AF BLAKEMORE & SON LTD, STAIRFOOT BUSINESS PARK, BLEACHCROFT WAY, BARNSLEY

Planning Statement

Stainsby Grange (Wombwell) Ltd

August 2013

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Introduction

1.1 This application is for a Lawful Development Certificate for an Existing Use and relates to a commercial unit currently occupied by AF Blakemore and Son Ltd, located at Stairfoot Business Park, Bleachcroft Way, Barnsley. The unit is occupied as a retail warehouse club and this application provides evidence to justify both the duration and nature of this existing use.

1.2 The following sections of this report therefore sets out a description of the site, followed by a description of the evidence in relation to the duration of the use and nature of the use, cross referenced to relevant appendices.

Site Description

DESCRIPTION

2.1 The premises subject of this application are located to the east of Bleachcroft Way at Stairfoot Business Park in Barnsley. A B&Q retail store lies immediately to the west on the opposite side of Bleachcroft Way. Access is taken from the Stairfoot roundabout (A633) off Bleachcroft Way. The aerial photograph below shows the site in context with its surroundings – a plan at Appendix 1 also shows the site in context with the surrounding area.



2.2 The Unit is currently occupied by Blakemores Cash and Carry which comprises 4032 square metres of floor space (GIA).

2.3 Wilsons Carpets (carpet retailers) occupy a unit that is joined to the Blakemore Unit (this comprises 584 square metres of floor space (GIA). Both units were constructed at the same time with the benefit of a planning permission granted in 1969.

2.4 Appendix 2 shows the current demise of the Blakemore Unit (edged red) together with additional land in the ownership of Stainsby Grange (Wombwell) Ltd (edged blue) to the south of these units.

Evidence

Background

3.1 Statutory Instrument 2005/84, amended the Town & Country Planning (Use Classes) Order 1987, and came into force on 21st April 2005. The Town and Country Planning (General Permitted Development) Order 1995 was also amended by Statutory Instrument 2005/85 to reflect the changes to the Use Classes Order. Circular 03/2005 provides a guide to the Use Classes Order as amended by SI 2005/85.

3.2 Having regard to the above, the Circular clarifies that Retail Warehouse Clubs involving the sale or display for sale of goods only to members of a club is to be regarded as a 'sui generis' use.

3.3 This section of the report describes the evidence relating to firstly the duration of the existing use as a Retail Warehouse Club and secondly, with regard to the nature of the use.

Duration of Use

1969

3.4 It is understood that planning permission for the erection of this unit was granted in 1969 although it has not been possible to source a copy of this planning permission due to it age.

1974

3.5 The unit was occupied by R T Willis Cash (Food Distributors) Ltd. A copy of the June 1993 edition of the Land Registry entry (as searched 26th January 1999) is attached as **Appendix 3**. This shows that, at that time, the subject premises was under the lease to R T Willis for a period of 21 years from 12th February 1973. . In the Charges Register there is also reference to an option to renew a lease dated 16th June 1969 in favour of R T Willis & Sons Ltd which was also recorded as a 21 year lease. It would appear that the subject property was therefore held under two separate leases that were amalgamated, with the

commencement of the Blakemore lease following directly on. It is likely that the R T Willis business was purchased as a going concern by A F Blakemore & Sons.

1994

3.6 AF Blakemore commenced occupation of the subject premises around the end of 1994. A copy of their lease is attached as **Appendix 4.** This shows that the lease commenced on the 13th December 1994 for a period of 20 years.

1998

3.7 An aerial photograph from 1998 shows the unit constructed and some vehicles parked in the car park and service yard, indicating occupation at that time. This is attached as **Appendix 5.**

3.8 In September 1998, Stainsby Grange entered into negotiations to acquire the freehold interest of land at Stairfoot including the subject premises. The subject property came to be purchased by Stainsby Grange Ltd as part of a land assembly exercise (involving six different ownerships). The largest ownership was with London & Associated Properties /Barmik Property Trust, who owned Blakemore.

3.9 Evidence at **Appendix 6** shows a pre-contract enquiry. This shows at paragraph 4.1.2 that the uses on the site have been carried out since prior to 1976.

1999

3.10 Stainsby Grange than entered a conditional contract subject to planning having made investigations regarding the ownership in February 1999. A report on title from February 1999 is included at **Appendix 7** confirming AF Blakemore was the tenant of the property at that time.

2002

3.11 The purchase of the property was completed by Stainsby Grange upon receipt of the B&Q planning permission in April 2002.

Stainsby Grange Ltd have therefore been the landlords of AF Blakemore & Sons since this date. They hold the property under the terms of a lease dated 13th December 1994 which was for a term of 20 years from 18th March 1994. The company were therefore in occupation under the terms of this lease since 1994.

3.12 Correspondence between AF Blakemore and Stainsby Grange in September 2002 shows that discussions had started with regard to proposals to alter the internal layout of the unit together with some external alterations. This is included at **Appendix 8.**

2003

3.13 An aerial photograph from May 2003 shows the unit constructed and some vehicles parked in the car park and service yard, indicating occupation at that time. This is attached as **Appendix 9.**

2013

3.14 AF Blakemore remain in occupation of the unit. An extract from the Valuation Office website is included at **Appendix 10** which confirms Blakemore as the tenants.

3.15 In conclusion with regard to the duration of use, AF Blakemore and Sons Ltd have occupied the premises on a continuous basis since 1994.

Nature of Use

3.16 AF Blakemore and Sons Ltd own website provides a lot of information about the nature of the existing use carried out from the premises (www.afblakemore.com). Extracts from the website are included at **Appendix 11.**

3.17 The website explains that Blakemore Wholesale entails the cash & carry and delivered wholesale arm of A.F. Blakemore & Son Ltd and that the whole business turns over £1.15bn and employs 7900. The division operates from nine cash & carry depots in Bangor, Barnsley, Birmingham, Gateshead, Grimsby,

Middlesbrough, Newport, Walsall and the company's head office at Wolverhampton Science Park. The Valuation Office information at Appendix 10 shows the Wholesale division estate has a total floor area of nearly 60,000 square metres.

3.18 The website goes on to explain that the company is the largest member of the Landmark Group and employs more than 430 people with a turnover of £255m in 2011/2012. This equates to an average turnover of circa £4,250 per square metre and would give the Barnsley store (if operating to the average) a turnover of nearly £17.25M per annum. The website does not give any figures but competitors Bookers show only 17% of their current turnover is as a traditional middleman to retailers and that the rest of the turnover is sales to businesses and individuals.

3.19 With regard to the range of products sold by AF Blakemore, the website shows that their product range includes fresh, ambient, chilled and frozen foods as well as licensed, tobacco and other non-food products. They include a wide range of groceries, fresh and chilled food, catering products, licensed products and fresh/morning goods. The website states that more than 20,000 products are held in stock and lists; Catering- 1515 results; Chilled & Frozen – 1864; Cigs & Tobacco – 762; Grocery – 2692; Impulse- 1928; Licensed- 1867; and Non Food - 708.

3.20 The evidence shows that the unit stocks a very wide range of goods that can be purchased in different quantities. **Appendix 12** sets out a selection of recent photographs from the store showing the wide range of products on sale, including a traditional till arrangement where customers which customers can utilise for the purchase of a small amount (tradition shopping trolley size) of goods.

3.21 The website also confirms that AF Blakemore operate as a Retail Warehouse Club and that registration is required to become a Member.

3.22 The final piece of evidence submitted with the application is a letter from David Williams, a Director of Stainsby Grange

(Wombwell) Ltd. This confirms that the unit is being operated now in the same way and for the same use as at the time the unit was acquired in 2002. The letter is attached as **Appendix 13.**

Conclusions

4.1. This application is for a Lawful Development Certificate for an Existing Use and relates to a commercial unit currently occupied by AF Blakemore and Son Ltd, located at Stairfoot Business Park, Bleachcroft Way, Barnsley.

4.2. The evidence included with this application has shown that the unit is occupied as a Retail Warehouse Club and in particular that:

4.3. The unit was first erected in circa 1969.

- It was occupied in the period 1974 to 1994 by a wholesale retailer of food.
- RF Blakemore and Son Ltd first occupied the unit in 1994 and have been in continuous occupation since that time without any periods of non-occupation.
- That the nature of the use has been as a Retail Warehouse Club for a minimum continuous period of at least 10 years.

4.4. On this basis, the Council should approve the application relating to this unit and confirm that the existing use as a Retail Warehouse Club is lawful.