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Mr K Dunn
Planning and Transportation Service
Development Management
Barnsley Metropolitan Borough Council
PO BOX 604
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S70 9FF

21 April 2016

Our Ref: 15/2431

Dear Keiron,

Application References 2016/0090 and 2016/0091- Proposed Retail Units with car parking, landscaping and associated works, Land North of Barnsley Road, Goldthorpe

On behalf of our clients Dearne Estates Ltd, following your planning policy Officer's comments we would like to take the opportunity to respond to the sequential matters raised. First and foremost, we are disappointed that the policy consultation response was only provided nearly 4 weeks after the consultation expiry date and note this could have been resolved far sooner if this had been provided to us.

The comments made are a negative consideration of the development and limited consideration has been given to the many positives that will follow this development. These include the significant regeneration benefits associated with the redevelopment of a prominent gateway site in the town which will benefit local traders and the local economy; job creation (approximately 60 jobs) and enabling more sustainable shopping patterns. This policy response, should comment on the many wider planning benefits of the scheme which are enshrined in the NPPF and its presumption in favour of sustainable development (paragraph 14) and not purely focus on retail tests. Nevertheless we respond on the points raised for completeness and to assist the Council in determining the proposals.

The proposals by their nature will have a number of impacts, the majority of these will be positive considering the desperate need for jobs and investment within this area.

Sequential

We are disappointed by the policy Officer's view of our sequential assessment. As explained in the covering letter and the introduction of the Planning and Retail Statement submitted, the applications were submitted separately so they could be kept separate for legal purposes. However they are intrinsically linked in reality, as unit 2 cannot be delivered without the larger retail unit due to the shared access and car parking arrangements. Therefore for the purpose of the technical documents submitted, including the Sequential Assessment, as part of this planning submission the development have been considered as a whole entity for robustness.

We are pleased that the numerous sites detailed within our Sequential Assessment have all been discounted, except the Goldthorpe Primary School site. We are aware the school has been marketed by the Council for some time for redevelopment

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and the Goldthorpe Masterplan identifies the site to accommodate a new anchor foodstore/retail store. Our previous assessment concluded that the site was unsuitable due to being smaller than the combined application sites, not available in a sufficient timeframe and unviable.

The applicants have conducted additional investigations in to the former school site and we are aware that whilst the Council originally wanted a retail scheme anchored by a discount food store, now this requirement has been met by the new Aldi, their aspiration is for a mixed-use scheme with smaller retail, high street style units to the front and residential development to the rear. Therefore the application proposals are not suitable for achieving the Council's aspiration. Furthermore, we are led to believe that whilst no offers have been received from the marketing conducted to date, the Council are in discussions with various interested parties.

In addition, viability investigations are now being conducted in to the school site by the applicant. On a confidential basis, we have disclosed separately the values to be achieved minus costs of delivering the application site. In the context of the 'school site' , the costs to deliver a planning consent would be at a similar level, whilst the value that Home Bargains would be prepared to pay for the school site would be far less due to the commercially inferior constrained location. The application site is more likely to attract greater footfall both due to the proximity to the Aldi store and benefiting from pass by traffic that would avoid the centre itself. Delivery costs are also greater on the school site in respect of demolition costs, site clearance, decontamination, access etc. Therefore the school site is not a viable site for accommodating the proposed retail units.

Most importantly is the fact that Home Bargains do not consider the school site a location that would fit with their needs. This is to the extent that they would not build a store in Goldthorpe if the application was to be refused, attached is a letter from Home Bargains, confirming this. Home Bargains do not consider the 'school site' as being suitable for their retailing needs and as such do not consider this a viable trading location. As such, the planning system cannot force the retailer to take a site that does not suit their business requirements.

The High Court Judgement 'Tesco Stores Ltd v Dundee City Council' published 21 March 2012 supports the principle that the sequential site should be suitable for the developers' proposals i.e. two retail units. In order to assess what is suitable, the retailer has assessed the market and established what it needs to serve and compete successfully within it. In the case of this site, it is to be located next to the Aldi store where they will benefit from linkage. Home Bargains do not consider that they could operate sustainably within the centre of Goldthorpe as a standalone retailer as their business model alone would not generate the necessary trips for the business to be viable.

As noted within the letter, Home Bargains have had long term aspirations to locate in the Goldthorpe area however until now, an available, suitable and viable site has not been available. This includes their consideration of the Goldthorpe Primary School site which is not considered a viable trading location for the company. Whilst the application site benefits by being located next to the new Aldi which will ensure sufficient trade is generated through a combined retail park format offering a commercially viable development. If the school site was the only option Home Bargains would withdraw from Goldthorpe altogether.

Summary

Overall we stress that the application has been received extremely positively by the local community, with **26 (87%)** letters of support submitted to BMBC out of 30 responses since the time of submission. In addition, extremely positive discussions have been had with the Ward Councillors who as you are aware are fully supportive of the proposals. The level of political and public support demonstrates the need for these proposals to come forward. The proposals represent a significant investment which would undoubtedly have a tangible and long term positive impact on the local area. This includes the creation of up to 60 new full and part time jobs and substantial environmental and social benefits.

We look forward to working together over the coming weeks to ensure the proposals are presented at the May committee and delivering this development for the benefit of local residents, traders and the local economy in Goldthopre, continuing the work started on the wider site by Aldi last year.

Yours sincerely,



Claire Temple

Director

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Enc.