

Sequential Assessment Addendum

Change of Use from Vehicle Showroom & Workshop (*Sui Generis*) to Retail (Class E(a))

Central 4 Cars, Lillyhall, Distington (LPA Ref. 4/21/2341/OF1)

1.0 Introduction

- 1.1 This Sequential Assessment Addendum has been prepared in response to an objection received from Allerdale Borough Council in relation to the proposals for a change of use from vehicle showroom and workshop (*sui generis*) to a Class E(a) retail unit at the former Central 4 Cars, Lillyhall, Distington (LPA Ref. 4/21/2341/OF1).
- 1.2 The response contends that the submitted sequential site assessment excludes a number of available sites within Workington Town Centre and, as such, the requirements of the sequential test have not been satisfied. The purpose of this report is therefore to assess whether the additional sites identified by Allerdale Borough Council are available and suitable to accommodate the proposed development.
- 1.3 As detailed within the originally submitted Retail Statement, a number of Court judgements and Secretary of State (SoS) / appeal decisions since the publication of the original NPPF in

March 2012 that have provided clarification of the application of the sequential test, which can be briefly summarised as follows:

- If a site is not suitable for the commercial requirements of the developer in question then it is not a suitable size for the purposes of the sequential approach;
- Provided the developer has demonstrated flexibility with regard to format and scale, the question is whether the alternative site is suitable for the proposed development, not whether the proposed development could be altered or reduced so that it can be made to fit the alternative site;
- '*Suitable*' and '*available*' generally mean '*suitable*' and '*available*' for the broad type of development which is proposed in the application by approximate size, type and range of goods;
- The area and site covered by the sequential test search should not vary from applicant to applicant according to their identity, but from application to application based on their content (i.e. the identity and corporate attitudes of an individual retailer are excluded);
- A site needs to be available at the current time or expected to become available within a reasonable period.

1.4 The current proposals relate to the conversion of the former Central Cars premises to provide a Class E(a) bulky goods retail unit to be occupied by Peter Tyson appliances. The company was established in 1966 and currently operate branches in Carlisle, Newcastle-upon-Tyne and Workington and the property subject to the current application has been identified as an ideal location to expand their operations. The retailer specialises in the sale of high quality, bulky electronic domestic appliances, including refrigerators, freezers, cooking appliances, dishwashers, washing machines, tumble dryers, televisions, as well as other smaller appliances. The proposed unit will include a customer showroom for in-store purchases,

however, the company also has a well-established on-line presence, which is seeing continued growth and a key function of the unit will be for the storage and distribution of appliances to fulfil on-line orders. Having regard to the above, the key criteria that an alternative property must fulfil in order to meet the commercial requirements of the applicant are as follows:

- Gross floorspace of at least 500 sq.m across a single floor;
- Modern, flexible retail floorspace that can accommodate large, bulky goods in a flexible manner;
- Extensive display and storage space;
- Adjacent, level car parking to enable easy transportation of bulky goods away from the store;
- A servicing area capable of accommodating HGVs which allow for the delivery of goods directly into the unit and to fulfil delivery of on-line orders;
- Excellent connectivity to strategic road network.

1.5 The application proposals would therefore support the continued expansion of a well-established local retailer, who already occupy an existing unit at 27 Finkle Street in Workington. The proposed unit is intended to complement the business' existing town centre stores with a greater focus on supporting the growth on their online presence hence a key requirement being the need for extensive storage space, suitable servicing areas and excellent connectivity to the strategic road network.

2.0 Alternative Sites within Workington Town Centre

2.1 The response from Allerdale Borough Council identifies a number of development sites within the town centre boundary, as well as existing vacant premises as outlined below.

Potential Development Sites

2.2 The response from Allerdale Borough Council identifies the following potential development sites within the town centre, some of which are formally allocated for main town centre uses within the adopted Allerdale Local Plan Part 2:

- Central Car Park, Workington (Policy SA47);
- Royal British Legion, Jane Street, Workington (Policy SA48);
- Cloffocks, Workington;
- Workington Opera House, Ladies Walk, Workington;
- Former Fusion Nightclub, Ladies Walk, Workington

2.3 The above sites would all involve the construction of a new build retail unit to accommodate the proposed expansion of the business. However, the applicant's business model in terms of supporting future growth is restricted to existing premises and the applicant does not have the experience, capability or commercial interest in delivering a new build retail unit to support the proposed expansion. Moreover, the applicant is seeking to open the new premises in Q1 of 2022 and, given the need for complex site acquisition negotiations; design development; planning approval and a subsequent construction process, none of the identified sites are available within a reasonable timeframe to meet the applicant's requirements in any event.

2.4 The applicant is not therefore in a position to build new premises and, accordingly, it is only appropriate to include existing vacant premises in the sequential assessment. The development sites identified above can therefore be immediately discounted on the grounds of suitability.

Vacant Premises

2.5 The response from Allerdale Borough Council has identified the former Debenhams and Laura Ashley units within the Washington Square schemes as potential vacant units capable of accommodating the proposed development.

2.6 The former Debenhams premises are the largest retail unit within the Washington Square

scheme providing retail floorspace across three levels and evidently the level of available floorspace within the unit is significantly in excess of that required by the applicant and the unit is therefore unsuitable to accommodate the proposed development. Moreover, it is understood that the building is currently under offer (see adjacent extract) and,

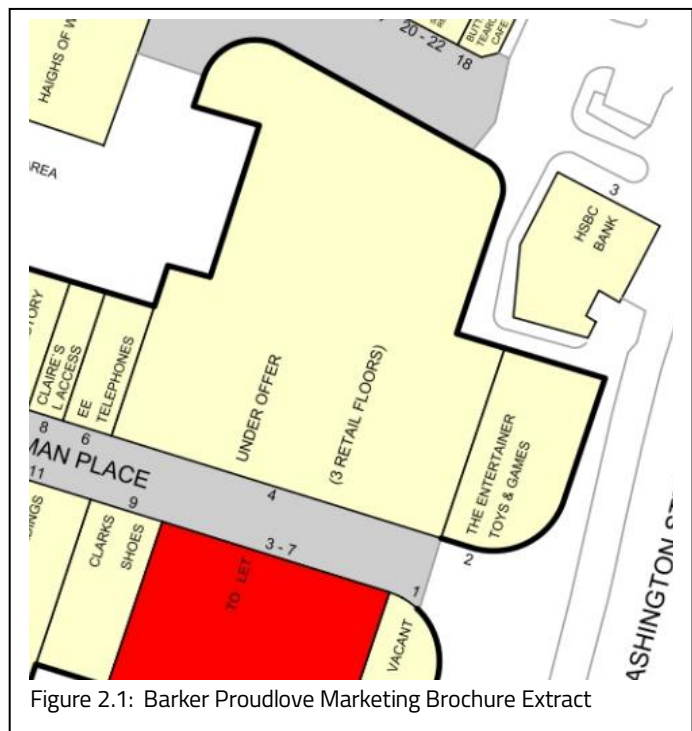


Figure 2.1: Barker Proudlove Marketing Brochure Extract

as such, it is not considered that the unit would be available to accommodate the proposed development in any event.

2.7 The former Laura Ashley unit lies at the junction of Risman Place and Washington Street and, whilst the unit currently stands vacant, it is not currently being advertised as being available For Sale / To Let. Nonetheless, the ground floor area of the unit is only around 130 sq.m (gross) and, as such, provides a level of floorspace that is significantly below the applicant's minimum requirement (i.e. 500 sq.m gross). The unit can therefore be immediately discounted on the grounds of suitability.

2.8 The table below also assesses all other vacant units within the Washington Square development currently being advertised as being available To Let by the centre's managing agent (Barker Proudlove) in the interests of completeness:

Unit	Size (sq.m)	Suitability
Unit S5A, 4 Steelmans Walk	142 sq.m	In view of the bulky nature of goods for sale and the need for sufficient warehousing to fulfil on-line orders, the applicant requires no less than 500 sq.m of floorspace across a single level to accommodate the sales and warehousing floorspace. The identified premises provide a level of floorspace significantly below the applicant's minimum requirement and can therefore be discounted as entirely unsuitable. Moreover, the applicant is seeking to acquire premises on a freehold basis, whereas the available properties within Washington Square are only being advertised as being available To Let.
Unit S26, 2 Ivison Lane	195 sq.m	
Unit S3a, 5 Campbell-Savours Way	254 sq.m	
Unit s18a, 16 Risman Place	34 sq.m	
Unit s&, 5 Steelmans Walk	91 sq.m	

Unit S13(b-e), 1a-7 Risman Place	742 sq.m	The unit has a total floor area of 742 sq.m, which is significantly in excess of the maximum level of floorspace that the applicant would seek to occupy and can therefore be immediately discounted on the grounds of suitability in this context. Moreover, the applicant is seeking to acquire premises on a freehold basis, whereas property in question is only being advertised as being available To Let.
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2.9 The existing available units within the Washington Square development all therefore provide a level of floorspace that does not fulfil the applicant’s commercial requirements and can therefore all clearly be discounted as unsuitable on this basis. Moreover, as outlined above, in view of the nature of the proposed operation, it is a key requirement of any alternative premises that they provide a dedicated servicing / unloading area; adjacent level car parking and excellent connectivity to the strategic road network in order to meet the needs of the business and allow it to trade effectively and efficiency. Whilst none of the identified premises within Washington Square meet the applicant’s commercial requirements in terms of the floorspace, they also fail to fulfil these other key requirements and can therefore all be discounted on the grounds of suitability.

3.0 Summary

3.1 This Sequential Assessment Addendum has been prepared in response to an objection received from Allerdale Borough Council in relation to the proposals for a change of use of the former Central 4 Cars premises to form a Class E(a) bulky goods retail unit.

- 3.2 Allerdale Borough Council have identified a number of potential development sites and available premises within Workington Town Centre to be assessed for the purposes of demonstrating compliance with the sequential test. A number of potential development sites have been identified, however, the applicant's business model in terms of supporting future growth is restricted to existing premises and the applicant does not have the experience, capability or commercial interest in delivering a new build retail unit to support the proposed expansion. Moreover, the applicant is seeking to open the new premises in Q1 of 2022 and, given the need for complex site acquisition negotiations; design development; planning approval and a subsequent construction process, none of the identified sites are available within a reasonable timeframe to meet the applicant's requirements in any event.
- 3.3 The response has also highlighted the vacant former Debenham's and Laura Ashley unit as potential alternatives to accommodate the proposed use and this addendum has also considered other vacant premises within Washington Square being advertised To Let in the interests of completeness. It has been clearly demonstrated that none of the available units within Washington Square fulfil the applicant's commercial requirements in terms of floorspace. The units in question also fail to meet the applicant's requirements in terms of servicing; adjacent level car parking and excellent connectivity to the strategic road network in order to meet the specific needs of the business and allow it to trade effectively and efficiently.
- 3.4 It has therefore been clearly demonstrated that none of the identified sites and premises are suitable to meet the commercial requirements of the applicant and the sequential test is therefore satisfied.
- 3.5 We would also seek to reiterate that the proposals will support the continued expansion of a well-established local retailer, who already occupy an existing unit at 27 Finkle Street in

Workington. The proposed unit is intended to complement the business' existing town centre stores with a greater focus on supporting the growth on their online presence hence a key requirement being the need for extensive storage space, suitable servicing areas and excellent connectivity to the strategic road network.

- 3.6 It is also fully acknowledged, as set out within the originally submitted Retail Statement, that the sequential site assessment has been undertaken based upon the specific locational requirements of the identified bulky goods retailer. It is recognised that, without appropriate controls in place, the operation could evolve into the sale of non-bulky items that could otherwise be accommodated within the Town Centre should alternative premises become available in the future. The applicant is therefore willing to accept the following condition on any subsequent consent to provide such controls over the items that can be sold from the unit:

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) and the provisions of the Town & Country Planning (Use Classes) Order 1987 (as amended) the retail unit hereby approved shall not exceed 553 sq.m gross internal floorspace and shall not be used for the sale of any goods other than those within the following categories:

- i. Electrical goods and other domestic appliances;*
- ii. Furniture, wall and floor coverings;*
- iii. DIY products, materials, tools and machinery for the repair, maintenance or improvement of the home, the garden and motor vehicles;*
- iv. Motor and cycle goods; and*
- v. Bedding, soft furnishing and textiles*