impact of the proposed development on existing stores and centres, and consideration of other impacts and material considerations

Section 8 conclusions on the retail planning merits of the proposal.

2.0

The Proposed Development, Site and Surrounding Area

The Proposed Development

- 2.1 This application seeks to allow Dunelm to trade from the approved retail development at Stanier Close. In summary, a Section 73 application is being submitted to 1) widen the range of goods by varying condition 3 attached to planning permission KET/2007/0252 which restricts the range of goods which can be sold; and 2) variation of condition 12 to enable the creation of additional floorspace through the installation of a mezzanine floor.
- 2.2 Dunelm is essentially an “out of centre” retailer primarily selling soft furnishings, textiles, furniture and related homewares from large stores, typically found trading in 2 level units on retail parks throughout the country.
- 2.3 The indicative breakdown of goods and floor areas within a Dunelm unit is as follows:

Table 2.1 Product Allocation by Floor Area

Product Type	% of Sales Floorspace	Product Type	% of Sales Floorspace
Bedding	18.3	Lighting	4.8
Window Treatments (curtains, blinds etc.)	13.0	Picture Gallery	4.8
Fabric	12.8	Flowers and Décor	4.6
Cushions	6.1	Furniture	3.3
Café	5.6	Kitchen- soft kitchen wear	3.1
Bathroom	5.3	Craft and Hobbies	3.0
Kitchen –hard kitchen wear	5.2	Storage items	2.8
Rugs	4.9	Seasonal furnishings	2.4

- 2.4 Dunelm has, for a number of years, considered town centre locations as unsuitable for new stores. This is due to the primarily bulky nature of the goods sold and the need for trolleys to help customers take the goods from the point of sale to their car. Since 1997, Dunelm has opened in excess of 50, stores all

in out of centre locations. Of the 103 stores operated by Dunelm, 92 are out of centre superstores.

- 2.5 The condition attached to the permission at Stanier Close which restricts the goods that can be sold from the unit states:

"The retail premises hereby permitted shall not be used other than for the sale of bulky non food retail items as follows:-

DIY/ garden goods and furniture, carpets and floorcoverings, bulky electrical goods and related goods, and for no other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 2005, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification".

- 2.6 In order to allow Dunelm to trade from the Stanier Close site, the above condition will need to be revised. Given the specific range of goods that are sold from a typical Dunelm store, we consider that the condition should be worded in the negative way, i.e. specifying what categories of goods cannot be sold. Based on our experience elsewhere, and on examining other recently opened Dunelm stores, we propose the following wording:

"Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2005, or any provisions in any statutory instrument revoking and re-enacting that order, these premises shall not be used for the sale of goods within the following categories:

i) food and drink, other than that sold for consumption within the ancillary customer café facility;

ii) books and stationery;

iii) handbags;

iv) jewellery, perfume, toiletries;

v) fashion clothing and footwear."

- 2.7 The above condition has been imposed on the Dunelm store at Wellingborough (LPA Ref. WP/2002/0012/F), albeit we have removed reference to luggage as this is sold as a minor ancillary item. It is Dunelm's intention to operate a café for customers within the proposed store in Kettering. Dunelm provides a café as a customer service within a number of their stores, and this facility is ancillary to the main retail function of the store. The wording of the amended condition therefore allows for this ancillary feature.

- 2.8 Condition 12 attached to planning permission KET/2007/0252 states:

"There shall be no internal mezzanines (sic) and, the total bulky goods gross floor space hereby permitted is 5339 square metres plus 696 square metres garden centre and 490 square metres in B1 or B2 and for no other purpose.

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking or re-enacting that Order with or without modification) no change of use permitted by Class B of Part 3 of Schedule 2 of the Order shall take place on the application site) ".

- 2.9 Dunelm is seeking to install a 1,720 sq.m mezzanine floor to meet their business needs and therefore condition 12 will need to be varied. We propose the following wording of the amended condition:

"The total retail floorspace hereby permitted is 7,059 square metres (GIA), including 1,720 square metres of mezzanine floorspace, and 490 square metres (GIA) in B1 or B2 use and for no other purpose. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking or re-enacting that Order with or without modification) no change of use permitted by Class B of Part 3 of Schedule 2 of the Order shall take place on the application site)"

- 2.10 As part of this application it is proposed to remove the option of accommodating a garden centre and the above revised wording reflects this proposal.

Site Description

- 2.11 The application site is a brownfield site located to the north west of Kettering town centre. All buildings previously located on the site have been cleared.

- 2.12 Stanier Close serves the site via an access from Northfield Avenue at the northern edge of the site. The site is located approximately 0.5 km to the north west of the town centre and as such, in terms of PPS4, it is an out-of-centre site. It is bordered to the west by a railway line and to the east by Northfield Avenue.

Accessibility

- 2.13 Northfield Avenue forms part of a north-south link road that runs between Kettering town centre and the railway line. It connects with the Kettering Northern By-pass to the north via Rockingham Road and to the west via Rothwell Road. Northfield Avenue continues south beyond the Northfield Bridge Junction and connects with Kettering railway station.

- 2.14 Bus services do not currently operate along Northfield Avenue past the site. The nearest bus stops are approximately 300 metres from the site on Rothwell Road (to the south) and 600 metres to the east on Rockingham Road. Through the requirements of the S.106 Agreement relating to the approved scheme, there will be improvements to the accessibility of the site by non-car modes.

Surrounding Area

- 2.15 Northfield Avenue forms the eastern frontage of the site. This includes a landscaped area, with a number of mature trees adjoining the site.
- 2.16 To the north, the site is bounded by Graham's Building Suppliers and Roll Containers Handling. Further north, through to Northfield Avenue's junction with Rockingham Road, there is a Co-op Extra Superstore and additional employment uses.
- 2.17 A raised railway embankment of the East Midland Railway Line runs along the western boundary of the site. On the opposite side of the railway line and to the north of Rothwell Road, the land uses are predominantly employment related.
- 2.18 To the south of the site, adjacent to the railway, is an employment training facility, operated by Team Work. Stanier Close runs through the application site and serves the Team Work site.
- 2.19 The application site forms part of an existing retail area. To the south of the Team Work premises are two retail parks. Belgrave Retail Park contains Maplin, PC World, Comet, Carpet Right and Wickes stores. To the south of this is Northfield Retail Park which contains a Halfords, Dreams, Sports Direct and a vacant unit. Further south beyond the Northfield Bridge junction, there is a mix of employment, retail and quasi-retail units, including a Lidl, B&Q and Jollies petstore.

Relevant Planning History of the Site and Surrounding Area

- 2.20 As stated above, outline planning permission was granted on 10 February 2010 for the development of non-food retail units and Class B1, B2 and/or B8 units at Stanier Close, Northfield Avenue, Kettering (ref. KET/2007/0252). The illustrative scheme submitted with the application shows a range of retail units with a total floorspace of 5,339 sq.m gross plus a garden centre of 696 sq.m.
- 2.21 The last previous operational use of the site was the Kettering Cattle Market, which was in existence from between the early 1960s until 1979 at the latest. The premises on the site were cleared in May 1998. Stanier Close was constructed in August 1998 as a service road built to adoptable standards for potential employment development in this location. The remainder of the site has remained undeveloped, pending consideration of potential development options.
- 2.22 There was a proposal for the site for retail development (KET/01/0491) to accommodate a B&Q and an additional retail warehouse unit on land comprising the HB Pearce site and adjoining land to the south. That scheme was refused permission by the Secretary of State in May 2004. The southern part of the land included as part of the above scheme was then the subject of a planning application for a smaller retail warehouse development by Belgrave Land (KET/03/0882), which is now occupied by Wickes and Carpetright.

2.23

In August 2008, planning permission was granted for the erection of three non-food retail units providing a total floorspace of 3,010 sq.m on the former carwash and car showroom site to the south of the Wickes unit (LPA Ref. KET/2007/0132). This permission has been implemented, and as detailed above, the units are occupied by PC World, Comet and Maplin and form an extension to the Belgrave Retail Park. Additional mezzanine floorspace has also been added to this Park.

3.0 Relevant Planning Policy

3.1 This section of the report reviews National, Regional and Development Plan policy which is relevant to this planning application.

National Planning Policy

3.2 **PPS4 “Planning for Sustainable Economic Growth”** (December 2009), replaces PPS6 “Planning for Town Centres” 2005 as well as PPG4, PPG5 and parts of PPS7 and PPG13.

3.3 CLG also produced The Practice Guide (PG) on Need, Impact and the Sequential Approach at the same time, and to accompany, PPS4. The PG is not policy but provides advice on preparing and understanding need and impact assessments and applying the sequential approach. Where relevant we draw on this in the relevant subsequent sections on these issues.

3.4 PPS4 places retail and town centre development in its wider context, as ‘economic development’, and removes the ‘need’ test for determining planning applications. Planning applications will be determined on the basis of compliance with the sequential approach and a revised ‘impact’ assessment, details of which are outlined below. The policy statement reinforces the Government’s application of the ‘plan-led approach’ and ‘town centre first’ principles to retail and all other developments for town centre uses.

3.5 PPS4 emphasises that the Government’s overarching objective is sustainable growth (para. 9.). To help achieve sustainable economic growth the Government’s key objectives for planning are to:

- build prosperous communities
- reduce the gap in economic growth rates between regions, promoting regeneration and tackling deprivation
- deliver more sustainable patterns of development
- promote vitality and viability of town and other centres as important places for communities
- raise the quality of life and the environment in rural areas (para. 10.)

3.6 Policy EC14 states that applications for main town centre uses (which includes retail use) include any applications which create additional floorspace (including internal alterations where planning permission is required and applications to vary or remove conditions changing the range of goods sold). The town centre policies in PPS4 therefore apply to the above uses unless they are ancillary to other uses.

Sequential Assessment

- 3.7 A sequential assessment is required for planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date development plan.
- 3.8 Policy EC15 specifically relates to the consideration of sequential assessments for planning applications for main town centre uses that are not in a centre and not in accordance with an up to date development plan.
- "In considering sequential assessments...local planning authorities should:*
- a) ensure that sites are assessed for their availability, suitability and viability.*
 - b) ensure that all in-centre options have been thoroughly assessed before less central sites are considered.*
 - c) ensure that where it has been demonstrated that there are no town centre sites to accommodate a proposed development, preference is given to edge of centre locations which are well connected to the centre by means of easy pedestrian access*
 - d) ensure that in considering sites in or on the edge of existing centres, developers and operators have demonstrated flexibility in terms of:*
 - i. scale: reducing the floorspace of their development;*
 - ii. format: more innovative site layouts and store configurations such as multi-storey developments with smaller footprints;*
 - iii. car parking provision: reduced and reconfigured car parking areas; and*
 - iv. the scope for disaggregating specific parts of a retail or leisure development including those which as part of a group of retail or leisure units, onto separate, sequentially preferable sites. However, local planning authorities should not seek arbitrary sub-division of proposals."*
- 3.9 With regards to flexibility, it states that local planning authorities should take into account any genuine difficulties which the applicant can demonstrate are likely to occur in operating the proposed business model from a sequentially preferable site. However, it also states that evidence which claims the class of goods proposed to be sold cannot be sold from the town centre should not be accepted (para EC15.2).
- 3.10 Further guidance on the terms suitability, availability and viability are contained in the PG which accompanies PPS4. While this is not policy it does provide some further advice on the terms including:
- Availability means both now or likely to become available within a reasonable period of time;
 - Suitability means, taking into account the need for flexibility, whether the site is suitable to accommodate the need or demand which the proposal is intended to meet; and

- Viability is defined as whether there is a reasonable prospect that the development will occur on a site at a particular point in time.

Impact Assessment

- 3.11 ~~Policy EC10 sets the overarching policy for the determination of applications for economic development. It states that local planning authorities should adopt a positive and constructive approach towards planning applications for economic development and that planning applications that secure sustainable economic growth should be treated favourably. All applications for economic development should be assessed against the following impact considerations (policy EC10.2):~~
- whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions and minimise vulnerability and provide resilience to climate change
 - the accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially on the trunk road network) after public transport and traffic management measures have been secured
 - whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and the quality of the area and the way it functions
 - the impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives
 - the impact on local employment
- 3.12 An assessment addressing the impacts in Policy EC16.1 is required for planning applications for retail and leisure developments over 2,500 sq.m gross floorspace or any local floorspace threshold set under policy EC3.1.d not in an existing centre and not in accordance with an up to date development plan (policy EC14.4).
- 3.13 Policy EC16 states that planning applications for main town centre uses that are not in a centre (unless EC16.1.e applies) and not in accordance with an up to date development plan should be assessed against the following impacts on centres:
- 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
 - the impact of the proposal on town centre vitality and viability, including local consumer choice and the range and quality of the comparison and convenience offer
 - the impact of the proposal on allocated sites outside town centres being developed in accordance with the development plan
 - in the context of a retail or leisure proposal, the impact of the proposal on in-centre trade/turnover and on trade in the wider area, taking account

of current and future consumer expenditure capacity in the catchment area to five years from the time the application is made and where applicable, on the rural economy

- e if located in or on the edge of a town centre, whether the proposal is of an appropriate scale (in terms of gross floorspace) in relation to the size of the centre and its role in the hierarchy of centres
- f any locally important impacts on centres under policy EC3.1.e (which requires RPBs and LPA's as part of their strategy for the management and growth of centres to define any locally important impacts on centres which should be tested).

- 3.14 Impact Assessments should focus on the first five years after the implementation of a proposal and the level of detail and type of evidence and analysis required in impact assessments should be proportionate to the scale and nature of the proposal and its likely impact.
- 3.15 Policy EC17 states that applications for main town centres uses that are not in an existing centre and not in accordance with an up to date development plan should be refused where the applicant has not demonstrated compliance with the requirements of the sequential approach or there is clear evidence that the proposal is likely to lead to significant adverse impacts in terms of any one of the impacts set out in policies EC10.2 and EC16.1, taking account of the likely cumulative effect of recent permissions, developments under construction and completed developments.
- 3.16 Further to this, EC17.2 states that where no significant adverse impacts have been identified (under policies EC10.2 and EC16.1) planning applications should be determined by taking account of:
- a the positive and negative impacts of the proposal in terms of policies EC10.2 and EC16.1 and any other material considerations; and
 - b the likely cumulative effect of recent permissions, developments under construction and completed developments.
- 3.17 Judgements on the extent and significance of any impacts should be informed by the development plan (where this is up to date). Recent local assessments of the health of town centres will also be relevant where they take account of the vitality and viability indicators in Annex D of the policy statement along with any other published local information.

East Midlands Regional Spatial Strategy (2009)

- 3.18 The Regional Spatial Strategy (RSS) for the East Midlands was adopted in March 2009. For retail proposals it reiterates the guidance set out in PPS6 (now superseded by PPS4) in relation to out of centre retail developments.
- 3.19 Kettering falls in to the Milton Keynes and South Midlands Sub Regional Strategy Area, along with Northampton, Corby and Wellingborough.

- 3.20 Paragraph 4.1.5 states that Kettering has the potential for an increased level of growth. It notes that it is an important retail, business and community centre.

Development Plan Policy

- 3.21 Section 38(6) of the Planning and Compulsory Purchase Act 2004, states that if regard is to be had to the development plan for the purpose of any determination to be made under the planning acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Kettering Borough Local Plan (1995)

- 3.22 The statutory development plan relevant to the site comprises the Kettering Borough Local Plan (adopted January 1995).
- 3.23 Under the 2004 Planning and Compulsory Purchase Act, unless expressly replaced by a “new” policy, “old” local plan policies were saved for three years from whichever was the later of 28 September 2004 or the date the plan was adopted. As such, a number of the Kettering Local Plan policies have not been saved. None of the saved Local Plan policies is strictly relevant to this application. However, Policy 58 states that planning permission will be granted for proposals for commercial development within existing areas of the Borough’s towns which are already predominantly commercial in character.

Local Development Framework

- 3.24 The review of the statutory development plan is currently underway in accordance with the provisions of the Planning and Compulsory Purchase Act 2004. The Local Plan will be replaced by the Local Development Framework (LDF). The LDF is a material consideration in the determination of this planning application.

North Northamptonshire Joint Core Spatial Strategy (2008)

- 3.25 Part of the Local Development Framework for Kettering Borough Council comprises the ‘North Northamptonshire Joint Core Spatial Strategy’ which was adopted in June 2008. The Core Spatial Strategy identifies that the spatial strategy will provide the basis for considering any future growth, with a continuing focus on the Growth Towns and town centres in particular (Para 3.101). It is identified that Kettering should remain the main retail centre with Corby and Wellingborough also accommodating major growth to transform their retail and service offer.
- 3.26 The Strategy notes that a number of the town centres are currently under-performing and in need of regeneration, and that they are vulnerable to competing retail centres where investment and expansion is being targeted.

The Strategy states that competing centres include Northampton (43rd) to the west, Milton Keynes (29th) to the south, Peterborough (46th) to the east and Leicester (10th) to the north. The size and range of retail offer at these centres greatly exceeds the offer in North Northamptonshire and exerts a significant influence on shopping patterns. These competing centres are continuing to expand and enhance their offer and will provide a major challenge to the future success of centres within North Northamptonshire.

- 3.27 Paragraph 3.8 of the Strategy identifies that to achieve greater self-sufficiency for North Northamptonshire as a whole, the network of communities will be strengthened, and the focus will be on, inter alia, co-ordinated and complementary growth at the Growth Towns of Corby, Kettering and Wellingborough.
- 3.28 Paragraph 3.9 continues to state that the Growth Towns and smaller towns will work together in the urban core of North Northamptonshire to generate the investment and wealth that makes the area successful. The distribution of new homes, jobs, shops and other types of development will contribute to creating a well-connected network of settlements that together meet most of the needs of residents in North Northamptonshire.
- 3.29 Policy 1 states:

“To achieve greater self-sufficiency for North Northamptonshire as a whole, development will be principally directed towards the urban core, focused on the three Growth Towns of Corby, Kettering and Wellingborough. The smaller towns of Burton Latimer, Desborough, Higham Ferrers, Irthlingborough, Rothwell and Rushden will provide secondary focal points for development within this urban core. The emphasis will be on regeneration of the town centres, through environmental improvements and new mixed use developments, incorporating cultural activities and tourism facilities, in order to provide jobs and services, deliver economic prosperity and support the self sufficiency of the network of centres. New sustainable urban extensions to the growth towns will provide major locations for housing and employment growth and reinforce the roles of these settlements.”

- 3.30 Paragraph 3.10 identifies that the regeneration and/or enhancement of all the town centres is a priority and will be a catalyst for growth in employment and housing. Paragraph 3.11 notes that the town centres are constrained and, while emphasis will be on their regeneration, other complementary sites will be required, either edge or out of town, to fulfil the growth strategy and meet the need for early investment.
- 3.31 The Strategy states that the three Growth Towns will be the focus of development, with Kettering remaining the main retail centre and Corby and Wellingborough also accommodating major growth to transform their retail and service offer. The Strategy sets out the indicative ranges of net increases in

comparison shopping floorspace that should be planned for in the period 2004 to 2021 (as informed by the North Northamptonshire Town Centres Study):

- Kettering 20,500 to 25,000 sq.m
- Corby 15,500 to 18,500 sq.m
- Wellingborough 15,500 to 18,500 sq.m.

3.32 The Strategy states that these figures are in addition to existing commitments or proposals, the most significant being Phase 1 of the Willow Place development in Corby town centre. They represent a step-change in the comparison retail offer of all three towns (stated as 18,620 sq.m in Corby, 40,200 sq.m in Kettering and 28,170 sq.m in Wellingborough).

3.33 Policy 12 states that:

“The town centres of Kettering, Corby and Wellingborough will be strengthened & regenerated as the focus of sustainable communities in North Northamptonshire. For the period 2004 to 2021 development plan documents will make provision, in addition to existing commitments, for a minimum net increase in comparison shopping floor space of:

Kettering 20,500 sq.m

Corby 15,500 sq.m

Wellingborough 15,500 sq.m.

Development of an appropriate scale that enhances the retail offer of Rushden town centre will be supported. The remaining Smaller Towns and Rural Service Centres will consolidate their roles in providing mainly convenience shopping and local services. Local deficiencies in convenience retail provision will be addressed by provisions made through detailed development plan documents.

Where retail development, for which there is an identified need, cannot be accommodated within the defined town centre areas, a sequential approach will be followed with preference first to well-connected edge of town-centre locations followed by district and local centres including those in the sustainable urban extensions, and then existing retail areas that are well served by a choice of means of transport.

The scale of retail development should be appropriate to the role and function of the centre where it is to be located. Accordingly, proposals for major retail development and their phasing will be assessed to ensure that they do not have an adverse impact on the long term vitality and viability of other town centres or the ability of North Northamptonshire to retain expenditure.”

3.34 The Strategy states that policy 12 indicates the minimum quantum of additional comparison floorspace that should be planned for in order to increase trade retention in North Northamptonshire and improve the retail offer and vitality and viability of all three Growth Town centres. The indicative minimum retail floor

space figures will act as a guide for the more detailed plans prepared by the districts, which will seek to accommodate the bulk of the required floor space within or adjoining the town centres. Further significant growth in retail floorspace will be required beyond 2021 and potential for this future development should be safeguarded in town centre Area Action Plans.

Kettering Town Centre Area Action Plan

- 3.35 The 'Kettering Town Centre Area Action Plan' Preferred Options was published for consultation in August 2008.
- 3.36 This identifies the vision for Kettering, which is to “create a vibrant heart for Kettering; a place that is characterful, distinctive and fun. The town will become a focal point for North Northamptonshire”.
- 3.37 This vision will be delivered through the creation of a range of experiences, achieved by clustering uses together in distinctive zones and these zones being arranged to complement each other.
- 3.38 In line with the joint Core Spatial Strategy, Preferred Policy Direction (PPD) KTC1 seeks to facilitate retail-led growth comprising at least 20,500 sq.m of comparison floorspace to 2021.
- 3.39 PPD KTC2 defines the preferred town centre boundary which shall be used for the purpose of PPS6 (now PPS4) sequential analysis.
- 3.40 Retail led regeneration of the town centre within the designated Primary Shopping Area (PSA) is encouraged (PPD KTC4), and this will remain the focus for the retention of A1 retail uses and incorporation of new A1 retail facilities. In line with PPS6 (now PPS4), any retail use not located in the PSA or an allocated site will require a sequential test against the defined shopping area.
- 3.41 This document states that despite the apparent healthy position of Kettering Town Centre, one of the major issues is the need for an increase in the number of retail units that are capable of meeting the needs of modern retailing.

Summary of Planning Policy

- 3.42 National retail policy, as set out in PPS4, underlines the importance of out-of-centre retail proposals demonstrating compliance with a two main retail tests: the sequential approach and the wider impact framework.
- 3.43 The adopted North Northamptonshire Joint Core Spatial Strategy seeks to strengthen and regenerate Kettering town centre as a focus for retail development (with a significant level of additional retail floorspace required), and identifies the preferred locations for retail development that cannot be

accommodated within the town centre as well-connected edge of town-centre locations followed by district and local centres and then existing retail areas that are well served by a choice of means of transport. Proposals for major retail development will be assessed to ensure that they do not have an adverse impact on the long term vitality and viability of other town centres or the ability of North Northamptonshire to retain expenditure.

4.0 **North Northamptonshire Joint Planning Unit**

- 4.1 The Councils of Corby, Kettering, Wellingborough and East Northamptonshire, together with Northamptonshire County Council, form the Joint Planning Unit (JPU) for North Northamptonshire, which intends to create an overall planning strategy for the area. The North Northamptonshire Joint Core Spatial Strategy produced by the JPU was adopted in June 2008, as detailed in Section 3.0. This was based on the conclusions of a number of technical reports, including the 'Town Centres Roles and Relationships Study', produced by Roger Tym & Partners.

North Northamptonshire Town Centres – Roles and Relationships Study

- 4.2 The North Northamptonshire Town Centre Roles and Relationships Study was produced by Roger Tym & Partners for the JPU in August 2005. The conclusions of the Study formed the basis for the Core Spatial Strategy, outlined in Section 3.0.
- 4.3 The Study establishes the roles of the principal centres in the North Northamptonshire area, detailing the appropriate future roles for each and the interaction between them. It provided the JPU with the quantum of additional retail floorspace that is supportable within the North Northamptonshire area, within the context of the specific roles identified for the centres and the need to accommodate the demands for new development that will be generated by the projected levels of growth in the area.
- 4.4 The Study provides a qualitative assessment of the centres in the North Northamptonshire area. In summarising the health of Kettering town centre, it states that of all the North Northamptonshire centres, Kettering performs best in relation to most key indicators of vitality and viability, and contains the widest breadth and depth of retail and other town centre uses. The Study identifies, however, that there is room for improvement and that the town must try to boost its national reputation if it is to attract higher quality retailers and investment. The Study also states that the unemployment rate in Kettering is currently very low, and that stakeholders are keen to see any residential development in the town supported by commensurate commercial and retail investment.
- 4.5 The Study assesses capacity for future retail development within the area and provides options for the spatial distribution of new development. The existing shopping patterns used are based on household survey results, and the results of the survey are used to calculate the existing market share for centres. We note that in line with PPS4, the retail need for new development is no longer a statutory consideration in the determination of planning applications for edge and out of centre retail schemes.

Roles and Relationships Study, Update of Retail Capacity Forecasts

4.6 Roger Tym & Partners produced an update of the retail capacity forecasts in July 2006. This was in response to updated data being available.

4.7 The update concludes at paragraph 3.42:

"Thus, our updated retail capacity analysis confirms that, even using the slightly lower forecast comparison and convenience expenditure growth rates and having taken account of the additional commitments that now form part of the planning pipeline, there will be a substantial requirement for new development. Accordingly, there remains a need to identify significant further opportunities for town centre comparison retail development (in particular) throughout the study period, just in order to retain current market shares."

5.0 **Retail Hierarchy**

Health Check of Kettering Town Centre

- 5.1 This section provides an update on the current health of Kettering town centre. Kettering is designated as a town centre in the East Midlands RSS and the Joint North Northamptonshire Core Spatial Strategy.

Physical Structure of the Centre

- 5.2 The adopted Local Plan (1995) identifies Restricted Shopping Frontages¹ in the most central part of the Primary Shopping Area of Kettering comprising the Newlands Shopping Centre, Gold Street, High Street, Market Place and Silver Street/Dalkeith Place/ Horsemarket.

- 5.3 In line with PPS4, local authorities are expected to identify Primary and Secondary Shopping Frontages. The 'Kettering Town Centre Area Action Plan' Preferred Options document identifies revised Primary and Secondary Shopping Frontages. In addition to the Local Plan identified Restricted Shopping Frontages, the Primary Shopping Frontages include the Tanners Lane Retail Units on Northall Street, the shopping frontage on Newland Street and the Morrisons and Sainsbury's supermarkets.

- 5.4 Information published by GOAD (January 2008, as updated by NLP April 2010) indicates that the centre has a total floorspace (including retail service uses) of approximately 82,350 sq.m gross spread across 368 units.

- 5.5 The majority of the retail units are focused around the Newlands Shopping Centre, Gold Street and the High Street which broadly reflects the Primary Shopping Frontage as defined in the Town Centre Area Action Plan Preferred Options document.

Yields

- 5.6 Information published by the Valuation Office (July 2008) indicates a commercial yield for Kettering of 6%. The centre's yield has declined from 6.75% over the last eight years which demonstrates a strengthening of the centre. Corby and Wellingborough both have a yield of 6%, and have improved over the last two years from 7% and 6.5% respectively. Kettering is weaker in comparison to larger centres in the surrounding area such as Northampton (4.75%), which reflects its role in the regional retail hierarchy.

Retail Rents

- 5.7 According to the Colliers CRE, Prime Zone A Retail rents in Kettering at 2007 were £915 per sq.m. In comparison, Wellingborough also had retail rents of £915

¹ Restricts change of use of retail premises to offices, cafes and takeaways.

per sq.m. Rents in Corby were lower at £764 per sq.m and higher in Northampton at £1,507 per sq.m, reflecting the role these nearby centres play in the retail hierarchy.

5.8 Rents in Kettering have remained static since 2006.

Retailer Representations

- 5.9 Management Horizons provide ranking and classification of centres based on retailer representation for each centre in the UK. The report classifies Kettering as a sub-regional centre, and it was ranked 183rd out of 6,721 shopping centres in the UK in 2008. This demonstrates the relatively wide draw and attraction of the centre to residents and potential visitors within North Northamptonshire. The main regional centre in the area is Northampton (43rd – major regional centre). As a sub-regional centre Kettering will attract visitors from local district centres such as Corby (399th – District Centre) and Market Harborough (440th – District Centre).
- 5.10 21 units within the centre are in convenience use. The main convenience offer within the centre is the Sainsbury store to the north of the centre. There is also an Iceland, Marks and Spencer foodhall and a Morrisons located within the town centre boundary.
- 5.11 Kettering has a number of national multiple retailers, including Marks & Spencer, WH Smith, Bon Marche, Argos, TK Maxx, Clarks, Waterstones and HMV.
- 5.12 Approximately 134 (36%) units within the centre are in retail service use. Of this there are 41 financial and professional services units, including Santander, Natwest and HSBC banks. There are also 41 food and drink units, which includes McDonalds, Costa Coffee and Subway.
- 5.13 In addition to the national multiple retailers present within the centre, there are a number of smaller, independent retailers in convenience, comparison and retail service use.
- 5.14 There are 10 units within the centre which offer a range of goods similar to those which will be sold from the proposed Dunelm store. This comprises only 7.5% of the total comparison floorspace, and only 3.2% of the total retail floorspace within Kettering town centre. This includes, inter alia, Home Stores, The Curtain Shop and Home Bargains. There are other retailers, such as Marks and Spencer and TJ Hughes, which sell similar goods but these form generally a small part of their overall offer.

Vacant Units

- 5.15 The updated GOAD plan for April 2010 indicates that there are 66 vacant units within the town centre, which accounts for 18% of retail units within Kettering. This is higher than the national average at 12.2%. However, in terms of vacant floorspace, this only accounts for 10.2% of the total floorspace which is comparable to the GOAD national average at 10.7%. These vacant units are

therefore relatively small in size. They are located throughout the centre, although there are clusters located along the High Street (nos. 28-32), Newland Street (nos. 11-12), Newland Centre (nos. 20-24) and towards the south of Dalkeith Place.

Retailer Requirements

- 5.16 EGI Retail Requirements identified 5 retailers in December 2009 who were actively seeking representation within Kettering town centre. This includes two convenience, two retail service, and one comparison goods operator.

Accessibility

- 5.17 Kettering town centre is served by a number of public car parking facilities on the edge of the primary shopping area. There are a number of bus stops which provide frequent services to surrounding settlements. A bus station is located to the north of the centre, along the eastern entrance of the Newlands Centre and along Eskdall Street.
- 5.18 The railway station is located to the south west of the main shopping area.

Pedestrian Flows

- 5.19 At the time of our site visit in April 2010, there was a good flow of pedestrian traffic along the High Street, within the Newland Centre and along Gold Street, which mirrors the proposed primary shopping area. The quietest part of the centre was observed to be to the south of the centre along Sheep Street and to the north of the centre along Rockingham Road i.e. peripheral areas of the town centre.
- 5.20 The High Street, Gold Street and Lower Street are pedestrianised which facilitates easy pedestrian movement throughout the centre.
- 5.21 Road traffic was observed to be reasonably high along Silver Street and Newland Street which creates a barrier to the movement of pedestrians throughout the centre and could reduce their perception of safety. However, we note that the presence of pedestrian crossings throughout the centre helps facilitate movement.

Environmental Quality and Streetscape

- 5.22 Based on observations made during our site visit, we consider that the environmental quality of Kettering town centre in April 2010 is good, and is generally clean and tidy throughout. The south of the town centre is located within a conservation area, and the shopping environment is generally attractive.
- 5.23 The cleanliness of the streets throughout the centre was good. Street furniture is present throughout the centre, including a large number of benches, bins, street lighting and signs.

- 5.24 The architectural quality of the buildings in Kettering is mixed, with a wide diversity of building styles of varying quality. There are some historic buildings, which are relatively well maintained, including the Council offices, the Library and the buildings along Sheep Street and the High Street. Against this, there are some poorer quality buildings, along the periphery of the centre (along Montagu Street and Rockingham Road) which detract from the quality of the centre.
- 5.25 Recent investment into the public realm has been made, with a sculpture and benches provided to the north of the High street, an area of landscaping along Horsemarket and a newly redeveloped Open Market place on Market Street. These all contribute to an enhanced public realm which improves the environmental quality of the centre.
- 5.26 This has further been enhanced by recent development in the centre which has improved the quality of the built environment. This includes the affordable housing scheme on Dalkeith Place, the mixed use scheme on School Lane, the newly refurbished Market Hall, Waterstones on the High Street, and the Citizens Advice Bureau on Horsemarket.

Summary

- 5.27 Kettering town centre is the nearest centre to the application site. It is a relatively healthy, vital and viable town centre and provides a good range of comparison, convenience and storage facilities. The recorded yields reflect a relatively strong centre given its size and position in the retail heirarchy. The vacancy rate in terms of floorspace is equal to the national average, although the number of vacant units is above the national average.
- 5.28 We note that the Roger Tym and Partners North Northamptonshire Town Centre Roles and Relationships Study concluded that Kettering is a vital and viable town centre and that the retail offer provides the local shopping catchment and tourism population with a good range of shopping facilities for a centre of its size and position in the retail hierarchy. Despite this, there is a clear need to improve the retail offer of the town in line with the recent planning documents produced by the Council and others, as outlined in sections 3.0 and 4.0 of this report.

Retail Warehousing

- 5.29 Within Kettering town centre, as defined by GOAD, the Tanners Gate Retail Park contains small retail warehouse units comprising Pets at Home, Farmfoods and Blockbuster. There is also one vacant unit at this park.
- 5.30 The Northfield Avenue Retail Park is situated close to the application site. This retail park, as defined by GOAD is elongated and the units are not consolidated in one location. There are two convenience stores – Co-op Extra Supermarket and Lidl. There are two 'retail parks' located within this area. Belgrave retail park includes a Maplin, PC World, Comet, Wickes and Carpet Right. Northfield Retail Park includes Halfords, Dreams, Sports Direct and one vacant unit.

5.31

Kettering Retail Park is located approximately 3 km to the south of Kettering town centre and extends to 8,175 sq.m. It contains two food stores – Aldi and Tesco, and a number of comparison outlets including Focus Do it All, Currys, Next, Laura Ashley and Sleepmasters.

6.0 **The Sequential Approach**

6.1 As noted in Section 3.0, the principal planning policy guidance on the sequential approach is set out within PPS4 (2009).

6.2 The site of the proposed Dunelm store has already been established as a retail location through the approval of the application for retail development (LPA ref. KET/2007/0252), and the location of other retail units in close proximity (as detailed in Section 2.0). It is therefore evident that this site is a preferred out of centre location and the Council has recently accepted that this type of retailing (i.e. retail warehouse units) cannot be accommodated within Kettering town centre.

6.3 Dunelm is typically an out-of-centre retailer, and their stores are generally found on retail parks throughout the country as outlined in Section 2.0. This is in part due to the bulky nature of many of the goods sold and the need for trolleys to help customers take the goods from the point of sale to their car. It is therefore considered that Dunelm would be appropriate for this location, within a retail park in Kettering.

Policy Guidance on the Sequential Approach

6.4 PPS4 requires that a sequential approach to site selection be applied to all proposals for main town centre uses on sites which are not within an existing centre or allocated in an up-to-date Development Plan.

6.5 Policy EC5.2 of PPS4 makes clear that, in adopting a sequential approach, sites should be considered in the following order:

- first, locations in appropriate existing centres where suitable sites or buildings for conversion are, or are likely to become, available within the plan period; and then
- edge-of-centre locations, with preference given to sites that are or will be well connected to the centre; and then
- out-of-centre sites, with preference given to sites which are, or will, be well served by a choice of means of transport and which are closest to the centre and have a higher likelihood of forming links with the centre.

6.6 Policy EC15.1 states that, in considering sequential assessments, local planning authorities should:

- Ensure that sites are assessed for their availability, suitability and viability;
- Ensure that all in-centre options have been thoroughly assessed before less central sites are considered;

- Ensure that where it has been demonstrated that there are no town centre sites to accommodate a proposed development, preference is given to edge of centre locations which are well connected to the centre by means of easy pedestrian access; and
- Ensure that, in considering sites in or on the edge of existing centres, developers and operators have demonstrated flexibility in terms of scale, format, car parking and the scope for disaggregation.

6.7 Related to this, the Practice Guidance (PG), recently published by CLG, makes clear that there must be a reasonable prospect of sequentially preferable opportunities coming forward which are likely to be capable of meeting the same requirements as the application.

6.8 Annex B of PPS4 also indicates that, for retail purposes, the term 'edge of centre' applies to a location that is well connected to and within easy walking distance (i.e. up to 300m) of the Primary Shopping Area.

Interpretation and Application of the Sequential Approach

6.9 The application site is located 500 metres from Kettering Primary Shopping Area (as defined in the Kettering Town Centre Area Action Plan Preferred Options 2008). The site therefore comprises an out-of-centre location in PPS4 terms.

The Scope for Disaggregation

6.10 Policy EC15.2 of PPS4 explains that in considering alternative sites, developers and operators should demonstrate flexibility in terms of scale, format, car parking and the scope for disaggregation. However, it also explains that, in considering whether flexibility has been demonstrated, local authorities:

- Should take into account any genuine difficulties in operating the applicant's business model from a sequentially preferable site, for example, where a retailer would be limited to selling a significantly reduced range of products; and
- Should not seek arbitrary sub-division of proposals.

6.11 In the context of the above, it is clearly important to consider the nature and scale of the proposal on the site and the extent to which the various alternative sites considered could meet the same requirements as the application proposals.

6.12 The proposal is for 1) variation of condition 3 of planning permission KET/2007/0252 to allow a wider range of goods to be sold from the site to enable Dunelm to operate from it; and 2) variation of condition 12 of the same planning permission to install a 1,720 sq.m gross mezzanine floor to meet the required floorspace for Dunelm.

- 6.13 The total floorspace of the proposed Dunelm unit, including the proposed mezzanine floor, is 3,913 sq.m. Only opportunities which could accommodate a similar size store and function to that proposed, and retailing a comparable number of lines for comparison goods, could perform the same role. As such, we consider that it would be appropriate to only consider sites or existing units which can accommodate this level of floorspace.
- 6.14 However, on the basis that the proposal involves the addition of a mezzanine floor, we have carried out the sequential assessment in respect of this floorspace only, to ensure a robust assessment. The proposed size of the additional mezzanine floorspace is 1,720 sq.m.
- 6.15 Notwithstanding the above, it is important to confirm that a freestanding store of around 1,700 sq.m gross would not be able to sell Dunelm's normal range of goods. Dunelm has developed a successful business model based on stores of over 3,500 sq.m (gross) in an out of centre location. A smaller store would therefore sell a significantly reduced range of goods in conflict with Policy EC15.2 of PPS4.

Methodology

- 6.16 As Kettering town centre is the closest centre to the application site and the main town centre in the Borough, we have considered potential sites within and on the edge of the main shopping core of the town centre, as defined by the Primary Shopping Area in the Kettering Town Centre Area Action Plan Preferred Options Document². To ensure a robust analysis we have also considered sites beyond edge of centre. In our view, Kettering is the only potential alternative location for the proposals which would enable the same study area to be adequately served and therefore meet the identified need. In this respect, it is important to note that Dunelm is currently operating a store in Wellingborough which constrains the likely catchment area of the proposed store. It is also clear that Council policy seeks to direct such developments to Kettering rather than alternative destinations. We therefore do not consider that it is appropriate to examine any other centres as part of this analysis.
- 6.17 In terms of other out of centre sites, we consider that the application site is the most appropriate given that it forms part of an existing retail destination and is close to the town centre. Despite this, other out of centre sites have been considered below.
- 6.18 The following analysis assesses the availability of sites which could potentially accommodate the proposed development. In order to demonstrate flexibility in our approach to site selection, and as noted above we have considered sites which could accommodate a unit at ground floor level of around 1,700 sq.m: i.e. the size of the mezzanine floor. This demonstrates a very robust assessment since Dunelm could not trade from this size unit. Alternative sites will need to provide car parking in addition to a servicing area. In this respect

² Policy KTC2 defined the Primary Shopping Area

we are aware that Dunelm stores take weekly deliveries from 40ft articulated lorries. We consider that this would require a site of up to 0.5 hectares which is viable, available and suitable, although even smaller sites have been considered.

Site Identification

6.19 The methodology adopted in identifying site availability is as follows:

- 1 Development Plan Search: to identify sites allocated for retail development within and on the edge of the town centre;
- 2 Existing Permissions and Proposals: to establish the existence of extant permissions and applications for retail development, through discussions with the local authority;
- 3 On the Ground Site Survey: to establish from a detailed site survey, sites or buildings with potential for development occupancy, such as vacant sites/buildings, cleared sites, undeveloped sites or redundant buildings.

Site Assessment

6.20 Where sites have emerged, a thorough assessment is then made to establish their suitability, viability, availability and potential to accommodate the proposed retail development performing a similar function as that proposed. The criteria adopted for the site assessments has been as follows:

- **Site Size:** configuration and location relative to the defined shopping core.
- **Location:** to establish whether the site lies within or on the edge of Kettering town centre.
- **Policy Constraints:** to consider development plan policies, in particular, site specific policies are identified.
- **Servicing/ Accessibility Considerations:** to establish whether the site can be satisfactorily serviced and accessed by vehicles, including public transport, with consideration given to potential impact on the local highway network and safety.
- **Planning Consents and Other Proposals:** to establish whether there are any extant applications for development on the sites identified and the likelihood and timescales of permissions being implemented.
- **Site Ownership/ Land Assembly:** to establish whether the site is in multiple ownership, which may constrain the site's potential for future development.
- **Existing Uses:** to establish what the current land uses are at each site, and whether there is a requirement for their relocation;
- **Commercial viability:** to establish whether it would be commercially viable for the operator to develop on the site identified.

- **Other constraints:** to establish whether there are any other constraints to potential development/ redevelopment of a site identified, for example, conservation areas, listed buildings, tree preservation orders, topography etc.

Assessment of Identified Sites

- 6.21 The sites which have been identified as potentially available are assessed against the above criteria and summarised below.
- 6.22 As outlined above, in the interests of flexibility, all potential redevelopment sites and vacant units have been considered.

Kettering Town Centre Area Action Plan

- 6.23 In August 2008, the Council produced the Kettering Town Centre Area Action Plan (AAP) Preferred Options Document. We also note that the Council produced a Topic Paper relating to the AAP in October 2009, which we have referred to where appropriate.
- 6.24 The AAP identifies distinctive zones/ quarters within the town centre, and within each quarter, a number of sites are identified as having development opportunities for a range of town centre uses. The document then identifies which of these sites are considered likely to come forward in the short/ medium term, (2008-2016).
- 6.25 This is a relatively up to date document, and we understand the Council is progressing the submission document, which is due for consultation in the near future. This has involved the Council thoroughly assessing all sites within the town centre for potential development opportunities, and we consider that this will include all sites that should be considered as potentially sequentially preferable to the site at Stanier Close. However, other sites have been considered within this section to ensure a robust analysis.

Summary of Sites

The Shopping Quarter - Site SHQ1 Wadcroft

- 6.26 This site comprises the Council owned Wadcroft surface-level car park (providing over 200 spaces) which is well used and various retail and service units fronting the High Street/Lower Street.
- 6.27 The AAP identifies this site as being suitable for *“A1 retail with associated car parking and supporting residential and commercial uses”*, and notes that the focus of the regeneration activities within the Shopping Quarter will be around the Wadcroft site where opportunities exist to provide a new high quality High Street frontage with a department store anchor. The comprehensive aspirations for this part of the Shopping Quarter are likely to involve the Phase 1 Newlands Shopping Centre (see below). These are clearly long term objectives for the site.

- 6.28 The Wadcroft car park (and adjacent BT exchange), was also identified in the Masterplan (2005) for mixed use development, including shops, offices, flats and public space together with a multi-storey car park. This suggests that the surface car park would be turned into a new town square, surrounded by retail, commercial and residential uses, and the BT exchange would be replaced with a building more in keeping with its surroundings, potentially with an active ground floor with a multi-storey car park above.
- 6.29 The Council's aspirations for this site (and the Newlands Shopping Centre site) involve comprehensive redevelopment. We understand that, apart from the department store which is likely to be located either on this site or site SHQ3 (and have a gross floor area of around 8,500 sq.m), the maximum unit size within the proposed town centre retail development will be significantly smaller than the unit size required by Dunelm.
- 6.30 The number of owners/occupiers of the retail/service units on the site will mean that land assembly will take some time to achieve and it is unlikely that a scheme of this size and complexity would be completed before 2014 at the earliest. As such this site is not available in a reasonable period of time as required by PPS4.
- 6.31 Based on the above, this site is considered to be unsuitable (taking into account the Dunelm business model) and unavailable (given the timescales involved for any comprehensive redevelopment) for the development of a retail warehouse unit.

The Shopping Quarter - Site SHQ2 Trafalgar Road

- 6.32 This site currently contains a small surface car park, and is identified in the AAP as suitable for "commercial uses". The site is too small (measuring approximately 0.1 ha) to accommodate the proposed Dunelm unit (even in a reduced form).
- 6.33 The site is therefore not suitable for the proposed development.

The Shopping Quarter - Site SHQ3 Lower Street/Gold Street

- 6.34 This site contains Phase 1 of the Newlands Shopping Centre, consisting of ground floor retail units, which are dated in design, and private parking.
- 6.35 The AAP identifies this site as being suitable for "A1 retail with supporting residential uses", and notes that Newlands Phase 1 provides an important opportunity for enhancing the retail offer and quality of architecture and built form within the Shopping Quarter.
- 6.36 The Kettering Town Masterplan also identified the site for prime retail floorspace, and suggests the development of a landmark retail and leisure scheme on the corner of Gold Street and Lower Street, which could include a department store on the lower levels with a leisure element above. We note that this site was identified for development in the 1995 Kettering Masterplan and to date no proposals have come forward, which indicates the problems with

bringing forward a comprehensive redevelopment scheme in the short/medium term.

6.37 The constraints referred to in relation to Site SHQ1 above, in terms land assembly, availability and likely unit size will equally apply to this site

6.38 As such in common with site SHQ1, this site is considered to be unsuitable and unavailable for the development of a retail warehouse unit, operated by Dunelm.

The Shopping Quarter - Site SHQ4 St Andrews/Eden Street

6.39 This site comprises a surface car park in a backland location. The site is small (approximately 0.2 ha) and is identified as being suitable in the AAP for residential development, and is therefore not suitable to accommodate the proposal.

The Yards Quarter

6.40 The AAP identifies that the intention for the Yards Quarter is to create a distinctive and “special” place in the town, offering a collection of independent and niche retail units, which flow on from the restaurant offer around the market place and lead into the more “branded” shopping of the Shopping Quarter. Clearly, a Dunelm store would not fall within the range and type of uses which the Council is seeking to encourage within this area. We therefore do not consider that any of the sites within the Yards Quarter would be suitable for the proposed development. The sites are also an irregular shape lacking prominence and visibility, and therefore not a viable location for the Dunelm format.

The Socialising and Craft Quarter

6.41 The AAP identifies the aspirations for the Socialising and Craft Quarter, and states that new development should contribute to and enhance the existing range of leisure uses and craft opportunities that contribute to the commercial mix of the area. The AAP states that there are a range of residential opportunities and the opportunity to introduce tourism through a new hotel.

6.42 Two sites are identified within the Socialising and Craft Quarter which may come forward in the short/medium term on Queen Street. Site SCQ6, which measures approximately 1,600 sq.m, contains a surface car park, a car showroom plus a vacant pub and four small vacant units. Planning permission was granted in June 2008 for the redevelopment of this site for a 45 bed hotel with ground floor retail units measuring 294sq.m and 493 sq.m gross (Class A3/ A1) (LPA Ref. KET/2007/0449). Listed Building Consent has also recently been granted for the demolition of the buildings on this site (LPA Ref. KET/2009/0661). It is very likely that this site would be unavailable given the recent planning permission. In addition the site, at 0.16 ha, and the retail element of the proposed development are too small, and therefore not suitable for the proposal.

- 6.43 Site SCQ5 currently contains a car body work workshop and three small vacant units. This is a small site, with a footprint of only approximately 400 sq.m (extending to 840 sq.m if the car showroom to the rear is included), and again it is identified as potentially suitable for residential and hotel uses. The sites are outside of the shopping quarter identified in the AAP, in an edge-of-centre location, which suggests that they are not considered to be a key location for retail development. A Dunelm store would not fall within the range of uses which the Council is seeking to encourage within this area.
- 6.44 The developable area of these sites is too small to accommodate the proposed development. In light of the surrounding uses and residential aspirations for the area, a retail warehouse type scheme would be unsuitable in this location.

The Restaurant Quarter

- 6.45 The Restaurant Quarter is based around the Market Place, which is identified in the AAP as an area that should be a multipurpose civic space enclosed by a range of activities. A Dunelm store would not fall within the range of uses which the Council is seeking to encourage within this area.
- 6.46 Two sites are identified within the Restaurant Quarter which may come forward in the short/medium term. These sites are in edge of centre locations. Site RQ1 contains the Parish Hall and office, and site RQ2 comprises a surface car park. These are small sites, and are identified as potentially suitable for restaurant/commercial use, with residential use above. The sites are outside of the Shopping Quarter identified in the AAP, which suggests that they are not considered to be a key location for retail development. In light of the aspirations for the area, a retail warehouse type scheme would be unsuitable in this location.
- 6.47 In March 2009, the Council adopted the 'Market Place Buildings Design Brief'. This document focuses on the identified "Restaurant Quarter" which is based around the Market Square. The aspiration of the Council is to create a "*vibrant public space where people want to stop, site and spend time*". The Market Square has been subject to recent public realm works which has included the creation of an amphitheatre, tree planting and public realm art.
- 6.48 The Design Brief recognises that part of the proposals for the Market Square is the re-introduction of buildings on the southern side of the square, which includes site RQ2, to create a friendlier, more intimate space.
- 6.49 On this basis, the redevelopment of this area for a Dunelm store would conflict with the 'Restaurant Quarter' aspirations for this site, and we therefore dismiss this as being a sequentially preferable location.

The New Residential Quarter

- 6.50 The New Residential Quarter is a large area to the west of Kettering town centre and currently predominantly contains a mix of industrial units and trade retail units plus some residential areas and an area of open space. Existing

retail units include B&Q, Comet, Jollyes Petfood Store and Brandon Tool Hire. The AAP notes that one of the preferred policy option directions is the “removal of larger retail sheds to help re-integrate the area into the town centre.” The development of a Dunelm store within the quarter would clearly not meet with this objective. The New Residential Quarter is partly edge of centre and partly out of centre.

- 6.51 In terms of the development sites, site NRQ8 at Cromwell Road and NRQ10 at Meadow Road are identified as potentially coming forward in the short/medium term. Site NRQ8 contains a number of industrial buildings, and site NRQ10 contains a large area of open space, a solicitors' office and some residential properties. These sites are identified as being suitable for commercial use and residential-led development respectively.
- 6.52 Given the aspirations for the area for a new residential quarter, and the requirement to remove the existing retail warehouse units, a new retail warehouse type development is clearly unsuitable in this location.
- 6.53 We note that the Comet store on Meadow Road is currently vacant. This unit provides a floorspace of approximately 832 sq.m. This site is approximately 235 metres from the primary shopping area, and is therefore an edge of centre site in PPS4 terms. We understand that B&Q, who occupy the adjoining unit, is currently negotiating a lease on this unit to enable the existing store to extend. The site is therefore not available for the proposed development. Furthermore it is too small, even with a full cover mezzanine to accommodate a significantly reduced Dunelm format. This site is therefore not suitable for the proposed development.

The Station Quarter

- 6.54 The AAP seeks to promote the Station Quarter as a high quality sub-regional destination, offering a sustainable mix of employment and retained leisure uses with complementary residential and hotel uses. The Station Quarter is an out of centre location and therefore not sequentially preferable to the Stanier Close site. The station sites primarily contain surface car parking serving the station. A small amount of ancillary retail floorspace may be acceptable, however this area is not being promoted as a retail destination. Clearly, a Dunelm store would not fall within the range of uses which the Council is seeking to encourage within this area. We therefore do not consider that any of the sites within the Station Quarter would be suitable for the proposal.

The Cultural Quarter

- 6.55 The AAP identifies that within the Cultural Quarter, schemes should seek to maximise the development potential for high quality complementary town centre uses and parking, and states that there is potential capacity for an additional A1 retail supermarket of up to 4,000 sq.m, B1 office use, a hotel or mixture of these uses.

- 6.56 Two potential development sites are identified within the Cultural Quarter. These sites are in edge of centre locations. Site CQ1 at land west of London Road contains Kettering Magistrates Court and Registry Office and the police station. This site is identified as suitable for a residential-led development, and is not considered further.
- 6.57 Site CQ2 'Land at the Municipal Offices' is identified as suitable for a mixed use development incorporating town centre car park provision. This site is currently in use the Borough's Council Offices, a swimming pool and a surface car park. These are all still in use. The availability of the site for redevelopment will be dependent upon the future relocation of the Council Offices. Although identified in the AAP as a potential development site in the short/medium term (2008-2016), given the need to relocate the Council Offices, we consider this is likely to be towards the latter end of this period, and as such is unlikely to be available within a reasonable period of time. The buildings are also of high architectural quality, and the site is adjacent to a concentration of listed buildings including the library and St. Peter's and St. Paul's Church.
- 6.58 A retail warehouse type development is not considered to be appropriate given the site's constraints and the potential impact on the setting of listed buildings. The uses identified as potentially suitable for this site specifically include a food supermarket, rather than general/comparison retail. On this basis, the site is considered to be unsuitable and unavailable for the proposed development.

Additional Sites

- 6.59 In addition to the sites identified within the AAP above, we have looked at additional sites within the town centre which may be considered sequentially preferable sites, in addition to the existing vacant units on Northfield Avenue and Rothwell Road/ Gerrard Way, which are in out of centre locations and therefore not sequentially preferable sites.

Vacant Units

- 6.60 There are a number of vacant units within the town centre. All of these are too small for the proposed development. The largest unit is around 700 sq.m and was formerly occupied by Ashton Furniture on Montagu Street. This unit would only be able to accommodate less than half of the proposed mezzanine floorspace.

St Andrew's Retail Park

- 6.61 Planning permission was granted in February 2009 for a single storey front and rear extension to the existing building fronting Eskdaill Street (an edge of centre site), and the change of use to provide five units in Class A1, A2, A3 and B1 use (LPA ref. KET/2009/0720). This permission has now been fully implemented and the units are currently being marketed for occupation. These units range from 87.1sq.m to 496.4 sq.m gross, providing a total of 560 sq.m

gross retail floorspace. This is therefore too small for the proposed development, even if the units were amalgamated.

6.62 This site is therefore unsuitable for the proposed development.

Tanner's Gate Retail Park

6.63 This is an edge of centre site which contains a retail park and in its current reconfiguration cannot accommodate any additional retail development, and therefore this site does not provide a short term development opportunity. The mix of stores on this site includes Blockbuster, Farmfoods and Pets at Home and there is no indication that any of these operators will vacate in the short or medium term. It is noted that the former B Wise unit is currently vacant, however, this unit has a total floorspace of 797 sq.m gross, and is clearly too small to accommodate Dunelm. Even if a full cover mezzanine floor was installed (and we consider that this option is constrained by the eaves height of the building), the unit would still be too small to accommodate Dunelm, even in a significantly reduced form.

6.64 The AAP identifies the site as a potential development site for A1 retail with supporting residential uses, however this is identified as a site that is considered unlikely to come forward in the short/medium term, i.e. before 2016, and for the above reasons we concur with this view.

6.65 The site is therefore unsuitable and unavailable.

Weaver's Lane/School Lane Car Park

6.66 This site contains a surface-level car park (providing 120 spaces) which is well used, and a mix of other uses, and is within close walking distance to the proposed primary shopping area. The site is identified within the AAP as a potential development site for a residential led scheme, and part of the site is currently being redeveloped for a mixed use scheme to include commercial uses at ground floor level (total 294 sq.m gross) with residential units above (LPA Ref. KET/2007/0347). The retail element of the scheme is too small for this proposal.

6.67 The site is in an edge of centre location and outside of the Shopping Quarter identified in the AAP, which suggests that this is not considered to be a key location for retail development. Access to the site is narrow and the site lacks prominence and visibility. It is therefore not a viable or suitable location for a retail warehouse type scheme. The car park is an important local facility which would need to be replaced elsewhere should the site be further developed, and as such the site is also not available in the short/medium term, as accepted in the AAP.

Stagecoach bus depot site, Northampton Road

6.68 This site is in use as a bus depot. This is still in operation and we are unaware of any current proposals to relocate this facility. The AAP identifies this as a

potential development site for residential use, however this is considered unlikely to come forward in the short/medium term. The site is in an edge of centre location and outside of the Shopping Quarter identified in the AAP, which suggests that this is not considered to be a key location for retail development.

~~6.69 This site is therefore not available or suitable for the proposal.~~

Former Lidl store, Northfield Avenue

6.70 The former Lidl store is located adjacent to the new Lidl supermarket and is within the New Residential Quarter, as identified in the AAP. The site is in an edge of centre location. The site is also identified as being a potential redevelopment site for residential use, although it is not considered to be available in the short/medium term.

6.71 This former store, measures just over 1,000 sq.m gross in total, and as such would not be large enough to accommodate the Dunelm store even in a significantly reduced format. In addition, planning permission was granted in April 2008 for the conversion of the supermarket to provide four retail units (ref. KET/2008/0180) and consent was subsequently obtained in August 2008 (ref. KET/2008/0502) for the change of use of one of the units to Class A5 (hot food take away). From visiting the site, only one unit remains available to let, measuring just 190 sq.m.

6.72 The site is therefore unavailable and unsuitable.

Vacant Retail Warehouse units, Northfield Avenue Retail Park

6.73 Unit A of the terrace of four retail warehouse units to the south of the Wickes store is currently vacant. The other units are occupied by Halfords (Unit D), Dreams (Unit C) and Sports Direct (Unit B). Unit A measures 927sq.m gross, which is not large enough to accommodate the proposed Dunelm store. The site is therefore considered to be unavailable and unsuitable for the proposed development. Furthermore, this site is not considered to be sequentially preferable to the application site, given that it is in a similar location to the application site.

MFI Store

6.74 The MFI store on Rothwell Road/Garrard Way has recently closed down. The unit measures 1,304 sq.m gross.

6.75 The store is a stand alone unit that is physically separated from Kettering town centre by the railway. This is clearly not a sequentially preferable location compared to the application site, which is within an existing retail destination and closer to the town centre. Given its location and relative isolation, the site is not an attractive or viable location for Dunelm.

6.76 This unit has now been occupied by a discount warehouse retailer and is therefore no longer available.

- 6.77 The site is therefore not considered to be suitable, viable or available for the proposed development.

Summary

- 6.78 ~~The sequential approach requires that in selecting sites for new retail development, first preference should be given to town centre sites followed by edge-of-centre sites and only then by out-of-centre sites. All potential sequentially preferable sites have been considered in this assessment, and in order to show flexibility in this assessment we have considered a smaller store format.~~
- 6.79 None of these sites considered is suitable, viable and/or available to accommodate Dunelm's business format. Although the above sites are identified as potential sites by Kettering Borough Council, it is clear that a number of the sites are predominantly longer term retail development options and would not be available for the proposed retail warehouse development. As such, they cannot be deemed to be "available within a reasonable period of time", as required by PPS4.
- 6.80 We therefore consider that there are no sequentially preferable sites that are suitable, viable and/or available to accommodate the proposed Dunelm unit. Even when considering sites which could accommodate the additional mezzanine floor only.

7.0 **Retail Impact Issues**

The Context for Assessing Retail Impact

- 7.1 This section considers the Impact of the proposal on the matters covered in both policy EC10.2 and EC16.1 of PPS4.
- 7.2 The principal retail impact issue in respect of the proposal is whether the occupation of a unit by Dunelm, with the widening in the range of goods to be sold and the creation of additional mezzanine floorspace, would result in an adverse impact on the vitality and viability of surrounding shopping centres. The proposed increase in floorspace is 1,720 sq.m gross, 1,208 sq.m net (of which approximately 140 sq.m is to be used for the ancillary customer café). This is only two thirds of the minimum size for which a detailed impact study is required by PPS4 i.e. 2,500 sq.m.
- 7.3 This assessment particularly focuses upon Kettering town centre, which is the nearest town centre to the application site, and considers the effect of these proposals upon future private sector investment in the centre, and the impact upon its vitality and viability.
- 7.4 Whilst planning permission has already been granted for the development, this application is seeking to widen the range of goods and create additional floorspace. We have, therefore, calculated the impact of the proposed Dunelm store through a number of stages (please refer to Tables 7.1 to 7.4). These tables consider the additional trade diversion resulting from Dunelm occupying a unit of 3,913 sq.m gross, taking into account the forecast impact levels accepted by the Council when granting planning permission for the approved scheme.
- 7.5 As noted in Section 4.0, considerable trade leaks out of the area, to centres such as Northampton. The proposed scheme will have the potential to claw back an element of this trade, in accord with the aims of the emerging LDF policy. This clawback will benefit other retailers and services in the town through linked trip spending.
- 7.6 We have assessed impact in terms of the considerations in policies EC16.1 and EC10.2. The assessment under EC16.1 takes account of advice in EC14.7 that it should be proportionate to the scale and nature of the proposal and its likely impacts.
- 7.7 In considering trade diversion, an assessment has been made of the extent to which the proposed retail development will compete with existing centres, out of centre foodstores and retail warehouse facilities, focusing on Kettering in particular. Given the nature of the proposed development, it is likely that trade would be diverted from a number of centres and facilities, a significant proportion of which will be from out of centre stores, which are not protected by PPS4.

- 7.8 As noted earlier in Section 5.0, there are a small number of units within the town centre whose primary range of goods overlaps with those that would be sold from the Dunelm store. The 10 retailers identified comprise just 7.5% of the comparison goods floorspace, and only 3.5% of total retail floorspace, within the town centre. There is also some overlap with small parts of the range sold by other retailers e.g., Argos, Wilkinsons, TJ Hughes, TK Maxx and Marks & Spencer. However, the substantial majority of units would be unaffected by the proposal at Stanier Close. We have based our trade draw and diversion figures on an analysis of the overlap between the Dunelm offer and the retail units within the town centre.
- 7.9 Some trade will also be diverted from the non-food offer of the Sainsbury and Morrisons supermarkets located in the town centre.

Turnover of the Proposed Development

- 7.10 The proposal is for the occupation of the application site by Dunelm to provide a retail store of 3,205 sq.m net (of which approximately 140 sq.m is to be used as an ancillary café). The subsequent analysis considers the turnover and implications of this level of retail floorspace.
- 7.11 It is important to note that the forecast turnover of Dunelm is similar to the turnover figure used in the original Retail Impact Assessment (prepared by NLP) submitted with the outline application (KET/2007/0252).
- 7.12 The latest Mintel Retail Rankings (2009) indicates that the sales density of Dunelm was £2,504 per sq.m (2007 prices). For consistency with the retail study update, this has been rebased to 2003 prices (£2660). We have also allowed for some growth in efficiency in this existing turnover. Recent information provided by Experian (August 2009) recommends a growth rate of 2.4% per annum for the next 15 years based on a historic trends. However, Experian indicates that this average growth rate will not be achieved in the short term due to the economic downturn. We have therefore assumed no growth in turnover efficiency in the short term up to 2011. In the longer term we adopt a growth rate of 2% per annum, slightly lower than Experian's suggested rate of 2.4%. The application of these assumptions leads to a sales density of £2,767 per sq.m in 2013 in 2003 prices. For the purposes of the impact assessment 2013 is taken as the design year which allows time for the implementation of the planning permission and establishment of a settled trading pattern.
- 7.13 The net floorspace of the proposed Dunelm store is 3065 sq.m which excludes the proposed ancillary cafe (circa. 140 sq.m). The forecast turnover of the proposed Dunelm store would therefore be £8.5 million in 2013 (3,065sq m x £2,767 per sq m).
- 7.14 To put this turnover into context, it should be noted that under the current permission, an operator with a much higher turnover, such as an electrical

retailer, could occupy the existing unit e.g. the turnover of a Currys store within the existing unit would be about £14.9 million (£7,465 per sq.m x 1997 sq.m net), which is nearly twice proposed turnover for Dunelm (£8.5 million).

Trade Diversion and Retail Impact

- 7.15 Before considering trade diversion, as noted above, the total Dunelm turnover is less than other retailers who could operate from the site under the current permission.
- 7.16 This S73 application is seeking to widen the range of goods sold from the unit and create additional mezzanine floorspace. We have assessed the impact of the proposed Dunelm store through four different stages, set out in tables 7.1 to 7.4 below.

Stage 1: Occupation of permitted unit by Dunelm

- 7.17 Table 7.1 forecasts the trade diversion of a 2,136 sq.m (gross) unit (as permitted) based on Dunelm occupying the unit, with a proposed net sales area of 1,997 sq.m (i.e. ground floor only). This stage therefore considers the impact of the widening on the range of goods which can be sold from the unit only. The forecast turnover of the proposed Dunelm store (excluding the additional floorspace) would be £5.5 million (1,997 sq.m x £2,767 per sq m).

Table 7.1 Trade diversion of a 2,136 sq.m (gross) unit (as permitted), based on Dunelm Occupying the unit with a net sales area of 1,997 sq.m (i.e. ground floor only)

	Comparison Goods Turnover 2013 (£)	Trade Diversion		Trade Diversion (%)	Residual Turnover
		(%) of Additional Turnover Diverted	Amount of Trade Diversion (£m)		
Kettering Town Centre	£159.2	35	1.9	1.19	£159.3
Corby Town Centre	£58.7	7.5	0.4	0.7	£58.3
Out of Centre retail facilities in Kettering (retail warehouses and foodstores)		35	1.9		
Other		22.5	1.24		
Total		100	5.5		

Source: Comparison goods turnover for Kettering Town Centre based on Roger Tym & Partners 'North Northamptonshire Town centres – Role and Relationships Study' of £153.3 million in 2004, converted to £146.3 million in 2003, with a turnover efficiency of 1.5% p.a. up to 2007, no turnover efficiency between 2007-2011, and then a turnover efficiency of 2% to 2013.

Comparison goods turnover for Corby Town Centre based on Roger Tym & Partners 'North Northamptonshire Town centres – Role and Relationships Study' of £56.6 million in 2004, converted to £54 million in 2003, with a turnover efficiency of 1.5% p.a. up to 2007, no turnover efficiency between 2007-2011, and then a turnover efficiency of 2% to 2013.

7.18 This table assumes that a higher proportion of trade (compared with the retail assessment proposed for the approved scheme) is diverted from the town centre. This is to provide a robust analysis and reflects the forecast maximum trade diversion from the town centre. This is based on our up to date analysis of the likely competing stores in the town centre and information provided by Dunelm.

7.19 As shown above, it is forecast that a maximum of £1.9 million will be diverted from Kettering town centre as a result of the widening of the goods sold from Dunelm, which only equates to 1.19% impact on the total comparison goods turnover.

Stage 2: Impact of Unit as permitted

7.20 Table 7.2 identifies the trade diversion for the same size unit (as permitted) based on the assumptions for trade diversion and turnover contained within the NLP Retail Statement which accompanied the original planning application (LPA ref. KET/2007/0262).

Table 7.2 Trade Diversion for 2,136 sq.m (gross) unit (as permitted) based on the assumptions contained within the NLP Retail Statement which accompanied the original planning permission

	Comparison Goods Turnover 2013 (£m)	Trade Diversion		Trade Diversion (%)	Residual Turnover (£m)
		(%) of Additional Turnover Diverted	Amount of Trade Diversion (£m)		
Kettering Town Centre	£159.2	25	1.25	0.8	157.95
Total		100	5		

Note: Turnover of approved scheme: £2,503 (2003) prices.

7.21 As shown in tables 7.1 and 7.2, the amount of additional trade diversion from Kettering town centre resulting from the widening of the goods which can be sold to enable Dunelm to occupy a unit compared to the approved scheme is £0.65 million, which equates to only 0.4% of the town centre turnover. The additional impact on Kettering town centre is therefore very limited.

Stage 3: Impact of the Additional Floorspace

7.22 In terms of the proposed additional floorspace, Table 7.3 considers the likely trade diversion resulting from the proposed mezzanine to be occupied by Dunelm i.e. an additional 1,068 sq.m net sales (which excludes the café).

Table 7.3 Forecast Trade Diversion of Additional Mezzanine Floorspace

	Comparison Goods Turnover 2013 (£m)	Trade Diversion		Trade Diversion (%)	Residual Turnover (£m)
		(%) of Additional Turnover Diverted	Amount of Trade Diversion (£m)		
Kettering Town Centre	£159.2	35	1.04	0.65%	£158.5
Corby Town centre	£58.7	7.5	0.21	0.34	£58.5
Out of Centre retail facilities in Kettering (retail warehouses and foodstores)		35	1.04		
Other		22.5	0.67		
Total		100	2.96		

Notes: Turnover per sq.m: £2,767
Turnover of Mezzanine; £2.96 million

- 7.23 Taking the additional floorspace into consideration only, the amount of trade diverted from Kettering town centre is only £1.04 million by 2013. This, on its own, would equate to an impact of 0.65% on the comparison goods turnover of the town centre.

Stage 4: Impact of the Dunelm Store including Additional Floorspace

- 7.24 Finally, to put this into context of the proposals as a whole, Table 7.4 considers the net additional trade diversion resulting from the widening of the goods that can be sold and the installation of the mezzanine floorspace to allow Dunelm to trade from a 3,913 sq.m unit.

Table 7.4 Total Forecast Trade Diversion of the Dunelm Store with Additional Floorspace

	Turnover 2013 (£m)	Trade Diversion		Residual Turnover (£m)
		Amount of Trade Diversion * (£m)	Trade Diversion (%)	
Kettering Town centre	£159.2	£1.69	1.06%	£158.14

* Amount of Trade Diversion arising from the increase in turnover above and beyond that permitted.

- 7.25 The above table demonstrates that the proposals (net additional turnover) would divert £1.69 million from the town centre which equates to an impact of just over 1% (based on the comparison goods turnover of the centre forecast by Roger Tym and Partners).
- 7.26 If the forecast trade diversion also takes account of the trade diversion forecast for the approved scheme i.e. £2.78 million at 2013 for the town centre, the comparison goods turnover of the centre would reduce to £156.42 million. On

this basis, the net impact of the proposals on the town centre would only show a marginal increase.

- 7.27 An impact level of around 1% on the comparison goods turnover of the centre is very low. This level of trade diversion is low since direct competition will fall on a relatively small sector of retail provision in Kettering. The majority of trade diversion is likely to come from multiple retailers such as Argos, Wilkinsons, TJ Hughes, TK Maxx and Marks & Spencer. These are strong multiple retailers who will clearly be able to withstand this limited level of competition. The level of trade diversion from any individual retailer is likely to be low.
- 7.28 The smaller independent units within the town centre already compete effectively with the existing out of centre facilities at Kettering Retail Park, Northfield Retail Park and Belgrave Retail Park, and with the larger centres such as Northampton. We consider that there is no reason why these units should not continue to trade well in the face of competition from the proposed scheme, predominantly because there will be limited direct competition.
- 7.29 A significant proportion of the proposed development's turnover is forecast to be diverted from existing retail warehouse facilities and out-of-centre foodstores both in Kettering and the surrounding centres. Importantly, the retail warehousing and the foodstores are located outside of centres and therefore are not protected through PPS4. The foodstores (Tesco and Co-op Extra) sell a range of goods that would be sold at Dunelm, for example bedding and kitchen goods etc. This trade diversion represents direct competition with other out of centre facilities and is therefore not a land use planning consideration. Nevertheless, levels of impact and trade diversion are limited in any event.
- 7.30 The remainder of the store's turnover is forecast to be diverted from other facilities, including the existing Dunelm store in Wellingborough, and other centres such as Corby, Northampton, Milton Keynes and Leicester. It is forecast that 22.5% of the store's turnover will be diverted from these centres and facilities outside Kettering. As such, a significant proportion of the turnover will be drawn back to Kettering through clawback of expenditure. This will benefit the town centre through linked trips i.e. given the close proximity of Stanier Close to the town centre, shoppers who use Dunelm (rather than shopping at the Dunelm in Wellingborough, for example) will be able to visit the town centre as part of the same trip. As such, the levels of trade diversion will, in effect, be reduced, by this additional linked trip spending.
- 7.31 It should also be noted that the impact figure relates to trade diverted from comparison retailers only, and the impact on the town centre as whole would be even less. The limited trade diversion figures also need to be examined in the context of the relative strength of Kettering town centre. It is clear that the centre's overall trading level or attractiveness would be unaffected as a result of the forecast competition from the proposed development.
- 7.32 The very limited effects of the Dunelm proposal (when compared to the approved Stanier Close scheme) means that the cumulative impact of the

proposal will be similar to that already considered acceptable by the Council (as noted above).

- 7.33 Given the very limited potential impact on the turnover and vitality and viability of Kettering town centre, we consider that the proposed development would not put at risk the spatial planning strategy for the area or Kettering town centre in particular, nor would the proposals alter the role of Kettering in the hierarchy of centres. Further, the proposals would not have any adverse effect on future public or private sector investment needed to safeguard the vitality and viability of the centre. On the contrary the attraction of a new retailer to the town will have positive benefits to the centre, by clawing back shoppers.
- 7.34 We note that one of the major proposals in the AAP is the redevelopment of sites SHQ1 and SHQ3 to provide a high quality retail scheme anchored by a department store. Such proposals would not be affected by Dunelm's occupation of a unit within the Stanier Close development. These schemes are developed predominantly to attract higher order comparison goods retailers, often selling clothing and footwear. We see the Dunelm offer as complementary to any such scheme within the town centre.
- 7.35 Given the limited forecast impact on any particular retailers within Kettering town centre, we do not consider that the proposals would result in any changes to the range of services provided by the centre, impact on the number of vacant properties in the primary shopping area or adversely affect the overall attractiveness of the centre in terms of the considerations set out in Policy EC16.1 of PPS4.
- 7.36 The proposal is not only very small in the context of Kettering town centre but it is also very small scale in the context of trade in the wider area. The 2005 Retail Study forecasts a rise in catchment area comparison expenditure for Kettering of £768 million between 2011 to 2021 (scenario 1). The total turnover of the Dunelm store is around 1% of this growth in expenditure. The modest scale of the proposal in the context of catchment area expenditure and town centre turnover, coupled with the dispersed trade diversion mean these conclusions are not sensitive to changes in the assumptions made in the assessment.
- 7.37 We have not considered in quantitative terms the cumulative impact of the proposals with other retail commitments (Policy EC17.1.b of PPS4) (apart from the original permission for the application site) because the levels of impact of the proposed occupation for Dunelm are so low that in a situation where the impact of other commitments are judged to be acceptable the additional impact from the proposed occupation of the unit by Dunelm could not be considered to turn an acceptable situation into an unacceptable one.

Other Impacts

- 7.38 In accord with Policy EC17.2 of PPS4, this sub section considers the other impacts of the proposals and in particular the considerations set out in Policy EC10.2.

Test 1: Accessibility/Reducing Carbon Dioxide Emissions

- 7.39 The S106 which accompanies the planning permission for the retail development at Stanier Close allocates nearly £86,000 to provide additional transport facilities. This will improve the accessibility of the site by non-car modes. ~~Currently there are bus stops located 300 metres from the site.~~
- 7.40 The fact that the site is accessible, and will be even more accessible by non-car travel in the near future, means the application complies with the requirement for the development to be accessible by a choice of means of transport (policy EC10.2.d).
- 7.41 As outlined in the Transport Assessment which accompanies the application, the development would not result in a material increase in traffic, and as it would facilitate more linked trips and more efficient shopping patterns, it will assist in limiting carbon dioxide emissions and minimise vulnerability/provide resilience to climate change, therefore complying with the relevant PPS4 tests.

Test 2: Securing a High Quality Design and Physical Regeneration

- 7.42 This application is seeking planning permission to widen the range of goods which can be sold from the unit and the installation of a mezzanine floor. No external changes to the unit are proposed as part of these S73 applications. The retail park is not located in a sensitive location and therefore this test is not applicable.

Test 3: Employment Creation and Economic Regeneration

- 7.43 A significant benefit of this proposed development is the creation of additional jobs. PPS4 emphasises the importance that should be attached to this benefit. Dunelm has confirmed that the store would employ in the range of 75-80 people. Approximately one third will be employed full time, one third part time and one third will be weekend part-time staff.
- 7.44 These jobs will primarily benefit those that live in the local area. This will not only create additional jobs but bring a vacant site back into active use and provide an enhanced shopping experience for this retail park.

Other Material Considerations

- 7.45 As indicated in Section 4.0, PPS4 removes the need test in determining applications. However, the proposed Dunelm store will represent an improvement of the existing retail offer and will introduce a retailer that is currently not represented in the Kettering area. The nearest Dunelm stores to Kettering town centre are at Wellingborough (10 miles), Bedford (22 miles) and Huntingdon (23 miles).
- 7.46 PPS4 sets out a range of considerations which should be taken into account in assessing qualitative need for retail and leisure development at the

development plan stage including the degree to which shops may be overtrading and whether there is a need to increase competition and retail mix (Policy EC1.4.d). The accompanying Practice Guide (PG) on Need, Impact and the Sequential Approach expands on qualitative need, highlighting five factors that are frequently identified, but states that others may be relevant (para.3.10):

- Deficiencies or 'gaps' in existing provision;
- Consumer choice and competition;
- Overtrading, congestion and overcrowding of existing stores;
- Location specific needs such as deprived areas and underserved markets, and
- The quality of existing provision.

7.47 Because need is no longer a requirement at the application stage this advice is aimed at assessments at a LPA wide level rather than at the micro level of an individual store, however, ultimately it is put into practice through seeking to provide a range of modern facilities able to meet consumer needs in a particular catchment area which is what this proposal seeks to do.

7.48 There are no other retail warehouses or town centre stores in the Kettering area which are of the size to carry the product range and provide the shopping environment that this proposal will achieve; it will therefore provide a clear qualitative improvement to existing facilities within the area. The development will help fulfil the objective of improving customer choice for local residents by providing a new retail unit in an accessible location, and providing a facility that otherwise would only be found by travelling further afield to more extensive retail offers. The development will help to maintain an efficient, competitive and innovative retail sector, and at the same time claw back shoppers to Kettering who would otherwise visit other Dunelm stores in surrounding areas, with potential time and cost savings as well as reducing distance travelled.

Conclusions on Retail Impact

7.49 The above assessment considers the extent to which the forecast retail turnover of the proposed development will impact upon the vitality and viability of Kettering Town Centre. Based on the forecast levels of impact there would not be a significant adverse effect on Kettering town centre or any other centre as a result of the proposed development in terms of the considerations of PPS4. Indeed the impact would very limited.

7.50 Based on this conclusion, the proposals are then considered against policy E17.2 of PPS4 which confirms that the other impacts are insignificant or positive.

7.51 In conclusion, it is our view that the proposals fully accord with policies within PPS4 and in particular policies EC10.2, EC16 and EC17.

8.0

Conclusions

8.1

This retail assessment has been prepared by Nathaniel Lichfield and Partners on behalf of HB Pearce (Contractors) Ltd to accompany an application for planning permission to amend the range of goods permitted and enable the creation of additional mezzanine floorspace within the recently approved development at Stanier Close, Northfield Avenue, Kettering (LPA Ref. KET/2007/0252). Dunelm is now interested in occupying a unit on the site with a gross area of approximately 3,913 sq.m. Before summarising how the proposals accord with relevant national and development plan policy, it is important to reiterate the advantages of Dunelm occupying a unit within the Stanier Close Development. It would:

- 1 Represent an improvement in the retail offer of Kettering by introducing a new retailer into the town;
- 2 Improve customer choice for local residents by providing a new retail unit in an accessible and sustainable location and provide a facility that otherwise would only be found by travelling further afield, including the existing store at Wellingborough.
- 3 Help to maintain an innovative, efficient and competitive retail sector and at the same time claw back shoppers to Kettering which will have spin off benefits for other retailers in the town centre;
- 4 Represent significant investment in Kettering by Dunelm which would create up to 80 jobs;
- 5 Have a negligible impact upon Kettering town centre; and
- 6 Meet the aspirations of the Council, as outlined in emerging policy, to increase the retail offer of Kettering.

8.2

In order to allow occupation of the unit by Dunelm, and based on examining other recently opened Dunelm stores, we consider the following wording of the amended condition 3 would be appropriate:

"Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2005, or any provisions in any statutory instrument revoking and re-enacting that order these premises shall not be used for the sale of goods within the following categories:

- i) food and drink, other than that sold for consumption within the ancillary customer café facility;*
- ii) books and stationery;*
- iii) handbags;*
- iv) jewellery, perfume, toiletries;*
- v) fashion clothing and footwear."*

8.3

The variation of condition 12 is sought to enable a mezzanine floorspace of 1,720 gross to be installed within the unit, to provide Dunelm with the required

floorspace to operate successfully from the unit. We suggest the following wording:

"The total retail floorspace hereby permitted is 7,059 square metres gross (GIA), including 1,720 square metres of mezzanine floorspace, and 490 square metres (GIA) in B1 or B2 use and for no other purpose. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking or re-enacting that Order with or without modification) no change of use permitted by Class B of Part 3 of Schedule 2 of the Order shall take place on the application site)".

- 8.4 This report provides an assessment of the retail issues raised by the planning application and follows a number of discussions with Council officers. The issues considered include retail planning policy, the sequential approach and retail impact in respect of the proposed Dunelm store on Kettering town centre.
- 8.5 A full health check of Kettering town centre identified that it is a relatively healthy, vital and viable town centre that provides a good range of comparison, convenience and service facilities. The recorded yields reflect a relatively strong centre given its size and position in retail hierarchy. The vacancy rate, when measured by floorspace, is similar to the national average, although it is noted that the vacancy rate by unit is higher than the national average.
- 8.6 The approved scheme for the site at Stanier Close (ref. KET/2007/0252) was accompanied by a retail assessment which demonstrated that there would be sufficient capacity to support the additional retail floorspace within the catchment area.
- 8.7 The Roger Tym & Partners Study identifies a significant leakage of available expenditure which represents a qualitative need, i.e. people have to shop elsewhere to meet a large proportion of their non food shopping requirements.
- 8.8 It is important to reiterate that Dunelm is essentially an out of centre retailer, whose business model is based on the sale of primarily bulky goods. In this context we have undertaken a sequential approach assessment and in the interests of flexibility have considered all potential redevelopment sites and vacant units within and around Kettering town centre. None of these sites is considered suitable, viable or available to accommodate the proposed retail development, even in a reduced form, and we therefore consider that the current proposals accord fully with the requirements of PPS4 and development plan policy.
- 8.9 In terms of impact, the extent to which the forecast retail turnover (net increase) of the proposed development will impact upon the vitality and viability of surrounding shopping centres has been assessed, particularly focusing on Kettering town centre as the closest centre to the application site. Based on the forecast levels of impact, the role and function of the centre would clearly not be undermined as a result of the proposed development and we consider that there will be no harm to the vitality and viability of the town centre.

- 8.10 It is clear that the scale of the proposal is very small in comparison with the centre and that representation in the centre of retailers selling similar goods to Dunelm is focused on a few specialist retailers and large multiple retailers for whom in general such goods are a small part of their overall offer. These factors, together with the propensity for retail warehouse to compete most directly with other similar stores, mean that impact effects will be very limited and certainly not harmful. Rather the proposal will improve the quality of retail provision in Kettering by providing a type and quality of facility that is not currently present.
- 8.11 The section also considers other impacts as set out in PPS4 and demonstrates there will be no harmful impact on these. Indeed it will create jobs and make more effective use of the existing site.
- 8.12 We conclude that the proposals fully accord with all relevant planning policy including the policies contained within PPS4, and, to the extent they are not superseded by PPS4, those of the development plan.

DNOUTAPP



Development Services
Bowling Green Road
Kettering
NN15 7QX
01536 534316

H B Pearce (Contractors) Ltd
Grey Gables
Pytchley Road
KETTERING
Northamptonshire
NN15 6NE

www.kettering.gov.uk
E-mail: planning@kettering.gov.uk

NOTICE OF APPROVAL

TOWN & COUNTRY PLANNING ACT 1990 (as amended)

REFERENCE No: **KET/2007/0252**
APPLICANT: **H B Pearce (Contractors) Ltd**
DEVELOPMENT: **Development of bulky goods, non-food retail units, and class B1 and/or B2 units and associated parking**
LOCATION: **Land at Stanier Close, Kettering**

KETTERING BOROUGH COUNCIL, having considered a valid application submitted on 22 March 2007, for the above development in pursuance of their powers under the above mentioned Acts, with the following justification, that:-

The Proposal has been considered with national and local policies as set out in Planning Policy Statements Guidance Note(s) PPS1, PPG4, PPS6 and PPG13, East Midlands Regional Plan Policy MKSM SRS Northants 4; North Northamptonshire Core Spatial Strategy (June 2008) Also of relevance is the Kettering Retail Sites Study Revised Draft Feb 2007. There are no material considerations that indicate against the proposal.

GRANT OUTLINE PERMISSION

for the development as described and in accordance with the application and plans submitted, subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, and submission of all reserved matters shall occur no later than 3 years from the date of this permission.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. No development shall commence on site until the following reserved matters have been submitted to and approved in writing by the Local Planning Authority:
- siting design and external appearance of all proposed buildings and structures,

including roofing materials, elevation and other surface materials;
- position / alignment/siting of all internal roads; pedestrians footpaths/ footways;
vehicular turning/manoeuvring and parking areas;

The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of the visual amenities of the area in accordance with the Local Plan for Kettering Borough.

3. The retail premises hereby permitted shall not be used other than for the sale of bulky non-food retail items as follows:-

DIY/garden goods and furniture, carpets and floorcoverings, bulky electrical goods and related goods, and for no other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 2005, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.

REASON: In accordance with National and Local Planning Policies and to define this permission.

4. The retail premises hereby approved shall not be used for the purposes hereby permitted other than during the hours of 07:00 - 21:00 Mondays to Saturdays, 10:00 - 16:00 on Sundays and 09:00 - 18:00 on publicly recognised Bank Holidays but excluding Christmas Day and Easter Sunday when the premises shall not be open.

REASON: In recognition of the impact of trading on the area and on local amenity.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping works which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted, the layout, contouring and surfacing of all outside areas. The existing tree identified by cross hatching on the illustrative plan shall be retained and included in any landscape plan. The works approved shall be carried out in the first planting and seeding seasons following the first occupation of any of the buildings hereby approved or the completion of the development whichever is the sooner. Any trees or plants which, within a period of 10 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of the visual amenity of the locality.

6. No development shall take place on site until a schedule of maintenance and landscape management plan for a minimum period of 10 years for landscape areas has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation and the protection of existing trees to be retained in accordance with BS5837: 2005. The development shall not be carried out other than in accordance with the approved schedule and landscape management plan.

REASON: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features.

7. No development shall take place on site until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.

REASON: In the interests of the visual amenity of the development.

8. The details required by Condition 7 above shall include for a permanent barrier to vehicular traffic along the Southern boundary of the site but maintaining pedestrian access between the two sites.

REASON: In the interests of highway safety due to the available vehicle capacity (in terms of movements) of the access junction with Northfield Avenue.

9. ~~No external lighting of the car park or buildings shall be constructed or affixed to the buildings unless it accords with a scheme submitted to and approved in writing by the Local Planning Authority. All external lighting shall only be illuminated during hours in which the buildings are open to the public.~~

REASON: In the interests of visual amenity and highway safety.

10. a) The development hereby permitted shall not be commenced until details of a contaminated land investigation have been submitted to and approved by the Local Planning Authority. This submission shall be made to the Local Planning Authority in the following sequence:-

- (1) a desk top study, and, if required by the LPA following this submission
- (2) a site investigation, and, if required by the LPA following (1) and/or (2)
- (3) a remediation strategy setting out the measures to be carried out on site to mitigate against any unacceptable risk or risks to all potential receptors

b) If required, the remediation of the site shall be carried out fully in accordance with the approved details and timetable contained therein. Within one month of completion of the remediation works, two copies of a closure report shall be submitted to the Local Planning Authority

c) If during the development of the site, contamination not previously considered is identified, no further work shall be carried out until the Local Planning Authority has been notified in writing of the discovery and a method statement detailing a scheme for dealing with the contamination has been submitted to and approved by the Local Planning Authority. The remediation shall be carried out in accordance with the approved detail.

REASON: To reduce the risk to all receptors to acceptable levels and ensure that the site is suitable for its proposed use, and to safeguard the environment of the area.

11. The illustrative plan submitted with this application is not hereby approved. Within the site, the current position/alignment of Stanier Close is not approved in relation to the development identified in this application. No proposed retail unit shall be positioned at the rear of the site beyond the west side of the current alignment of Stanier Close parallel to the railway.

REASON: In the interest of ensuring that detailed development is satisfactory.

12. There shall be no internal mazannines and, the total bulky goods gross floor space hereby permitted is 5339 square metres plus 696 square metres garden centre and 490 square metres in B1 or B2 and for no other purpose. Notwithstanding the provisions of Article 3 of the town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no change of use permitted by Class B of Part 3 of Schedule 2 of the Order shall take place on the application site.

REASON: To define this permission.

13. Prior to commencement of the development hereby permitted details of the access improvement to the site shall be submitted to and approved by the local planning authority. The approved details shall be completed prior to occupation of the development hereby permitted.

REASON: In the interest of highway safety.

14. Prior to the commencement of any development, a detailed surface water drainage strategy for the design, provision, implementation and long term maintenance of surface water drainage, fully in accordance with the requirements of the approved flood risk assessment shall be submitted and approved by the Local Planning Authority in consultation with the Environment Agency.

REASON: To prevent the increase in flood risk.

Notes (if any):

This Decision Notice must be read in conjunction with a Planning Obligation completed 19 January 2010 under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended). You are advised to satisfy yourself that you have all the relevant documentation.

The applicant is reminded that this planning permission does not give any indication of any consent necessary under the Town and Country Planning (Control of Advertisements) Regulations 2007 which may or may not be required nor any indication that such consent will be forthcoming. The applicant is advised to contact Development Services in this regard.

With regard to condition 10, the developer is advised that the required submission be carried out in accordance with the following:

The phase 1 (desk top study) shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk top study shall establish a "conceptual site model" and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk top study and non-technical summary shall be submitted to the LPA.

A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be submitted to the Local Planning Authority.

Where the risk assessment identifies any unacceptable risk or risks, a detailed remediation strategy to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to the Local Planning Authority. The closure report required by the condition shall provide validation and certification that the required works regarding contamination have been carried out in accordance with the approved method statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

For further information regarding the development of brown field sites please refer to the Developers Guide produced by the Northamptonshire Contaminated Land Group available on request from either Development Services or the Environmental Health Department at Kettering Borough Council. It can also be downloaded from the Council's website:- www.kettering.gov.uk.

If you wish to discuss the requirements of the above condition please do not hesitate to contact Mr C. Stopford, Environmental Services Manager (01536) 534280.

No works may commence upon the existing highway without the express written consent of the Highway Authority. Such consent would only be forthcoming subject to the completion of an agreement under Section 278 of the Highways Act 1980. Please see enclosed letter received from Network Rail

Date of Decision: 10 February 2010

Tom Shields

Tom Shields
Development Control Manager

Contact:-

Neil Goldsmith
Nathaniel Lichfield & Partners Ltd
14 Regents Wharf
All Saints Street
LONDON
N1 9RL

1. An applicant who is aggrieved by the decision of the Local Planning Authority may appeal to the Secretary of State for Communities and Local Government (DCLG) within **six** months of receipt of this notice. Appeals must be made on a form obtainable from The Planning Inspectorate, Room 3/02, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN: Tel. 0117 372 8000, or on-line at www.planningportal.gov.uk/pcs. The First Secretary of State has the power to allow a longer period for you to give notice of an appeal, but he will not normally exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
2. If permission is granted subject to conditions, whether by the Local Planning Authority or by the ODPM and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

This permission refers only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulations.