

WORKING PAPER 3

From: Dan Hewett
Sent: Wed, 24 Nov 2021 09:15:39 +0000
To: Hall, Marianna
Cc: Durrant, Gareth;Beighton, Dave
Subject: RE: DC/21/0427/FUL - Sports Direct Fitness, Easlea Road, BSE

[THIS IS AN EXTERNAL EMAIL]

Hi Marianna

Thank you for your email. I have now had the chance to discuss this with Keith Hargest, the author of the RIA. We would make the following comments/observations in response to the points raised by LSH:

1. LSH concluded that, at para 60, the proposal satisfies the sequential approach. Therefore, do officers agree that no further regarding this is required?
2. In relation to the retail impact assessment:
 - a. LSH raise a limited number of detailed points e.g. seeking clarification re derivation of turnover of specific stores (paras 67 & 68); base year sales density figures (para 77). These are detailed matters and will not make a significant change to the quantified retail impact figures beyond the maximum impacts identified in para 2.37 of the RIA. LSH summarise their position in para 132. However, we can provide responses to the matters raised if necessary.
 - b. At various points LSH state that impacts on the town centre as a whole cannot be identified from the tables and therefore LSH, using the info from the Tables, calculate the impact on the town centre as a whole. This is presented as a criticism at para 83 of the review. For the record the LPA should note that Tables 2.6A, B and C all identify completely clearly the impact on the City Centre as a whole (shown immediately above the first thick horizontal line in the tables). The figures in these tables are the mathematically correct calculation of impact using the assumptions set out in the RIA – in most instances, but not all, LSH have identified the same calculated impacts for the three scenarios.
 - c. LSH accept that Scenario A for a discount foodstore would not be expected to significantly affect the V&V of the City Centre. The identified impacts for this scenario are, on a worst-case calculation (i.e. direct impact ignoring expenditure change between 2021 and 2023) -4.3% convenience goods, -0.6% comparison goods, -1.1% all goods.
 - d. By way of comparison Scenario B identifies -4.8% convenience goods, -0.6% comparison goods and -1.2% all goods. In effect there is no material difference in the impacts identified between scenarios A & B.
 - e. In terms of Scenario C the impacts identified are: -0.8% convenience goods; -1.3% comparison goods and -1.2% all goods. Again the difference in impacts on the City Centre as a whole for Scenario C is very similar to that identified in the earlier two scenarios.
 - f. In relation to Scenarios B&C, although LSH raise some limited points regarding sales densities and trade diversion, they key factor that leads to LSH questioning the significance of impact is if the proposed operator within the proposed development is one of three named operators (i.e. M&S Foodhall, Poundland and Wilko). Planning permission is granted for a specific land use and not an individual. On this basis it is difficult to see any justification for providing an RIA for a named operator when there is no indication, at all, that the named company would actually be trading from the proposed unit. Furthermore, in relation to these operators:
 - i. M&S has a large general merchandising store in the City Centre. For a settlement of this size M&S would typically operate *both* a GM store and out-of-centre foodhall units. The only issue is the extent to which convenience turnover would reduce in the City Centre and whether or not M&S choose, as a commercial decision to replace the City Centre in-store foodhall with additional GM floorspace.

- ii. Although both Poundland and Wilko are significant units in terms of floorspace both stores have only low sales densities. In terms of the functioning of the City Centre neither can properly be regarded as “anchor units”.
 - iii. In relation to Wilko, it is not conceivable that the company would relocate to a significantly smaller unit at the application site.
 - g. Therefore it is questioned whether it is appropriate, on planning grounds, to provide additional impact information relating to these particular operators given the above.
 - h. Finally, it should be noted that RIA provide, at best, indications of the scale of impact only. For this reason the RIA submitted identifies the range of impacts that could arise given that there will, inevitably, be uncertainties regarding turnover, trade diversion and so on. Para 2.37/Table 2.7 identifies very clearly the full possible range of impacts arising, even with quite radical adjustments to assumptions. In this way the *worst possible* impact on the City Centre is identified to be -2% direct impact for all goods in the City Centre – this occurs even with turnover 25% above the estimated turnover of the development and with maximum trade diversion from stores in the City Centre. In this context the scale of impacts is negligible. Equivalent figures for retail sectors (i.e. convenience and comparison) can be provided.
3. Finally, if the LP has particular concerns about specific sectors within the City Centre, although from the healthcheck undertaken for the City Centre none has been identified in particular, it is quite reasonable for conditions to be applied that limit total and retail sector sales floorspace in accordance with that assessed in the RIA and, if necessary, impose conditions regarding matters such as minimum/maximum units size. However, for the LPA to propose these, it would be incumbent on them to explain the justification for such restrictions.

Can the Council confirm how they intend to proceed and whether they are now able to recommend approval?

Best regards

Dan

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From: Hall, Marianna <marianna.hall@westsuffolk.gov.uk>
Sent: 16 November 2021 14:20
To: Dan Hewett <DHewett@wilsonwraight.co.uk>
Cc: Durrant, Gareth <Gareth.Durrant@WestSuffolk.gov.uk>; Beighton, Dave <dave.beighton@westsuffolk.gov.uk>
Subject: DC/21/0427/FUL - Sports Direct Fitness, Easlea Road, BSE

Dear Dan,

Please find attached the appraisal by Lambert Smith Hampton of the Retail Impact Assessment and Sequential Test submitted.

The appraisal concludes that the sequential test has been passed under the three retail formats described, but does not support an open Class E retail consent as sought under the planning application. In terms of the retail impact assessment, the appraisal raises a number of queries on the methodology used by Hargest Planning. Despite these queries, it concludes that Scenario A (discount foodstore) is unlikely to result in a significant impact on the vitality and viability of the town centre. The consultant does not consider however that the potential impacts associated with Scenarios B (general mid-sized supermarket) and C (non-food discounter) have been fully considered, for the reasons set out in the appraisal. We would welcome a response to the points raised within the appraisal once you have had the opportunity to review and consider them.

I will be leaving the authority next month, and my colleague Gareth Durrant (copied in) will now be the case officer for this application going forward. Gareth and I have discussed the proposals, and as you know Dave Beighton has also been involved and can assist if needed.

Kind regards,

Marianna

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