

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 June 2012

AUTHOR/S: Planning and New Communities Director

S/0534/12/VC - CAMBOURNE

Variation of Condition 1 of S/6133/01/RM (food store, settlement centre and settlement centre car park) to increase the limit of maximum net sales area within the food store from 2,800m² to 3,200m²

at Wm Morrison Supermarkets Plc, Broad Street Cambourne

for Wm Morrison Supermarkets Plc

Recommendation: Delegated Approval Subject to Variation of S106

Date for Determination: 3 July 2012

Notes:

This Application has been reported to the Planning Committee for determination because the officers recommendation of approval is contrary to Cambourne Parish Council's.

To be presented to the Committee by Melissa Reynolds

Site and Proposal

1. Morrison's supermarket is located on the north side of Cambourne High Street at its junction with Broad Street. The site encompasses the store, petrol station and car park. It is bounded to the north by De La Warr Way. A vacant site for retail development and Sackville House, housing a library, health centre and Trading Standards lie to the west of the car park. South of the site, fronting High Street is building W2, accommodating shops and flats.
2. This planning application seeks to vary a condition of the original planning permission for the supermarket. The condition limited the maximum gross internal floor space on both storeys to 5740m², incorporating a maximum net sales area of 2800 m². The application seeks to vary this to allow a maximum net sales area of 3200 m². No physical extensions to the building are sought.
3. The store has, earlier this year, undergone a programme of internal alterations to its layout to allow the store to operate more flexibly from its existing premises.
4. The application is accompanied by information to support the variation proposed:
 - a) The store is the focus of the settlement centre and is the only food store in the centre. Retail proposals should be considered appropriate in the centre.
 - b) Popularity with its customers – serving the growing population of Cambourne plus villages between St Neots, Huntingdon and Cambridge, most which have

limited essential convenience shops only capable of performing a 'top up' shopping role.

- c) The store is very busy and at peak times shopping conditions become uncomfortable.
- d) In recent years, foodstores have increased in size to reflect customers' desires to undertake one-stop bulky shopping trips. The small size of the store means Morrisons is unable to provide customers with the same quality of shopping experience and range of goods that are available at competing superstores. This is contrary to PPS4, which seeks to facilitate greater consumer choice and to encourage a competitive retail sector.
- e) The increase in sales area will allow more comfortable shopping conditions due to greater circulation space and delivery of an improved bulk food shopping offer that is of the same standard as other existing superstores in the wider surrounding area.
- f) The current restriction on net sales floor area was designed to ensure 'an appropriate level of convenience shopping within a single unit, in keeping with the size of Cambourne and its immediate catchment.' Cambourne has seen significant growth since and the store serves an extensive rural catchment. A marginally larger net sales area should be considered appropriate in this location.
- g) At 2800 m² the current cap on net sales area means that Morrisons is restricted to a net gross factor of 48.8%. Countrywide Morrisons stores generally operate at an average net to gross factor of approximately 55%. The variation sought would bring the store at Cambourne into line with company average.
- h) The site's in centre location means that the sequential test and issues of impact are not relevant. The impact of the proposal is minimal due to its small scale and fact that it would not be expected to alter the patterns of expenditure in the catchment area.
- i) PPS4 requires retail proposals for in-centre locations to have regard to issues of scale. Increasing the cap on net sales area by 400 m² will have a negligible impact, reflects internal layout changes being made across the country as Morrisons rolls out its 'stores of the future' concept, and the quantum of back-up and storage area is decreased as the overall floorspace will remain unchanged.
- j) The principle of increasing the sales area has already been accepted by the Council during its consideration of planning application ref. S/6393/07/F, which was refused due to loss of car parking for the centre.

5. Additional information submitted on 17th May 2012 includes further explanation in relation to the proposed increase in net sales area and addresses the concern raised by the Parish Council in relation to the sales of comparison goods within the store. This letter was accompanied by (a) a plan of the ground floor illustrating the area previous and the new net sales area; (b) A plan showing the areas within the store now being used for comparison goods by category and area; and (c) a copy of 'The Study Area & Household Survey Zones' plan taken from the 2008 Cambridge Sub-Regional Retail Study. The letter confirms that:

- a) The main increase in net sales area results from removal of the entrance gates and moving the Customer Services kiosk so that the former entrance area can be utilised for the sale of plants and flowers. Circulation space has been improved, predominantly around the fresh produce aisle.
- b) The submitted plan showing the areas being used for sale of comparison goods shows that all categories are compliant with the 92m² restriction ,

however, the total area has increased to 596m², the limit within the S106 being 464m². A Deed of Variation will be provided to amend this clause.

- c) Cambourne functions as the main shopping destination for the residents of Cambourne and the Morrisons constitutes the primary shopping facility. The granting of permission for an additional 950 homes represents an increase in population of around 2,400 persons. There is a need to reflect that increase by providing for improved shopping facilities in the settlement. They consider the improved Morrisons store to be the most sustainable way of meeting bulk food shopping needs of the additional population.
- d) The store serves a wider catchment, beyond Cambourne, notwithstanding its position within the retail hierarchy. The primary catchment for the Morrisons comprises Cambourne and the surrounding villages.
- e) The surrounding villages have very limited food shopping facilities for essential needs only. Morrisons plays an important role in meeting bulk food shopping needs of the residents of the surrounding villages.
- f) Morrisons has a significant market share, as analysed in the 2008 Cambridge Sub-Regional Retail Study.
- g) The store needs to provide a similar quality of shopping experience and range of goods to other large supermarkets to serve this catchment to avoid expenditure leakage from the catchment to competing retail facilities at Huntingdon, St Neots, Royston and Bar Hill. All competing stores are larger, notably Bar Hill. It is concerned about exacerbating leakage to these other stores.
- h) Approximately 81% of the store's sales area is dedicated to convenience goods and the remaining 19% of the sales area (i.e. 596m²) is for the display of a limited range of ancillary and complementary comparison goods that aim specifically to cater for small impulse purchases that customers expect to buy when undertaking their main food shopping. In this way, it will not function as a comparison goods shopping destination in its own right and therefore, it does not pose a threat to in-centre comparison retailers and / or future investment. The 2008 Retail Study Household Survey results confirm that Morrisons does not feature in any responses in respect of where residents carry out their shopping for comparison goods, unlike Bar Hill. In light of the modest increase, Morrisons will not harm the future development / investment in Cambourne and specifically the High Street. Indeed, they consider that the new Morrisons format represents a significant investment in Cambourne and will attract customers back to the store from competing stores such as Tesco at Bar Hill to the benefit of Cambourne.
- i) A further thirteen part-time staff have been employed as a consequence of the proposal.

Planning History

6. The principle of the existing Morrisons store was established by the outline planning permission for the settlement of Cambourne dated 20 April 1994 (ref. **S/1371/92/O**).
7. Reserved matters for the siting and means of access for a foodstore and settlement centre car park were granted on 22nd August 2001 (ref. **S/6084/00/RM**). It secured consent for the erection of a Class A1 retail store of 5,740 sq m gross. The car park was required to be dual use in the sense that it would also serve surrounding development rather than just the supermarket.
8. The remaining reserved matters were granted permission (ref. **S/6133/01/RM**) in 2002. The petrol filling station, kiosk and car wash was approved under a separate reserved matters permission in 2002 (ref. **S/6134/01F**). A link building to extend the

café area between the supermarket and the adjacent W2 building facing the High Street (ref. **S/6165/02/F**) was granted permission in November 2002 but not implemented, and has expired. The loading area of the store has been enclosed under permission reference **S/6239/04/F**. There has also been a number of minor applications relating to matters such as advertisement consent.

9. An application to erect an extension to the sales area of the store (ref. **S/6393/07/F**) was refused and a subsequent appeal dismissed on grounds that the effective loss of car parking capacity which would result from the proposed supermarket extension would be prejudicial to the provision of sufficient car parking to adequately support the development of the centre as envisaged in the Master Plan.
10. In terms of the settlement centre, proposals for a DIY store and garden centre were submitted to the Council in January 2007 (ref: **S/6383/06/F**). The application proposed a 2,393 sq m (gross) DIY store and a 932 sq m (gross) garden centre. The application was withdrawn in February 2007 following objections from officers on design grounds. Officers are currently in pre-application discussions relating to this site and two other undeveloped parcels within the settlement centre.
11. Planning permission was granted for a Care Home and 3 retail units on the corner of High Street and Monkfield Lane (ref: **S/6379/06/F**) in August 2007. This site remains undeveloped at present.
12. Outline planning application ref. **S/6438/07/O** was submitted by MCA Developments Ltd in August 2007, seeking approval for a further 950 dwellings (plus community building, open space and play areas) within Upper Cambourne. The application was approved in September 2011 and work has commenced on the first parcels, with three reserved matters permissions having been granted for a total of 103 units. A fourth reserved matters application for a 114 is yet to be determined.

Planning Policy

13. **South Cambridgeshire Local Development Framework (LDF) Core Strategy DPD, adopted January 2007:**
 - a) **ST/4** Rural Centres
 - b) **ST/9** Retail Hierachy
14. **South Cambridgeshire LDF Development Control DPD, adopted July 2007:**
 - a) **SF/2** Applications for New Retail Development
 - b) **SF/4** Retailing in Villages
15. **National Planning Policy Framework (NPPF), published March 2012** advises in paragraph 23-27 on the development of Local Plan policies and assessment of planning applications to ensure the vitality and viability of town centres. Paragraphs 26-27 establish that an impact assessment is required for proposals with a floorspace threshold of more than 2,500 sq m (or other locally set threshold).
16. **Circular 11/95 (The Use of Conditions in Planning Permissions)** - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Consultation by South Cambridgeshire District Council as Local Planning Authority

17. **Cambourne Parish Council** - recommends refusal on the following grounds:
- a) Insufficient information available to justify the increase in floor space.
 - b) It requires a plan indicating how the additional floor area is to be created.
 - c) There is no reference to the Section 106 legal agreement (S106), which has restriction on the categories and amount of sales space as a maximum area of 464m² for comparison goods with each category not exceeding 92m². A plan is required to show how the proposed changes affect these limits and ensure the S106 is being complied with.
 - d) The above items are required to assure that the marketing and development of the High Street is not adversely affected by alterations to the area of comparison goods and increased floor area.
 - e) It challenges the statement that the increased floor area would provide more circulation space, as experience of the revised layout shows that the space between the shelves has been reduced in width reducing the level of circulation space.
 - f) It queried whether, if the plan is agreed, the S106 would subsequently need to be renegotiated.
18. The Parish Council has been consulted on the additional information submitted on 17th May 2012. Its views will be reported by way of an update.
19. **Economic Development Panel** – Supported the application and made the following points:
- a) Refer to the Cambridge Sub-Region Retail Study, published 2008, that informed the informal planning policy guidance document 'Foodstore Provision in North West Cambridge Informal Planning Policy Guidance', 2011, for information on catchment of Morrisons at Cambourne.
 - b) It will intercept visits to Tesco at Bar Hill and as such increase sustainability by reducing travel.
 - c) The condition was applied prior to the approval of an additional 950 homes at Cambourne. The proposal is modest and will cater for the increased population arising from that approval.
 - d) Queried if any additional jobs were created as a consequence.

Representations by Members of the Public

20. No representations have been received.

Material Planning Considerations

21. The key consideration in determining this planning application is whether the increase in net sales area is appropriate to the scale of Cambourne in terms of its function as a Rural Centre, and whether if approved, it would have an adverse impact the delivery of the rest of the High Street.
22. Reviewing the net sales area also requires a consideration of the balance between convenience and comparison goods on sale, as there is currently a limit on the extent of comparison goods within the supermarket.

23. The effect of granting a variation of condition would be to issue a new planning permission for the supermarket and so appropriate planning controls need to be re-visited, including conditions and S106 obligations.

Net sales area

24. The supermarket is situated in the Cambourne settlement centre. In terms of retail hierarchy, it is not defined as a town centre. It is a local centre and policy ST/9 informs that these 'are appropriate locations for shopping to serve their local catchment are only'.

25. The local catchment of Cambourne has not been specifically defined, however in recent studies such as the 'NW Cambridge Supplementary Retail Study – Final Report' it is noted that:

'Cambourne Rural Centre is a new village lying approximately eight miles to the west of Cambridge which serves a planned housing development. Cambourne is still expanding and there are outstanding retail permissions which have not yet been implemented. The centre has a good range of uses and is anchored by a modern Morrisons foodstore. There are two retail developments adjoining Morrisons, which comprise a high proportion of retail service uses.' (P68 NW Cambridge Supplementary Retail Study – Final Report).

'...whilst it is still expanding (there is significantly more housing to be built) and therefore is yet to fulfil its potential, the centre appears to be relatively vital and viable.' (P68, NW Cambridge Supplementary Retail Study – Final Report).

26. The applicant has advised that the supermarket at Cambourne serves a catchment of its own residents but also drawing customers from 'a hinterland which includes a large number of villages from Conington to the north, Barton to the east, Wimpole to south and Gamlingay to the west. It also draws shoppers from surrounding villages
27. The relatively modest increase in net sales area of 400m² will provide a sustainable, primary shopping facility for existing residents of Cambourne, its growing population and rural catchment. It is unlikely to impact on retailing within the villages and the future development of the High Street for which officers are at an advanced stage of pre-application discussions in relation to developing two further sites, with applications expected this summer. The views of the Cambourne Consortium who are marketing the remaining sites in the High Street have been sought.

Increase in area for sale of 'comparison' goods

28. The S106 that accompanies the original outline planning permission for the supermarket placed a limit on the sale of comparison goods within the store. Of the total 464m² of net sales area not more than 92m² can currently be used for sale of comparison goods. These goods include: (a) books, newspapers, magazines, (b) clothing, footwear, (c) furniture, floor coverings, household textiles, (d) radio, electrical and other durable goods, (e) hardware and DIY supplies, (f) chemists' goods, (g) jewellery, silverware, watches and clocks, (h) recreational and other miscellaneous goods.
29. In a letter received on 17th May 2012, the applicant has confirmed that every category of comparison goods is compliant with the 92m² limit, however, the total comparison

sales area is 596m². This limitation is to be applicable until the date of the first occupation of the final unit comprised within the proposed ground floor element of units at W1-W6. Of these buildings, W1 – Caxton House on corner of School Lane and Broad Street and W2 (the building north of High Street & south of Morrisons & the car park) have been constructed. W3 and W4 are the remaining parcels fronting High Street on its northern side (between W2 and Sackville House). W5 and W6 are the vacant parcels on the south side of High Street between the Monkfield Arms PH and a vacant site for offices (west of The Hub). The purpose of this restriction was limit the impact of a supermarket on delivery of the High Street. It is suggested by the applicant that a Deed of Variation to the S106 be submitted to address this change.

30. The increase is relatively modest 132m² and, as such, it is not considered that the impact would be so great as to warrant a refusal. Subject to the responses of the consortium in relation to specifically a Deed of Variation, approval is recommended.

Recommendation

31. It is recommended that the Planning Committee gives officers delegated powers to approve the application subject to
- a) Section 106 requirements (deed of variation in relation to comparison goods)
 - b) The response of Cambourne Parish Council to the additional information.
 - c) The following Conditions and Informatives:

Conditions

- (a) The building hereby permitted shall not exceed a maximum gross internal floorspace on both storeys of 5740m² incorporating a maximum net sales area of 3200m².
(Reason: To ensure an appropriate level of convenience shopping within a single unit, in keeping with the size of Cambourne and its immediate catchment area, whilst recognising the need to allow for the development of other retail units planned for this local shopping centre within this new settlement, in accordance with the aims of the Approved Master Plan and Design Guide).
- (b) The refuse storage area and recycling facilities shall be maintained for use for these purposes.
(Reason: To ensure that appropriate facilities are provided for refuse storage and recycling given that this will now form the principal recycling facility for Cambourne).
- (c) No barrier shall be installed at the entrance to or exit from the car park, unless previously agreed in writing by the Local Planning Authority.
(Reason: To ensure the car park remains available for use by members of the public at all times).
- (d) The northern boundary treatment to the foodstore shall be maintained hereafter.
(Reason: To ensure the visual quality of the development).
- (e) Covered secure parking for bicycles for staff and cycle parking for visitors for use in connection with the supermarket shall be maintained hereafter.
(Reason: To ensure provision for cycle parking is retained).
- (f) Details of the location and type of any power driven plant or equipment, including equipment for heating, ventilation and for the control or extraction of any odour, dust, or fumes from the building but excluding office equipment and vehicles and the location from the building of such plant or equipment, shall be submitted to and approved, in writing, by the Local Planning Authority

before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions.

(Reason: To safeguard the amenity of nearby residents and adjoining users and in order to minimise the intrusion of such features into the street scene).

- (g) There shall be no external storage of materials and products save for recycling bins and refuse to be store, as agreed by condition 2.
(Reason: To prevent unsightliness).
- (h) No openings in any elevation of the foodstore hereby permitted shall have canopies, grilles, shutters or blinds attached to any part of the aforementioned units, unless agreed in writing by the Local Planning Authority.
(Reason: In the interests of visual amenity).
- (i) The permanent space to be reserved on site for turning, parking, loading and unloading shall hereafter be maintained.
(Reason: In the interests of highway safety).
- (j) No lighting, bollards to CCTV shall be installed other than in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.
(Reason: To ensure a coordinated approach to the provision of lighting/structures).

Informatives

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Core Strategy DPD (adopted January 2007)
- South Cambridgeshire Development Framework Development Control Policies DPD (adopted July 2007)
- National Planning Policy Framework (NPPF), published March 2012
- Circular 11/95 (The Use of Conditions in Planning Permissions)
- NW Cambridge Supplementary Retail Study – Final Report (published 2011)
- Planning File Refs: S/1371/92/O, S/6084/00/RM, S/6133/01/RM, S/6134/01F, S/6165/02/F, S/6239/04/, S/6393/07/F, /6383/06/F, S/6379/06/F, S/6438/07/O and S/0534/12/VC

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