

## **PLANNING STATEMENT**

**Unit 4, 10-18 Queen Street,  
Barnsley**

**ON BEHALF OF  
COSTA LTD**

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# 1 INTRODUCTION

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- 1.1 This Planning Statement prepared by Walsingham Planning, supports a planning application, submitted by Costa Ltd for the use of the ground floor of Unit 4, 10-18 Queen Street, Barnsley as a mixed use coffee shop.
- 1.2 The application is for proposed change of use of ground floor from retail (Use Class A1) to a mixed use coffee shop (A1/A3). The submitted plan illustrates the proposed layout of the premises at ground level, incorporating retail towards the front of the premises and an area of external seating. An application for the signage will be submitted separately.
- 1.3 The Planning Statement initially provides background and context to the proposed development and then considers planning policy issues at a national and local level before going on to outline the planning case for development. This section provides footfall surveys to demonstrate the contribution to vitality and viability made by Costa Coffee shops elsewhere, it provides information regarding the marketing of this property, includes information about appeals and planning permissions which have been approved throughout the country for similar coffee shops, along with other information of relevance to the proposed development. The Planning Statement ends with a conclusion.

## 2 APPLICATION BACKGROUND

### Site and Surroundings

- 2.1 The application site is at ground floor and is situated on the north side of Queen Street, a wide pedestrianised street within Barnsley Town Centre.
- 2.2 The unit is contained within the Burlington Arcade, a large 2-3 storey building which fronts Queen Street to the south and Eldon Street to the North. The application site is adjoined to the east by Specsavers and to the west by Dorothy Perkins. On the opposite side of Queen Street is Marks and Spencer, Phones 4 U and Clinton Cards.



views along Queen Street

- 2.3 Further down Queen Street, to the south the pedestrianised road splits east down May Day Green towards the Market and south down Cheapside



View down May Day Green



View down Cheapside

- 2.4 The premises are currently occupied by Evans Ladies Wear.

### 3 PLANNING POLICY FRAMEWORK

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- 3.1 This section sets out the relevant planning policies affecting the proposal. In the first instance Central Government advice, principally in the form of Planning Policy Guidance Notes and Planning Policy Statements is considered. This is followed by relevant policies from the Barnsley Unitary Development Plan and the emerging policies in the Local Development Framework.

#### **National Planning Guidance**

- 3.2 The Government's advice with regard to general policy and principles of planning is set out in PPS1: Delivering Sustainable Development. Paragraph 2 of the Statement states that "*Good planning is a positive and proactive process...*". Paragraph 3 states that "*Sustainable development is the core principle underpinning planning*". The Government then sets out in paragraph 4 four aims for sustainable development including "... *the social progress which recognises the needs of everyone ...*" and "... *the maintenance of high and stable levels of economic growth and employment.*"
- 3.3 Paragraph 8 states "*Where the Development Plan contains relevant policies, applications for planning permission should be determined in line with the Plan, unless material considerations indicate otherwise.*"
- 3.4 Planning Policy Statement 4: Planning for Sustainable Economic Growth (December 2009), has superseded PPS6: Planning for Town Centres, (March 2005). PPS4 is the Government's guidance in respect of development within the B Use Classes, public and community uses and main town centre uses, which includes shops and other 'A' Use Classes.
- 3.5 To help achieve the overarching objective of sustainable economic growth the objectives for planning include promoting the vitality and viability of town and other centres as important places for communities. To do this, the Government seeks:

- *New economic growth and development of main town centre uses to be focused in existing centres, with the aim of offering a wide range of services to communities in an attractive and safe environment and remedying deficiencies in provision.*
  - *Competition between retailers and enhanced consumer choice through the provision of innovative and efficient shopping, leisure, tourism and local services in town centres which allow genuine choice to meet the needs of the entire community (particularly socially excluded groups)."*
- 3.6 Policy EC4 states that Local Planning Authorities should plan proactively to create competitive town centres by planning for consumer choice, supporting a diverse range of uses which will appeal to a wide range of social groups and age ranges and which are distributed throughout the centre.
- 3.7 Policy EC10 states 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.
- 3.8 The policy continues to state that impact considerations should be taken into account when determining planning applications including:
- The accessibility of the proposal by a choice of transport.
  - Whether the proposal secures a high quality and inclusive design.
  - The impact on local employment.
- 3.9 Policy EC19 refers to the effective use of conditions for main town centre uses and states that local planning authorities should make effective use of conditions to proactively manage the impacts of development by imposing planning conditions.

## **Local Planning Policy**

### **Barnsley Unitary Development Plan**

- 3.10 The Unitary Development Plan (UDP) is the statutory development plan for the borough it was adopted in December 2000 and is therefore of considerable age. Its policies were saved in a direction from the Secretary of State in 2007 and will eventually be replaced by the LDF
- 3.11 With regard to application site, the unit is designated in the Local Plan as being within the Principal Shopping Frontage of Barnsley town centre.
- 3.12 The UDP Volume 1 part II chapter on 'Shopping' contains policies which aim to "utilise growth to help sustain and revitalise existing centres". The retail policies S1 and S2 seek to ensure that shopping development is kept to within the Primary Shopping Frontage. There are no policies which relate specifically to A3 uses or changes of use in the centre.

### **Local Development Framework**

- 3.13 Local Development Frameworks were introduced through the Planning and Compulsory Purchase Act in 2004. The Local Development Framework is made up of a number of documents that outline the spatial planning strategy for Barnsley. Once published, certain documents in the Local Development Framework will replace the saved policies from UDP.
- 3.14 The Core Strategy is a key part of the Barnsley LDF and was submitted to the Secretary of State in September 2010 to consider the evidence and the Council are still awaiting his report.
- 3.15 Core Strategy policy CSP31 relates to town centres and places Barnsley at the top of the hierarchy of centres where the majority of new retail and town centre development will be directed to Barnsley town centre.

## **4 PLANNING CASE FOR DEVELOPMENT**

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### **Background to Costa Coffee**

- 4.1 Costa Coffee started in 1971 and have their own roastery in London. The care and special attention that goes into selecting, preparing and roasting their beans is what make the Costa Coffee distinctive and so popular. All stores have specially trained staff so that customers can enjoy a good product at its best.
- 4.2 At present Costa is the largest chain of branded coffee shops in the UK with over 1060 outlets. Costa sources its coffee beans from the Rainforest Alliance. To achieve the Rainforest Alliance Certified™ seal, farms must ensure the people who grow the coffee, and the land they grow it on, are carefully supported and sustained. Costa is the first UK coffee shop chain to source the beans from Rainforest Alliance Certified™ farms and the plan is to acquire all their coffee from certified sustainable places.
- 4.3 Costa Coffee has set up the 'Costa Foundation' which helps coffee farming communities in Guatemala, Colombia, Uganda, Ethiopia and Costa Rica by providing: classrooms and laboratories, community centres, sanitation and water supplies and child nutrition programmes.
- 4.4 Costa is also committed to operating in an environmentally friendly way. Recent changes which have been made include: all their plastic cups and hot food packaging are now 100% recyclable; delivery vehicles have been upgraded to ensure they are all rated Enhanced Environmentally-friendly Vehicles (EEV) by independent auditors; Costa has now also converted to bio remediation, a new green, drainage maintenance programme.
- 4.5 The proposed Costa, once open, would recycle as much of the waste produced as possible. Costa stores recycle plastic milk pouches, cardboard and eventually aim to achieve having uplifts of our used coffee grind. Costa's refuse collections are managed by Veolia, whether they do it directly or sub contract this out to a local firm. Two euro 1100ltr bins will be collected twice per week for general waste and 1 x euro 1100ltr bin for recycling collected once per week thereby meeting the criterion of Local Plan policy R2.

- 4.6 Coffee shops are now regarded as part of the usual town and city centre amenities by visitors, shoppers, residents and local workers. They are used to purchase sandwiches, cakes, hot cups of coffee (and other drinks), all to take away together with other retail items, as well as providing somewhere to sit down and consume such products. It has become part of the 'shopping experience' to visit a coffee shop. The proposal will increase the range of services available and, as such, contribute to town centre vitality and viability.
- 4.7 Costa have long held the view that they contribute more to the vitality and viability of a town centre than many other retailers. In order to prove this to be the case Costa have previously undertaken surveys by Pedestrian Market Research Services in 2004. PMRS were commissioned to count the number of customers entering the Costa Coffee unit and two adjoining or nearby shops in five towns across the country. Details of PMRS methodology are available on request. A table is attached which sets out the results from the survey in Appendix 1.
- 4.8 It can be seen that many of the retailers against which comparisons have been made are household names: Allsports, Currys, Specsavers, Whittards, Fat Face and Going Places (There was a sale in Allsports on the day of the survey). It can also be clearly seen that only in the very busy Bishops Centre mall in Durham do the retailers attract more footfall. Elsewhere Costa is consistently higher than the other measured retailers on both Friday and Saturday. Averaged over the five towns Costa attracts more footfall on both Friday and Saturday than the A1 retailers. The survey also serves to demonstrate the huge variations between different A1 retail activities. Albeit during the summer, 'Going Places' had only 9 and 12 callers all day on Friday and Saturday and 'Whittards' only 62 and 87 respectively.
- 4.9 The survey provides clear evidence of the strength of Costa within the shopping hierarchy, its popularity with town centre users and the contribution it can make to attracting and retaining custom. These figures very strongly support the fact that a high quality coffee shop is a popular and well used 'High Street' amenity that attracts strong customer footfall and patronage compared to typical A1 retail uses. It is therefore considered that the proposed development would accord with

national planning policy and it would enhance the vitality and viability of the town centre.

### **Definition of a Coffee Shop**

- 4.10 The revised Use Classes Order 2006 leaves the definition of A1 retail uses much as the 1985 Order, but adds that “internet cafes” are an A1 use. The advice formerly contained in Circular 13/87 (now cancelled) on “Sandwich Bars” remains largely unchanged. It is set out in Circular 03/2005 that a sandwich bar does not cease to be a shop merely because there is some seating for customers to consume products on the premises, nor because limited amounts of hot drinks, soup or food are served.
- 4.11 The new Use Class A3 “Restaurants and Cafes” is described in paragraph 3a of circular 03/2005 as “places where the primary purpose is the sale and consumption of food and light refreshments on the premises”.
- 4.12 Paragraph 36 of circular 03/2005 sets out that coffee shops “*will need to be considered on a case by case basis. Whether their primary purpose is as a shop, i.e. premises for the sale of beverages to be taken away, or as a café, where the primary purpose is the consumption of beverages on the premises, or indeed it is a mixture of both uses*”. Unhappily, the Circular offers no suggested means to measure “primary purpose”.
- 4.13 Various appeal cases have established the limits of A1 use and the credentials of a mixed use under the 1985 Use Classes Order. There is no reason that the new Use Classes Order should revise those interpretations. The appeal cases are discussed further below.

### **Proposed Costa Coffee in Barnsley**

- 4.14 The Costa in Barnsley will trade as a coffee shop on the ground floor of the premises with facilities to either take away purchases or consume them on the premises. The proposed Costa will incorporate a retail element with a counter containing items such as cafetières, cups, saucers, coffee beans available for retail sales. Furthermore it is likely that a Costa Coffee shop would aid the retail

function of an area as this type of use often attracts more customers and passing trade than many A1 uses as it is now considered to be a part of the shopping experience.

- 4.15 The proposed Costa coffee shop in Barnsley would be open during daytime hours only, in line with any other purely retail use and the neighbouring shops. It will therefore be complementary to the adjacent shopping uses in terms of its operational characteristics and will support the shopping function of the town centre.
- 4.16 The layout plan submitted with the application shows that the proposed Costa coffee shop will feature a retail / serving counter towards the front of the premises with tables and chairs in the window. A coffee shop frontage is appropriate within a principal shopping area (this has been confirmed by several Inspectors whilst considering appeals for mixed use coffee shops and is discussed in more detail in paragraphs 4.25 et seq).
- 4.17 There is a high concentration of retail uses on the Queen Street frontage with Burton, Dorothy Perkins, Specsavers, Wallis, M&S, Phones 4U and Clinton Cards all in the vicinity. The introduction of a mixed use coffee shop in this location would not lead to a concentration of non A1 uses and would be a complimentary use in the street, providing somewhere for shoppers to break and extend their time spent shopping.
- 4.18 A Costa coffee shop in this location would work towards the aim of PPS4 to encourage sustainable economic growth. As the proposed coffee shop will also create a number of full and part time positions for local people, it also therefore meets the requirements of PPS4 policy EC10 by having a positive impact on local employment.
- 4.19 In line with the aims of PPS4, a Costa coffee shop within this part of Barnsley town centre will add positively to the vitality and viability of the centre and help to enhance Barnsley as an “innovative and efficient shopping” centre which serves all sections of the community. The introduction of Costa in the town centre is likely to attract shoppers into the centre and also allow customers to extend their time spent shopping in Barnsley. In fact, it is considered that the use will have a

- positive benefit on the vitality and viability of the area as footfall studies have shown that a Costa coffee shop is comparable or better than many retail premises. In this way the proposal is in line with national planning policy aims to create diverse and successful town centres.
- 4.20 The proposed Costa will not carry out any primary cooking on the premises however, some products such as sandwiches will be toasted on request. The use will be open during daytime hours only, in line with any other purely retail use, and therefore will not have an adverse effect in terms of noise or disturbance on the neighbouring uses in relation to noise and odour.
- 4.21 For information, research shows that the coffee market is the second largest retail growth sector (after mobile phone shops) and that three out of four adults now drink coffee outside the home. Indeed, the British now spend more time in coffee shops than either the French or Italians. Shoppers now expect to find premium and branded coffee shops available as part of their shopping trips, visits to town centres or nearby to their offices or other places of work.
- 4.22 Costa provides a service that town centre users have come to expect to be available, a mixed A1/A3 coffee shop use. The Company now seeks permission to trade at this location in Barnsley and have identified the application site as being particularly suitable for the proposed development.
- 4.23 Examples elsewhere clearly demonstrate the way that Costa can enhance the retail environment. The table in Appendix 2 shows that a number of local authorities have accepted that a Costa coffee shop would not be detrimental to the vitality and viability of their centre. It is considered that the proposed coffee shop in Barnsley town centre is acceptable in policy terms. An element of A1 use is retained and the coffee shop use will be complimentary to the retail function of Queen Street.

### **Appeal Decisions**

- 4.24 A number of appeal decisions relating to similar coffee shops to the one proposed are discussed below and copies can be provided for information if requested. It is accepted that they relate, in many cases, to the coffee shops of

operators other than Costa and that they are from locations all over the country. They also include some Enforcement appeals where the coffee shops were open and operating. They have been included for information purposes, to demonstrate the way in which many Inspectors are viewing the contribution of similar coffee shops to the one proposed in the current application.

- 4.25 The concept of a mixed A1/A3 use and its applicability to a coffee shop is illustrated by the appeal case -192 Chiswick High Road, Chiswick (1087789). The decision letter sets out the various arguments deployed by each side, describes the premises (c. 100 sq m over two floors, 53 seats within the unit plus 17 outdoor seats, shared servery, etc) and balance of trade (56% as A3, 44% as A1). The Inspector finds, in Paragraph 55, that there are: *“two distinct activities and that it is really impossible to say whether the shop use is ancillary to the café use or not. In the circumstances I find, as a matter of fact and degree, that the current use of the site, is a mixed use”*.
- 4.26 An appeal case in Winchester (1147130) extends this “envelope” of what might comprise a mixed use. At paragraph 16 the Inspector observes *“I take the view that the 20% retail sales element of the use is significant in its own right and, had I considered it necessary to address the point in detail in this decision, I would have concluded that, as a matter of fact and degree, the premises are in a mixed use”*. (He goes on to add: *“As the A1 element occupies the front of the premises, I would also have concluded that they remain a retail frontage”*).
- 4.27 A more recent appeal decision, relating to a coffee shop in a Primary Retail Area, at 112 High Street, Sevenoaks (1189586), is also included. In paragraph 9, the Inspector concluded: *“I therefore consider as a matter of fact and degree that the use of the appeal premises is...a mixed Class A1/A3. “*
- 4.28 At the proposed Costa in Barnsley, the applicants anticipate that there will be a mixture of A1 and A3 activities. Furthermore, the activities are very closely related, making use of exactly the same products sold in the same way over the same sales counter. Whether the sale amounts to an A1 or an A3 activity will depend solely on whether or not the customer chooses to sit down or walk out of the door. These different activities are inseparably linked and take place within

- the same planning unit. Neither activity dominates the other, neither is ancillary to the other.
- 4.29 The issue of how a mixed use coffee shop would affect the vitality and viability of the centre is raised in the appeal decision at 2-4 High Street Harpenden (2026933). A pedestrian flow count showed that the appeal use compared favourably with the neighbouring uses. In this instance, other than the appeal site, there was only one A1 use on the frontage in question. Despite this the inspector found that there was no substantive evidence to indicate that this has or will cause material harm to the vitality and viability of either the centre or the primary shopping frontage, the block provides an attractive entrance to the town centre, albeit is not primarily in A1 use. He concluded in Para 22 that *“There is no substantive evidence which demonstrates that the loss of A1 use has caused harm.”*
- 4.30 The Inspector also made the distinction between a mixed use coffee shop and a traditional cafe/restaurant where the primary purpose is to sit for longer and have a meal. He stated that *“..when passing the frontage the perception is one of a significant amount of seating and tables rather than a shop counter, but such frontages are these days common on main shopping streets. They do not present a dead frontage, but permit the passer-by to see into the premises where the internal activity creates interest. They are daytime uses which to a certain extent rely on a high turnover of customers....As such they can attract a relatively high level of day time custom commensurate with any number of A1 uses.”* Paragraph 18.
- 4.31 An appeal decision made at 28-32 Potter Street, Bishops Stortford (20801016) states *“....that the current level of A1 provision (77%) within the primary frontage is consistent with the high level of retail uses that is sought in PPS6”*. Paragraph 15. The Inspector concluded that: *“the use benefits pedestrian flow and has not harmed the vitality and viability of Bishops Stortford town centre.”* Paragraph 24
- 4.32 In another appeal case in Rugby (262333), the Inspector concurs that the coffee shop is indeed a mixed use A1/A3 premises. In his decision letter of 9 September 2008 the Inspector concluded that the presence of a coffee shop in the Primary

- Shopping Area will not have an adverse effect on the vitality and viability of the area.
- 4.33 He agreed that an alternative (exclusively retail) use of the appeal premises could offer equivalent benefits to this area, by attracting customers and contributing to the quality and commercial success of the town centre. However, the Inspector made the distinction that vacant premises make no contribution to the town centre's vitality or viability and have a much more adverse effect than a coffee shop. In paragraph 11 he understood that the level of vacant units is likely to increase. He writes "*Given current economic circumstances .....the prospects for attracting traders to occupy empty shops do not appear to be particularly propitious at present.*"
- 4.34 A Costa appeal decision relating to Beverley in Yorkshire (2085740) raises a number of interesting points of relevance for the current planning application. In the Beverley decision letter, the Inspector took the somewhat unusual view, based on the many appeal decisions for similar coffee shop uses which prevail that, given the way the premises were trading at Beverley, the use was not a mixed A1/A3 use but was a wholly A3 use. Notwithstanding this, the Inspector allowed the appeal, dismissed the enforcement notice requiring the premises to be closed and granted planning permission.
- 4.35 The Inspector took the view that even though this was an A3 use, it was still acceptable in the primary shopping frontage. He stated, in paragraph 6, that "*The main issue is whether the alleged development would compromise the aims of the adopted policy, to protect the character and vitality of the primary retail area of Beverley town centre.*"
- 4.36 During the appeal, the Council had obviously expressed concerns in respect of whether the A3 use would undermine the retail function of the town centre. (See paragraph 7). However, referring to the Local Plan policy which sought to restrict non-retail uses in the primary shopping frontage, the Inspector states in Paragraph 11 "*My own view is that whilst the adopted policy S3 is generally in line with National Policy Guidance in PPG6 it should be applied in a flexible way...it must follow that even with the loss of a unit to Costa Coffee (Class A3),*

*shops will still predominate. This is consistent with the saved policy and would satisfy the definition in PPG6 that primary frontages are likely to include a high proportion of retail uses.”* (It would appear that the Inspector, in this paragraph, has mistakenly referred to the National Policy at the time contained in PPG6 rather than PPS6.)

- 4.37 In paragraph 12, the Inspector states *“There is no evidence that the development by Costa Coffee would undermine the retail function of this town centre shopping zone.”* He goes on to state, further in this paragraph, *“..... I am satisfied from my site inspection that Costa Coffee operates a vibrant business.”* Furthermore, he goes on to state later in this paragraph that *“..... it was accepted that the business would attract more customers than a typical shop or local café. I consider that the new use has provided an additional service use to an attractive tourist and shopping venue .....My conclusion is that the development has had no adverse impact on the character or vitality of Beverley town centre and may well encourage increased visits. I find no conflict with the saved policy S3 which seeks to protect and enhance the retail function of the primary shopping area.”*
- 4.38 Another recent appeal decision (dated 15 December 2009) related to a Starbucks coffee shop in Headington, Oxford (2109208). In Paragraph 10 the Inspector writes *“...it is very likely to be the case that the number of customers that account for the retail (A1) side of the business compares favourably with the pedestrian flows into many A1 retail units in Headington....”*
- 4.39 In terms of the external appearance of the building he stated in Paragraph 11 that *“the appearance.....does not have any adverse impact on the retail function of the unit or the wider shopping frontage.”* Later in the same paragraph he acknowledged that seating was visible but concluded *“That said, I believe that most people are now familiar with coffee shop chains like Starbucks and understand that coffee, other drinks and food are available for consumption on or off the premises, regardless of the building’s appearance.”*
- 4.40 He added in Paragraph 12 that *“....this mixed use enhances consumer choice within Headington, is evidently and efficient, competitive and innovative retail/café use.....”*

- 4.41 In Paragraph 13 he states that *"It is a use that requires a "high street" location to properly function. Coffee shops are increasingly regarded as being a beneficial addition to the overall shopping experience in many different retail locations."* Further, in this paragraph he adds *"...this mixed use contributes to the commercial success of the Headington District Shopping Centre."*
- 4.42 With regard to the number of customers attracted by the Starbucks the Inspector stated in Paragraph 14 *"This is substantially higher than the number of customers entering the other A1 shops that were surveyed apart from the Londis supermarket."*
- 4.43 In Paragraph 18 he concludes *"I have not found an adverse effect on the viability and vitality of the retail function of Headington District Shopping Centre."*
- 4.44 PPS4 was published in December 2009 and following its publication the refusal of a planning permission for change of use from A1 to mixed A1/A3 retail at 47 High Street, Keynsham, Bristol (2116869) was allowed at appeal. In his decision letter dated 7 April 2010 the Inspector states at paragraph 13 *"I consider that although the scheme conflicts with local plan policy, that harm is outweighed by the material considerations... In addition recent national policy advice in PPS4 and other government advice on assisting businesses in the current economic downturn, taken together, indicate a more flexible approach to development in town centres is appropriate at the current time. Against that context I consider the appeal scheme would not undermine the retail function of the PSF nor lead to a fragmentation of retail uses and would not have a harmful effect on the vitality or viability of the town centre."*
- 4.45 A recent appeal decision dated (14 May 2010) relates to another Starbucks located at 19-23 High Street, Pinner, London (2117917). In line with other Inspectors decisions, at paragraph 5 the Inspector agrees that the shop is a mixture of A1 and A3 uses. The Inspector notes the changing policy emphasis from PPS6 to PPS4 to ensure that improving consumer choice is a material consideration and considers that PPS4 encourages a more flexible approach focusing on planning for consumer choice and promoting competitive town centres to a greater extent than in PPS6.

4.46 At paragraph 12 the Inspector states that she considers *“the coffee shop use is beneficial to the vitality of the primary shopping frontage, despite the loss of some retail floorspace....In this respect, bearing in mind also that footfall is a key contributor to vitality, the value of Starbucks is all the greater in bringing people into High Street...”* The Inspector notes that the format of a mixed use coffee shop, in her opinion adds something different to the retail mix in the District Centre, improving choice and thereby according with current national policy objectives in PPS4. Copies of all the above decision notices can be provided on request.

### **Footfall Surveys**

4.47 Costa Coffee have undertaken a number of more recent surveys demonstrating the contribution of a Costa Coffee shop to the vitality and viability of town centres and the popularity of the use to visitors to that town centre. The surveys demonstrate that the proposed mixed A1/A3 use attracts a high level of pedestrian footfall and that the numbers compare favourably and, in many cases, exceed those attracted to wholly retail uses. The results of these surveys can be provided on request.

4.48 The surveys were undertaken in Beverley, East Yorkshire, in August and October 2008. They were undertaken to support the appeal by Public Inquiry by Costa Coffee, referred to above, in respect of the refusal of retrospective planning permission for the use, and a related Enforcement Notice to cease the use, served by East Riding Council. The appeal was allowed, the Enforcement Notice was quashed and planning permission was granted for the Costa Coffee shop.

4.49 The appellants (Costa Coffee) commissioned pedestrian flow counter surveys to be carried out on the 8<sup>th</sup> and 9<sup>th</sup> August and again on 17<sup>th</sup> and 18<sup>th</sup> of October 2008. These footfall surveys were conducted both outside the coffee shop and on the opposite side of the road on which the coffee shop was situated. The results show that on the 8<sup>th</sup> August, Costa Coffee was the second most visited shop after Boots opposite the appeal site and on the 9<sup>th</sup> August was the fourth most visited shop after Boots, Coopland and New Look. The survey was conducted during the school holidays. The results of the second survey in

October again show similar results with a consistently higher number of visits than normal A1 retailers. The surveys demonstrated that the use attracted a significant number of customers throughout the day, and in many cases similar to and greater than an A1 use.

- 4.50 In the case of Beverley, in addition to the footfall surveys, the company also commissioned a customer survey (copy of the survey can be provided on request). This survey was carried out between the 8 and the 22 November 2008 and the results show that the Costa Coffee shop in Beverley provided a quality experience, one that was used regularly and that a high proportion of the respondents confirmed that it had been their intention to visit the coffee shop prior to leaving home. The survey shows that a Costa can attract people into town.
- 4.51 These surveys demonstrate that the Costa Coffee shop in Beverley was a popular facility and had a major beneficial effect on the town centre. It contributed to the maintenance of vitality and viability; it did not undermine the retail function but helped to maintain and support the primary shopping area of the town centre. The high frequency of return visits and regular custom demonstrates that the Costa Coffee shop in Beverley was an attraction in its own right in this town centre. It helps to retain customers in the centre for longer periods than would otherwise have been the case.
- 4.52 It should be noted that the surveys were undertaken between the hours of 9am and 5pm. By surveying during this period, they failed to record the large number of retail purchases (as opposed to people consuming their purchases on the premises) which occurred before 9am or after 5pm i.e. it under-estimated the retail element of the use in that many people visit the coffee shop on their way to and from their place of work to make retail purchases to consume elsewhere.

### **Other Reports**

- 4.53 The Government is very mindful of the problems facing high streets and town centres at this time of difficult economic circumstances and has introduced a

number of initiatives to counteract these problems. In “Looking after our Town Centres”, the Government places great emphasis on the need to avoid having premises standing vacant at this time. It states in the Forward to the report that *“Keeping our town centres dynamic and interesting places helps to protect the future of local business whilst continuing to attract local people and visitors on to their streets.”* Furthermore, it acknowledges how depressing the sight of boarded up shops can be. A Costa at Queen Street will enable the unit to continue to be traded as a permanent nationally-recognised coffee shop rather than falling vacant.

- 4.54 An independent study published by Allegra Strategies in March 2010 uses a combination of interviews, case studies and desk research to examine ‘The Role of Coffee Shops on the High Street’.
- 4.55 The six case study locations studied were chosen as they have varying economic profiles, all the locations are within popular shopping areas. The case studies were carried out at: Cobham High Street, Surrey; Old Bond Street, Bath; Glasgow, Byres Road; London, Borough High Street; St Ann’s Square in Manchester and Fargate in Sheffield
- 4.56 The study recognises the presence of coffee shops on the UK high street has often *“been scrutinised with accusations of homogenisation, saturation and damage to local economies”*. However the study concludes that: *“Coffee shops are a significant driver in maintaining and improving the economy of the high street...They encourage people to come to the High Street but also to spend their time and money there. Coffee shops are highly desired destinations for socialising, relaxing and meeting people for business and pleasure”*.
- 4.57 The study found that 1 in 4 people go into a town centre or shopping mall to visit a coffee shop first, and shopping second. The study also shows that, despite the recession, consumers consider their daily coffee a non-negotiable treat. Findings from the survey include:

Vitality

- 35% of the adult British population, (20 million people), visit coffee shops in a typical week.

- Footfall surveys in 5 towns with busy High Streets reveal branded coffee shops contribute up to 25% of total footfall.
- 75% of UK consumers indicated they would prefer to shop in a High Street with a coffee shop
- The presence of a coffee shop encourages 75% of consumers to shop for longer.
- 93% of consumers in the case study locations agreed that coffee shops improve the vitality of their local High Street. Coffee shops are one of the main social hubs on the High Street and are safe places to go, where people from all backgrounds can congregate.
- Spending time at coffee shops is a growing part of the fabric of UK consumer lifestyle.

#### Viability

- Local businesses recognise that increased footfall equates to significant increased spend as 76% of local businesses surveyed notice the improved economic viability vs. 46% noticing increased footfall on the High Streets since coffee shops opened.
- 40% of respondents were visiting the High Street in order to shop. 25% were visiting just to go to the coffee shop.
- Branded coffee chains attract other retailers, brands and independents onto the High Street. This reduces vacancy rates and improves the commercial profile of the area.
- 40% of local businesses were either highly positive or positive about how the presence of coffee shops helps to improve trading performance.

4.58 The study reveals how influential coffee shops have become, as valued social hubs of many UK High Streets as well as significant contributors to the vibrancy and economic viability of many British shopping locations.

## 5 CONCLUSIONS

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- 5.1 The planning statement has set out the background to a planning application for a proposed Costa Coffee shop at the application site and has described the proposed development and outlined relevant planning history at the site. The statement has considered all levels of planning policy before continuing to set out the planning case for development.
- 5.2 The Planning Statement has provided information in respect of the Costa Coffee shop operation, particularly in respect of its proposed new operation in Barnsley. It demonstrates how the proposed Costa coffee shop will aid vitality and viability and how the proposal accords with the aims of National Planning Policy by providing an economic benefit to Barnsley in line with PPS4. It will also accord with UDP policies and guidance in the emerging LDF Core Strategy.
- 5.3 The information provided in the appendices includes recent footfall surveys which demonstrate that the Costa at premises in Beverley attracts a significant amount of pedestrian footfall; that this is a popular facility which has had a beneficial effect on the vitality and viability of the town centre. There is every reason to assume that a Costa in Barnsley will have a similar beneficial effect.
- 5.4 The Planning Statement also outlines a number of other coffee shop appeal decisions, which have relevance to the current application demonstrating how various Inspectors have considered appeals relating to similar coffee shops, allowing them in prime retail areas.
- 5.5 The proposed Costa will result in a positive impact on the vitality and viability of Queen Street and the town centre shopping area as a whole, by attracting significant pedestrian footfall to the area. It will also provide jobs for local people and is likely to be welcomed by shoppers, visitors and local business.
- 5.6 The applicants respectfully contend that, in the light of all the information contained in this Planning Statement, the proposal is in accordance with policy and that material considerations support the view that planning permission for the development proposed in this application should be granted.

## **Appendices**



		FRIDAY			SATURDAY			ESTIMATED WEEKLY		
		Costa	Retailer 1	Retailer 2	Costa	Retailer 1	Retailer 2	Costa	Retailer 1	Retailer 2
1	Durham	424	462	683	639	729	912	2501	2802	3753
2	Farnham	259	207	101	282	289	139	1273	1167	565
3	Horsham	544	118	422	622	180	549	2744	701	2285
4	Salisbury	144	58	62	162	73	87	720	308	351
5	Welwyn G C	205	477	9	89	52	12	692	233	49
	Total	1576	892	1277	1794	1323	1699	7930	211	7003
	Average	315.2	178.4	255.4	358.8	264.6	339.8	1586	104.2	1400.6

1. Durham, survey dates 23 & 24 July
2. Farnham, survey dates 11 & 12 June
3. Horsham, survey dates 16 & 17 July
4. Salisbury, survey dates 16 & 17 July
5. Welwyn G C, survey dates 23 & 24 July

Retailer 1 = Stationery Box  
 Retailer 1 = Currys  
 Retailer 1 = Wakefield Jewellers  
 Retailer 1 = Fat Face  
 Retailer 1 = Holland & Barrett

Retailer 2 = Allsports  
 Retailer 2 = Specsavers  
 Retailer 2 = Birthdays  
 Retailer 2 = Whittards  
 Retailer 2 = Going Places

June & July 2004

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Town	Address	LPA	App ref.	Description	Date Approved	Relevant Conditions	Local Plan Policy
Bourne	10 North Street Bourne, Lincs	South Kesteven	S10/204 6/FULL	Change of use at ground floor from retail (A1) to mixed use coffee shop (A1/A3)	14/12/2010	N/A	Primary Shopping frontage, no change of use from retail to protect the V & V of the town centre.
Mansfield	26 West Gate, Mansfield	Mansfield District Council	2010/05 21/ST	Change of Use of shop (A1) to coffee shop (mixed A1/A3)	04/10/2010	The premises shall only be used as a mixed A1/A3 coffee shop	Mansfield Local Plan policy MC5 – no change of use from retail to non retail in Primary shopping frontages.
Nottingham	28 Lister Gate, Nottingham	Nottingham City Council	10/2140/ PFULL	Change of use from A1 to mixed A1/A3 coffee shop including alterations to shopfront	01/09/2010	N/A	UDP Policy S6 allows for change of use from retail to other uses where it can be shown that the use is not detrimental to the vitality and viability of the City Centre. Proposals for non retail uses within Primary shopping Frontages will be assessed against criteria:
Lyndhurst	38-40 High Street Lyndhurst SO43 7BG	New Forest National Park Authority	10/9534 6	Change of Use to coffee shop (mixed A1/A3 use)	09/08/2010	N/A	Within the defined New Forest village of Lyndhurst local shopping frontage. PolicyNF-52 assesses proposals for food and drink uses based on whether the proportion of retail units would fall below 50%. Impact on the amenities of neighbouring development, the character of the area and equipment requirements.
South Harrow	250-252 Northolt Road South Harrow Middlesex HA2 8DY	London Borough of Harrow	P/1354/ 10	Change of Use from a shop (use class A1) to coffee shop (class A1/A3)	03/08/2010	No primary cooking	Primary shopping frontage of a district centre. Policy EN16 seeks proposals for change of use from A1 to A3 to demonstrate it provides a service that directly relates to a shopping trip and supports the retail function of the centre. The policy seeks to retain no less than 25% of the length of primary frontage in non retail use. The proposal should not result in a harmful concentration of non-retail uses. The premises are adequately serviced and retain a window display.
Farnham Common	5 The Broadway Farnham Common Bucks SL2 3PQ	South Bucks	10/0063 7/FUL	Change of Use from A1 to mixed use A1/A3 coffee shop with external seating area	15/07/2010	Only to be used as a coffee bar. No primary cooking.	Farnham Common Local Centre. The overall objective of policy S2 is to sustain and enhance vitality and viability. The proposal is assessed against whether non retail uses would predominate, would an overconcentration of non retail uses be created resulting in loss of A1 frontage at a visually prominent site and would a shopfront be removed.
York	14 High Ousegate	York City Council		Change of use from A1 to mixed A1/A3 coffee shop and associated external alterations	12/07/2010	Adequate facility for treatment and extraction of fumes	Primary Shopping Street. Proposals involving the change of use at ground floor will only be permitted provided that it does not detract from the primary shopping function and V&V. The following factors will be considered: a) location and prominence of the premises; b) floorspace and frontage of premises; c) number (max35%) distribution and proximity of other non A1 uses; d) nature of proposed use; e) proportion of vacant ground floor property in the area.

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Town	Address	LPA	App ref.	Description	Date Approved	Relevant Conditions	Local Plan Policy
Weston Super Mare	21 Bransby Way Weston Super Mare BS24 7FN	North Somerset	10/P/07 03/F	Change of Use from A1 to mixed use A1/A3 coffee shop with external seating area	11/06/2010	No hot food (other than paninis)	Locking Castle District Centre. Policy CS21, vitality and viability of the hierarchy of centres will be maintained and enhanced. The use should be appropriate for the type of centre and as such the function of the shopping centre.
Buxton	52, Spring Gardens	High Peak BC	HPK/20 10/0130	Change of Use from A1 to mixed A1/A3 coffee shop, incorporating a new shop front	13/05/2010	N/A	In Prime Retail Frontage change of use to other than A1 will not cumulatively lead to a loss of vitality and viability and lead to a concentration of non-retail uses in the area, reducing the dominant shopping characteristics.
West Byfleet	13 Station Approach West Byfleet Surrey KT14 6NG	Woking	PLAN/2 010/005 3	Change of Use from shop to coffee shop (mixed A1/A3 use) with external seating and installation of a new shop front.	15/04/2010	N/A	Retail Service Area of West Byfleet Village Centre. Policy SHP4 seeks for an adequate range of A1 uses and retail character to remain. The Council would resist the loss of large anchor units.
Oadby	29-31 The Parade Oadby Leics LE2 5BB	Oadby & Wigston	10/0002 9/FUL	Change of Use from (use Class A1) Travel Agency to mixed use (class A1) retail and (use A3) cafe & enclosed seating area to front	01/04/2010	N/A	Primary Shopping Frontage of Oadby town centre. The general trust of town centre policies is the continued maintenance of a vital and viable town centre. The Council seek to retain 70% of the primary shopping frontage in A1 use. Proposals which result in 3 or more adjoining non A1 uses would be resisted.
Thame	9 High Street Thame OX9 2BZ	South Oxfordshire	P10/E01 84	Change of Use to a coffee shop (mixed A1/A3 use)	13/04/2010	N/A	Primary Shopping Frontage. Policy TC8 sets out that a change of use away from A1 in the primary shopping frontage will be permitted if the proposal would not undermine the vitality and viability and the dominant relating character and function of the centre.
Littlehampton	55 High Street Littlehampton BN17 5EG	Arun	LU/317/ 09	Change of Use of shop (A1) to coffee shop (mixed A1/A3)	03/03/2010	N/A	The unit falls within the Primary Shopping Frontage. Policy AREA 19 relates to A3 uses, the policy permits such uses provided that the proposal would not result in an over-concentration of non-retail uses to the detriment of vitality, a window display would be retained and there would be no detriment effect on amenity.
Coventry	35 The Precinct Coventry	Coventry	44953/A	Change of use to a coffee shop (mixed A1/A3 use)	02/02/2010	N/A	Central Shopping Area and Primary Shopping Frontage. Policy S10 relating to catering outlets, seeks such uses to be located in defined centres and for proposals to be compatible with nearby uses and not to cause a harmful cumulative impact.
Cosham	43 High Street Cosham Portsmouth	Portsmouth	09/0155 4/FUL	Change of Use from shop to coffee shop (mixed A1/A3 use)	04/02/2010	N/A	Cosham District Centre. Policy DC32 relates to district centres, in order to maintain vitality and viability other retail uses (including A3) will be permitted provided there is an appropriate mix of uses in the centre.

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Town	Address	LPA	App ref.	Description	Date Approved	Relevant Conditions	Local Plan Policy
Newark	30-31 Stodman Street	Newark & Sherwood DC	09/0153 3/FUL	Change of use from retail (A1) to mixed use coffee shop (A1/A3) and alterations to shop front	14/12/2009	N/A	Planning permission will not be granted for development which would result in the loss of retail floorspace at ground level within the Market Place and the eastern half of Stodman Street (12/19 and 23/37a Stodman Street).
Burnley	St James Street	Burnley BC		Change of Use from retail shop (Class A1) to a mixed use (Class A1/A3) coffee shop including external seating area	02/10/2009	N/A	Within Main Shopping Area. Development for uses other than A1 will not result in more than 15% of retail frontage being non retail.
Crowthorne	Sherwood House 104 High Street Crowthorne RG45 7AX	Bracknell Forest Borough Council	09/0043 8/FUL	Change of use from A2 and A1 use to a coffee shop (mixed A1/A3) with external seating and installation of a new shopfront.	20/08/2009	N/A	Retail Core Area. Policy E9 assess proposals for a change of use of existing shops for non-retail uses against the following proposal meeting the following criteria i) the use falls within use class A3 ii) would not create a continuous frontage of more than 12 metres of non-retail use iii) would not result in non retail uses (of any class) occupying more than 44% of the defined frontage area iv) would not adversely affect the retail character, vitality, viability and attractiveness of the retail core area, and v) not adversely impact on residential amenity.
Hinckley	25 Castle Street Hinckley Leicestershire LE10 1DA	Hinckley and Bosworth Borough Council	09/0044 1/COU	Change of use to a coffee shop (mixed A1/A3 use)	06/08/2009	N/A	Primary Shopping Area. Policy RETAIL 2 assess proposals for change of use to A3 against whether the proposed use would have an adverse effect, through over concentration of such a use on any continuous frontage, on the overall retail function and character of the town centre or whether the proposed development would have a seriously detrimental effect on the amenities of adjoining properties and whether the proposed development would not involve the removal of any existing shop type frontages.
Harlow	Unit 4 35 Broad Walk Harlow Essex CM20 1JF	Harlow Council	HW/PL/ 09/0013 1	Change of use to a coffee shop (use class A3).	14/07/2009	N/A	Policy RTCS 10 seeks to control the number of premises in the Primary Shopping Frontages changing to A2 and A3 uses. The 6 criteria proposals are assessed against are: i) No more than 15% of the primary frontage may be occupied by non-retail uses ii) the maximum number of adjoining A3 uses is 2 and no more than 2 units out of 5 to be in non-retail uses iii) the proposed use is appropriate to the town centre iv) the prominence of proposals within the frontage of street scene should not affect their predominately retail function and character v) the proposals would not be detrimental to the vitality and viability of the town centre, and vi) there would be no loss of key facilities.
Knaresborough	18 Market Place, Knaresborough,	Harrogate	09/0099 1/FUL	Change of use from vacant unit(A1) to mixed use retail	11/05/2009	Retail display units in front window	Proposals involving either the loss of existing A1 shops in ground level frontages or the creation at ground level of

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Town	Address	LPA	App ref.	Description	Date Approved	Relevant Conditions	Local Plan Policy
	HG5 8AG			and coffee shop and installation of rooflights and condenser unit the rear.		Premises not used other than as a coffee shop  No primary cooking	additional floorspace not intended for an A1 retail use will only be permitted if the proposal can be shown to lead to an improvement in the vitality and viability of the shopping centre.
Newcastle	99-105 Northumberland Street NE1 7AG	Newcastle	2009/03 04/01	Change of use from retail (A1) to mixed use A1/A3) at gnd and 1 <sup>st</sup> floor and change of use of highway to pavement cafe.	01/05/2009	Premises not used other than as coffee bar	Change of use to non A1 uses will not be allowed where it results in the percentage of non A1 frontages exceeding 30% of the block.
Banstead	61 High Street Banstead Surrey SM7 2NL	Reigate and Banstead Borough Council	P/09/00 234/CU	Change of use from a charity shop (A1) to a coffee shop (mixed A1/A3)	01/05/2009	Restriction to use as a coffee shop.	Primary Shopping Area. Policy SH8 seeks the proportion of A1 units in the identified street frontage to be 75%.
Kettering	22 Gold Street Kettering Northamptonshire	Kettering Borough Council	KET/200 9/0068	Change of use to mixed use A1/A3 coffee shop.	03/04/2009	Restriction to use as a coffee shop	Established Shopping Area. Policy K20 will permit changes of use to A3 within unrestricted shopping frontages.
Diss	7 Mere Street Diss Norfolk IP22 4AD	South Norfolk Council	2009/07 50/CU	Change of use to a coffee shop (mixed A1/A3)	23/03/2009	N/A	Primary Shopping Area. Policy SHO 5 resists change of use from A1 to A3.
Haverhill	23 High Street Haverhill CB9 8AD	St Edmundsbury Borough Council	SE/09/0 096	Change of use from retail (A1) to mixed A1/A3 (coffee shop)	23/03/2009	No primary cooking.	Primary Shopping Area. Policy TCR2 permits change of use where the proposal would not undermine the vitality or shopping character of the street, The proposal would not detract from the appearance of the immediate environment, especially within Conservation Areas, The proposal would not adversely affect the amenity of the surrounding area by virtue of noise, congestion on pavements or disturbance arising from late opening hours and The proposal would not result in an over-concentration of non-retail uses in a Primary Shopping Area.
Portishead	56 High Street Portishead BS20 6EL	North Somerset	08/P/22 22/F	Change of use from A1 shop to mixed A1/A3 coffee shop including external seating.	15/12/2008	Only to be used as a coffee shop and no primary cooking	Within the Primary shopping frontage wherein proposals for change of use from A1 will only be permitted if they demonstrate that the proposal would provide clear, additional benefits to the vitality and viability to the town centre as a whole.

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Town	Address	LPA	App ref.	Description	Date Approved	Relevant Conditions	Local Plan Policy
Preston	14-15 Fishergate, Preston	Preston CC	06/2008/0739	Change of use from retail (Class A1) to coffee shop (Class A1 and A3)	07/11/2008	N/A	Within Primary Retail frontage within Principal retail core. Policy S3 Proportion of A1 uses will not fall below 80% within 10 units of continuous frontages
Leighton Buzzard	23a & 23b High Street Leighton Buzzard LU7 1DN	South Bedfordshire	SB/TP/08/0830	Change of use from A1 (Retail) to mixed A1 (Retail) and A3 (cafe) uses.	07/11/2008	Only to be used as a coffee shop mixed A1/A3 and no primary cooking.	Listed Building and within main shopping area. Policy seeks to maintain concentration of A1 uses and maintain pedestrian flows.
Potters Bar	57 Darkes Lane Potters Bar EN6 1BJ	Hertsmere	TP/08/1276	Change of use from A1 (retail) to a coffee shop with external seating (A1/A3) together with a new shopfront (retrospective).	07/11/2008	N/A	The site lies within Potters Bar Local Town Centre wherein proposals for change of use away from A1 will be permitted if it would not result in an over concentration of non-retail uses.
Waterlooville	4 The Precinct Waterlooville PO7 7DT	Havant	08/59786/005	Use of premises as a coffee shop (mixed A1/A3 use) with external seating. Retrospective application.	07/10/2008	Only to be used as a coffee shop and no primary cooking.	Within the primary shopping frontage wherein policy TC6 advises that proposals for change of use to A3 will be permitted where it would not lead to a concentration of non-retail uses, which would undermine the retail function of the shopping frontage. The policy also states the importance of maintaining a concentration of 60% A1 uses.
Hemel Hempstead	Unit B 243 Marlowes Hemel Hempstead HP1 1BL	Dacorum	4/01455/08/FUL	Change of use to coffee shop (A1/A3) with outside seating.	28/08/2008	Only to be used as a coffee shop (mixed A1/A3) and no primary cooking.	Within Hemel Hempstead Main Shopping Area where the Council resists the loss of shops at street level to support the vitality and viability of the centre in terms of its retail function.
Darlington	8 Northgate, Darlington	Darlington BC	08/00294/FUL	Change of use from retail (Class A1) to a mixed Class A1/A3 coffee shop	27/08/2008	Personal condition relating to Costa Coffee only. If Costa vacate the unit, the use shall revert back to A1 use.	Primary Retail Frontage - Policy S5 of Darlington Local Plan - The loss of A1 shops in Primary Shopping Frontages to A3 uses will not be permitted.
Berkhamsted	162-166 High Street Berkhamsted HP4 3AP	Dacorum	4/01370/08/RET	Change of use to a coffee shop (A1/A3) with external seating	26/08/2008	Only to be used as a mixed A1/A3 coffee shop and no primary cooking.	Within Berkhamsted Main Shopping Area where the Council resists the loss of shops at street level to support the vitality and viability of the centre in terms of its retail function.
Penzance	Unit 2 Wharfside Shopping Centre Wharf Road Penzance	Penwith	08/0365/P	Change of use & sub division of existing shop unit to form two units	29/07/2008	Only to be used as a coffee shop.	The site lies within the prime shopping area where the loss of ground floor retail will not be permitted unless the proposal will benefit or at least maintain vitality and viability and the retail attractiveness of the prime shopping area. Retail would need to remain the prominent use.
Edinburgh	13a Castle Street	Edinburgh	08/01856/FUL	Change of use from Class2 to mixed Class 1/Class 3 coffee shop	02/07/2008	N/A	Listed Building within Conservation Area. Policy RET8 - on Core Frontages the change of use of a shop unit to a non-shop use will not be permitted.
Sheffield	85-87 Pinstone Street	Sheffield CC	08/02280/CHU	Change of use of the property from Class A1 (Retail) to a mixed A1/A3	02/07/2008	Restriction of use as a cafe and no primary cooking.	Listed Building in Conservation Area. Policy S2 Sheffield UDP ground floor frontages in the Retail Core ; Shops (A1) are the preferred use , Offices used by the public (A2) and

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Town	Address	LPA	App ref.	Description	Date Approved	Relevant Conditions	Local Plan Policy
				coffee shop			Food and Drink outlets acceptable(A3).
Andover	48 High Street Andover Hampshire	Test Valley	08/0100 8/FULL N	Change of use to Class A3 coffee shop (Retrospective Application)	05/06/2008	N/A	The property lies within the Primary Shopping Frontage wherein the Council will resist change of use to A3 if the proposed use would result in a concentration of three or more consecutive units in non retail use or if the proposal would result in non retail uses exceeding 15% of the total units within the Primary Shopping Frontage.
Bramhall	10 – 12 Bramhall Lane South, Bramhall Stockport SK7 1AF	Stockport MBC	DC0290 13	Change of use from Class A1 (retail) to a mixed A1 (retail) And Class A3 cafe	28/05/2008	Retail sales display cabinets shall be installed.	Primary Shopping Frontage. Policy PSD2.2 proportion of A1 uses will not fall below 80%
Tamworth	22 George Street Tamworth Staffordshire B79 7LL	Tamworth	0603/20 07	Change of use to a coffee shop (use class A3)	20/05/2008	Only to be used as a coffee shop and o primary cooking	The site lies within the primary shopping frontage wherein the Council seek to maintain at least 75% of the frontage in A1 use to ensure the continued vitality and viability of the town centre. Proposals for A3 uses will take account on the specific proposal taking account of appearance, trading character and hours of use.
Newport Pagnell	44 High Street Newport Pagnell Buckinghamshire MK16 8AQ	Milton Keynes	08/0047 0/FUL	Change of use from Retail (Class A1) to coffee shop (mixed classes retail A1 and cafe/restaurant A3)	06/05/2008	Only to be a mixed A1/A3 use, and no primary cooking.	Within the primary shopping frontage the Council will seek for proposals not to result in a continuous frontage of 3 or more non retail units and that the proposal would not have a significant adverse impact on any nearby properties.
Emerson Green	Unit 8 The Village Emerson Way Emerson Green South Gloucestershire BS16 7AE	South Gloucestershire	PK08/08 51/F	Change of use from Retail (Class A1) to cafe (class A3 as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	23/04/2008	N/A	The site is designated as falling within a designated primary frontage wherein the Council will seek proposals for change of use to A3 to make a positive and complimentary contribution to the vitality of the centre, not to undermine the retail function and no to have an unacceptable impact on environment, transport or residential amenity. In assessing proposals the Council will have regard to the location of the proposal, the size of the shop frontage and the number and distribution of other non retail uses.
Burton on Trent	14, Octagon Centre, Orchard Street, Burton, DE14 3TN	East Staffordshire BC	P/2007/ 01773	Change of use from Class A1 (retail) to mixed use of Class A1/A3 coffee shop.	27/02/2008	N/A	Primary Retail Area. Policy R8 - no change of use from A1 if proposed use would itself, or as precedent, damage the retail character of the area.

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Town	Address	LPA	App ref.	Description	Date Approved	Relevant Conditions	Local Plan Policy
Stamford	31 High Street Stamford, PE9 2BB	South Kesteven DC	S07/168 7/69	Change of use from retail premises A1 to mixed retail/coffee shop A1/A3	14/02/2008	N/A	Listed Building in Conservation Area and Prime Retail Area. Policy S3 re non retail uses in primary shopping streets only allowed subject to certain criteria and as long as does not threaten vitality or retail character of the area.
Rayleigh	75 High Street Rayleigh	Rochford	07/0107 4/COU	Change of use to a mixed use as A1/A3 Coffee Shop	05/02/2008	N/A	The property lies within the primary shopping frontage wherein proposals will be assessed against a number of criteria i) the proposed use is appropriate to the primary shopping frontage and would support vitality and viability ii) the proposal would not result in an over concentration of non-retail uses in part of the primary shopping frontage iii) the proposal would not result in an undue dominance in non-retail uses in the primary shopping area as a whole iv) The proposed use would not result in the loss of independent access to the upper floors and v) a shop window would be retained for display purposes.
Frodsham	16 Church Street, Frodsham	Vale Royal BC	07/2907/ COU	Change of use from retail shop (A1) to mixed retail/coffee shop (A1/A3) with external seating, formation of ramp and alterations to fire escape door.	14/12/2007	Restricting use to mixed use A1/A3 only, no other use within Class A3	Defined Shopping Area. Policy ST8 resists loss of A1 uses but permits A3 subject to certain criteria including ensuring vitality and viability of centre is not adversely affected.
St Annes	331 Clifton Road South St Annes	Fylde BC	07/0954	Change of use from A1 retail to mixed use A1/A3 use Retail/Coffee Shop - Retrospective	17/10/2007	Restricting use to mixed use A1/A3 only, no change to other class A3 uses	Primary Shopping Frontage within Conservation Area. Policy SH3 no non A1 uses where it would lead to loss of an A1 use.
Middlesbrough	4 The Mall, Middlesbrough	Middlesbrough BC	M/FP/18 50/07/P	Change of use to A1/A3 (Coffee Shop/Cafe)	15/10/2007	N/A	Primary Shopping Frontage - Policy SA10- No change of use to non A1 use where it would demonstrate harm to the shopping role, vitality or viability of the town centre.
Whetstone, N20	1287 High Road London N20 9HS	London Borough of Barnet	N08118 D/07	Retention of change of use to a coffee shop (mixed A1/A3 use).	19/09/2007	Only to be used as a coffee shop (mixed A1/A3) and no primary cooking.	The site lies within the main shopping area of Whetstone wherein planning policy allows for change of use from retail where the proportion of non retail uses does not rise above 35%, the use generates pedestrian activity and would no result in an over concentration of non-A1 uses.
Aldershot	49-51 Union Street Aldershot Hampshire GU11 1EP	Rushmoor	07/0047 4/COU	Continued use of premises as coffee shop (mixed use class A1/A3)	21/08/2007	Only to be used as mixed A1/A3 use	Within the shopping core of Aldershot town centre wherein changes of use to non-retail will be permitted when there would not be harm to vitality and viability.
Grantham	Unit 1 Isaac Newton Centre Grantham	South Kesteven DC	S07/080 6/35	Change of use to coffee shop (mixed use class A1/A3)	19/07/2007	N/A	Within the primary town shopping streets wherein proposals for non retail uses will be assessed against the number of personal callers the use will generate and whether the proposal would result in an over concentration of non retail uses, which would threaten the vitality of the centre.

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Town	Address	LPA	App ref.	Description	Date Approved	Relevant Conditions	Local Plan Policy
Hale	5-6 Century House Ashley Road Hale Cheshire	Trafford MBC	H/66881	Change of use of premises from shops (class A1) to mixed use as shops and restaurants/cafes (Classes A1/A3) with external seating.	06/06/2007	N/A	Policy S13 Trafford UDP re non-shopping uses in Town or District Centres. Only allowed subject to certain defined criteria.
Oswestry	9-11 The Cross Oswestry	Oswestry BC	07/1495 3/FUL	Change of use from retail (Class A1) to mixed retail/coffee shop use (Class A1/A3) on ground floor	30/05/2007	Personal to Costa Coffee, restricting the use as mixed, no cooking on the premises.	Within Prime Retail Area. Conservation Area. Policies SP4 and SP5. No change of use from retail (Class A1) to non-retail permitted within GF frontages fronting The Cross.
Ludlow	4-5 King Street Ludlow Shropshire	South Shropshire DC	1/06/189 82/F	Change of use of shop (A1) to coffee house and internal alterations.	05/02/2007	Restriction of use as coffee shop specifying no food preparation.	Listed building in Conservation Area. Prime Retail Area. Council took view that <u>all</u> Class A uses are suitable in town centres.
York	20 Market Street York YO1 8SJ	City of York Council	06/0246 8/FUL	Change of use from retail (A1 use) to retail & café to ground floor (A1/A3 use) with ancillary acc. on part of first floor and use of highway for tables and chairs.	28/12/2006	Restriction of use as coffee shop with no primary cooking of food.	Conservation Area. In Primary Shopping Street in Central Shopping Area. Policy S3A states non-retail uses only allowed if do not detract from primary shopping frontage and contribute to vitality and viability.
Crewe	40 Market Street Crewe CW1 2EL	Borough of Crewe & Nantwich	P06/121 6	Change of use from A1 retail to mixed A1/A3 coffee shop	21/12/2006	No primary cooking. Restriction of use to mixed A1/A3 coffee shop.	Prime Retail Area. Policy S2 Crewe & Nantwich BLP states that change of use of A1 GF uses to A2 or A3 will only be permitted in certain circumstances.
Morpeth	22-24 Bridge Street Morpeth NE61 1NL	Castle Morpeth BC	CM/200 6/0740	Retrospective application for the change of use of ground floor from A1 to A1/A3.	15/11/2006	Personal to Costa Coffee. No cooking on premises.	Primary Shopping Area. Policy M53 states no change of use of any A1 shopping uses to any other use. (If non-A1 frontage exceeds 35%, LPA will only permit CoU to A1 retail.
Ilkley	14 Brook St Ilkley LS29 8DE	City of Bradford MBC	06/0645 9/COU	Change of use from A1 retail to mixed A1/A3 retail and coffee shop.	11/10/2006	N/A	Primary Shopping Area. Policy CT5 of City of Bradford UD only allows change of use of A1 GF premises to other uses in certain circumstances.
Knutsford	20 Princess Street Knutsford WA16 6BU	Borough of Macclesfield	06/1327 P	Change of use of ground floor from retail (A1) to retail/coffee shop (A1/A3) mixed uses.	12/07/2006	Limit of areas of covers. No primary cooking.	Within Shopping Area of Knutsford town centre Conservation Area. Policies KTC9 and KTC10 of Macclesfield BC LP will allow changes from retail to non-retail depending on contribution to vitality and viability and no resulting concentration of non-retail uses.
Wakefield	13 Northgate Wakefield	City of Wakefield MBC	06/99/45 697/K	Change of use from retail to retail/coffee shop and alterations to shop front.	19/05/2006	N/A	Conservation Area, Retail Policy Area and Prime Shopping Frontage. Policy S6 of Wakefield UDP. CoU to non-retail will be allowed subject to certain criteria.
Macclesfield	23 Market Place Macclesfield SK10 1DY	Borough of Macclesfield	05/1974 P	Change of use from retail (A1) to café/coffee shop.	07/09/2005	N/A	Conservation Area, Prime Shopping Area. Policy MTC3 will allow change from A1 to A2 & A3 subject to contribution to v&v and not resulting concentration of non-retail use.

Costa Coffee - Planning Applications Approved in Prime Retail Areas 2005-2010