

**SUPPORTING PLANNING STATEMENT
HOMEBASE
255 FINCHLEY ROAD
LONDON
NW3 6LU**

FOR HOMEBASE LTD

OUR REF GR576

7th JULY 2014

CONTENTS

1.0	INTRODUCTION TO APPLICATION -----	Page 2-3
	(a) Planning Background	
	(b) Application Proposals	
2.0	PLANNING POLICY ANALYSIS -----	Page 4-6
	(a) Camden Unitary Development Plan	
	(b) Camden Core Strategy & Policies Map	
	(c) Other Camden LDF & Planning Documents	
	(d) London Plan	
	(e) National Planning Policies	
3.0	APPRAISAL OF RELEVANT PLANNING ISSUES -----	Page 7-12
	(a) Planning Implications	
	(i) Retail Issues	
	(ii) Community Infrastructure Levy	
	(iii) Other Planning Issues	
	(b) Design & Access Statement	
	(i) Design Principles	
	(ii) Access Principles	
4.0	SUMMARY & CONCLUSIONS -----	Page 13

TABLES

Table GRP1 – Existing & Proposed Floor Areas of Main Homebase Store

Table GRP2 – Existing & Proposed Turnover of Homebase Store in 2014

1.0 INTRODUCTION TO APPLICATION

(a) Planning Background

- 1.1 This Statement is submitted in support of the application from Homebase Ltd for full planning permission to extend the existing internal mezzanine (first floor) by 1,527 square metres to be used in conjunction with the existing floorspace to sell A1 non-food goods. The application includes minor external alterations in the form of two new fire exit doors.
- 1.2 This Statement addresses the planning implications of the proposed development and includes a Design & Access Statement in Section 3 (b). It should be read in conjunction with the submitted plans (prepared by PMM) and the Transport Statement and Travel Framework Plan (prepared by Motion Transport).
- 1.3 The application site comprises the Homebase store which trades under the operational planning consent 9501238R2 granted on the 13th September 1996 for a 3 storey mixed use development and a Sainsbury's foodstore on the Finchley Road frontage and a non-food retail store to the rear (Homebase). There is no other relevant planning history in relation to the application site.
- 1.4 The extended mezzanine will enable Homebase to sell and display a deeper range of goods and showcase a larger number of kitchen, bathroom and fitted bedroom layouts.

(b) Application Proposals

- 1.5 The application seeks full planning permission to install a mezzanine of 1,527 square metres. As the submitted plans show all the new floorspace would comprise sales (trading) space and would be designed as an extension to the existing mezzanine. The proposed external alterations are minor and comprise two new fire exit doors within the south elevation (facing the 'service road' and London Underground Station). Both will be flush steel doors to match the existing fire exit on the same elevation.
- 1.6 The application is submitted pursuant to Section 55(2A) of the Town & Country Planning Act 1990 and Article 3 of the Town & Country Planning (Development Management Procedure) England Order 2010, which restrict the amount of gross mezzanine floorspace that can be carried out without the need for planning permission to increases of up to 200 square metres. The proposed mezzanine extension exceeds this threshold and therefore requires planning permission.
- 1.7 The extended mezzanine will be used to sell A1 non-food goods. Condition 1 of the operational consent 9501238R2 confirms that the Homebase can be used for the sale of any A1 non-food goods. A similar restriction is invited on the grant of planning permission for the proposed mezzanine.
- 1.8 The new floorspace will enable Homebase to sell and display:

- A greater depth of range
- To showcase a greater range of Kitchen and bathroom layouts
- To focus on a greater range of fitted bedrooms

1.9 Table 1 below provides a comparison of the floor areas of the existing main Homebase building (excluding the garden centre) and the store with the proposed (extended) mezzanine.

Table GRP1: Existing & Proposed Floor Areas of Main Homebase Store

	Retail Area Ground Floor	Warehouse Area Ground Floor	Retail Area Mezzanine Floor	Ancillary Area Mezzanine Floor	Total Floor Area
Existing Store	3,165	541	1,003	425	5,134
Proposed Store	3,165	541	2,530	425	6,661

Notes:

- (1) All floor areas in square metres and rounded-up
 (2) Ancillary Area on mezzanine floor includes warehouse areas, plant and staff facilities
 (2) Existing & proposed Total Floor Area exclude the external garden centre

1.10 These details are shown on the submitted plans, which comprise the following:

Application site plan – Drawing No. 4027/P01
 Existing ground floor & site plan – Drawing No. 4027/P02
 Existing first floor & south elevation – Drawing No. 4027/P03
 Proposed ground floor & site plan – Drawing No. 4027/P04
 Proposed first floor & south elevation – Drawing No. 4027/P05

- 1.11 The extended mezzanine will be used to sell A1 non-food goods. Condition 1 of the operational consent 9501238R2 confirms that the Homebase can only be used for the sale of A1 non-food goods and is therefore only restricted from selling food. A similar restriction is invited on the grant of planning permission for the proposed (extended) mezzanine space.
- 1.12 Homebase is one of the UK's leading home enhancement retailers selling over 38,000 products for the home and garden. It has approximately 340 large stores throughout the UK and Republic of Ireland serving around 64 million customers a year, and a growing internet offer at www.homebase.co.uk. In the financial year to February 2012, Homebase sales were £1.5billion and it employed some 19,000 people across the whole business. Homebase is part of the Home Retail Group, the UK's leading home and general merchandise retailer.
- 1.13 The existing Homebase store employs 75 staff (40 full-time equivalents). The extended mezzanine will create 5-6 new full-time equivalent jobs as well as those employed during the construction of the mezzanine extension and fitting-out works.

2.0 PLANNING POLICY ANALYSIS

- 2.1 This analysis addresses the relevant local and national retail policies. The design and access issues raised by the proposed mezzanine, and corresponding policies, are addressed in the Design & Access Statement in section 3 (b). The relevant transport policies are addressed in the supporting Transport Statement & Travel Plan Framework (prepared by Motion Transport).

(a) Camden Unitary Development Plan

- 2.2 The Unitary development Plan was replaced by the adopted Local Development Framework (LDF) documents in November 2010. The latter, together with other LDF documents adopted since 2010 and the London Plan now form the development plan for Camden.

(b) Camden Core Strategy & Policies Map

- 2.3 The Core Strategy was adopted in November 2010 in conjunction with the Policies (Proposals) Map. In relation to the latter, the Homebase and its shared customer car park are included within the designated boundary of Finchley Road Town Centre (FRTC). It is also shown as being located within a 'Growth Area', which includes land to the west as well as the adjacent shared customer car park to the east of the store.
- 2.4 Policy CS2 of the Core Strategy confirms that within the 'Growth Areas' mixed use developments which secure new housing, jobs and town centre uses will be encouraged as part of the spatial strategy of concentrating most of the development 'needs' of Camden (to 2025) within the 'Growth Areas'.
- 2.5 Policy CS7 reaffirms this approach in confirming that these locations will cater for future retail growth, including the 'Growth Area' known as 'West Hampstead Interchange', which includes the Homebase site. Part 'c)' of Policy CS7 confirms that additional retail provision will be provided in this 'Area' as part of any new development schemes. The Policy continues by confirming that the Council will apply a sequential approach to retail development outside of the 'Growth Areas' to support its network of town centres, which includes, amongst others, FRTC.

(c) Other Camden LDF & Planning Documents

- 2.6 The Development Policies Development Plan Document (DPD) was adopted in November 2010. Policy DP12 seeks to manage the provision of food, drink, entertainment and other town centre uses. As the proposal is to extend the existing internal mezzanine there will be no impact on the character, function, vitality and viability or amenities of the area. On the contrary, there will be positive benefits secured through new investment within an established store that forms part of FRTC and the provision of new jobs. Paragraph 12.5 recognises that new retail development can add to the vitality and vibrancy of existing centres, which this proposal will do and confirms that any retail implications will be assessed in accordance with

national retail policy (which at the time was PPS4 since replaced by the National Planning Policy Framework (NPPF) (March 2012) and Planning Practice Guidance (PPG) (March 2014)).

- 2.7 The Site Allocations DPD was adopted in September 2013. Although the Homebase site is not allocated, the adjacent shared car park (between the store and Sainsbury's store/O2 Centre) is under 'Site 29' for mixed-use development including housing, retail, community uses and open space. This reaffirms the suitability of the location in land use planning terms for additional retail floorspace, provided this is of an appropriate scale and subject to any assessments required by national policy. The supporting text to 'Site 29' confirms that any redevelopment will need to be supported by a transport assessment to assess the level of car parking required to be retained to support existing town centre businesses, such as Homebase, as well as any new uses.
- 2.8 The adopted Camden Planning Guidance 2013 reaffirms that the Homebase site is situated within the LDF's defined boundary for FRTC (Map 3 refers). The supporting text at paragraphs 3.34 – 3.44 concentrate on controlling the percentage of A1 uses in the core areas and the growth of entertainment and food/drink uses, and are not therefore relevant to the current application.

(d) London Plan

- 2.9 Policy 4.7 of the adopted London Plan (2011) sets out the 'principles' that should be adopted when making decisions on retail development. These include the need to have regard to the scale of development proposed, adopting a sequential approach and assessing impact where new development or extensions to existing edge or out-of-centre stores are proposed. The proposed mezzanine extension is integral to the existing Homebase offer and will not alter the character, format or role of the existing retail store, which is situated within a well established town centre location.
- 2.10 Draft Alterations to the London Plan were published in January 2014. Policy 4.7 remains largely the same as in the adopted Plan. Paragraphs 4.40 – 4.48 and Policy 4.8 recognise the need to support a successful and diverse retail sector to meet the needs of Londoners and also to maintain its key role in London's economy through the local jobs it secures. It also recognises that retailing is undergoing significant change with retailers making more efficient use of existing space, promoting "*special forms of retailing like e-tailing*" and bringing in more efficient delivery systems. The proposed mezzanine extension is being promoted by Homebase in response to a number of these 'changes'.

(e) National Planning Policies

- 2.11 The NPPF reflects the Coalition Governments strong pro-growth and investment agenda. Whilst we refer later, where relevant, to the NPPF (and the new PPG which supersedes the 2009 PPS4 Practice Guidance) in assessing the planning implications of the proposals, the main policies of the NPPF can be summarised as follows:

- Paragraph 14 sets out a presumption in favour of sustainable development which means that planning permission should be granted for proposals that are either not at variance with the Development Plan or where the Plan is silent or absent and the proposals would not result in any significant adverse impacts
- Paragraphs 17 & 18 confirm the Coalition Governments commitment to securing new investment and jobs and the need for Planning Authorities to proactively drive and promote economic growth through their planning policies and decisions on individual applications
- Paragraphs 23 -27 require Applicants proposing new retail development outside of existing town centres to follow a sequential approach and for developments that result in 2,500 square metres gross floorspace or more to demonstrate through a retail impact assessment that their proposals would not have a “*significant adverse impact*” on vitality and viability or any planned town centre investment
- Paragraph 186 requires Planning Authorities to approach decision-taking in a positive way so as to foster and deliver sustainable growth, investment and new jobs
- Paragraphs 196 – 197 confirm that whilst planning remains a plan-led system the Framework is an important material planning consideration and that in determining applications Planning Authorities should apply the Framework’s presumption in favour of sustainable development

2.12 This application is fully compliant with the NPPF and specifically its retail policies as we demonstrate in Section 3.

3.0 APPRAISAL OF RELEVANT PLANNING ISSUES

(a) Planning Implications

(i) Retail Issues

- 3.1 In relation to the sequential approach, paragraph 24 of the NPPF confirms that where new “*town centre uses*” are proposed which are not within an existing centre and not in accord with the Development Plan they should be supported by a sequential assessment. The Homebase site is located within the defined boundary of FRTC, where the principle of retail development, of an appropriate scale, is supported by the policies of the development plan.
- 3.2 In view of this and as the Homebase is a well established retail destination and forms part of the overall shopping offer of FRTC, the store clearly complements the centre and adds to its vitality and viability. In line with the NPPF, there is therefore no requirement to address the sequential approach.
- 3.3 The proposal involves an extension to the existing mezzanine to allow Homebase to sell and display a deeper range of goods and showcase more kitchen, and bathroom layouts and fitted bedrooms. The mezzanine space can only be provided within the existing store and it does not represent floorspace that could be operated separately.
- 3.4 There is therefore no need to assess this issue further, and this includes the issue of disaggregation, which is not relevant and would in any case simply not be viable or achievable. Paragraph 24 of the NPPF does not of course make any reference to the issue of disaggregation. In our view this must be interpreted as confirmation that there is no longer any requirement to address this issue. This is reaffirmed in the new PPG ‘Ensuring the Vitality of Town Centres’ which similarly contains no reference to the issue of disaggregation. Even so, the reference to disaggregation in the now cancelled PPS4 made it very clear that the intention was not to seek the “*arbitrary subdivision of proposals*” or require a single retailer to split their proposed development onto separate sites.
- 3.5 With regard to impact, paragraph 26 of the NPPF confirms that where applications for retail development are being assessed, which are outside an existing centre and not in accord with an up to date Local Plan, the Council should require an impact assessment only where the development is over 2,500 square metres gross or a locally set threshold adopted in line with the NPPF. In this particular case:
 - Policy CS7 of the adopted Core Strategy confirms that the sequential approach, and it follows an impact assessment, will only be applied to sites outside the ‘Growth Areas’ and where required to support centres such as FRTC. The Homebase sites is located within both FRTC and the designated ‘Growth Area’
 - Paragraph 12.5 of the Development Policies DPD confirms that impact assessments will only be required in line with national policy
 - The Homebase is situated within a designated town centre

- New retail development in this location is consistent with the policies in the adopted LDF documents and NPPF
- No local threshold has been adopted by the Council in line with the NPPF and therefore the default threshold of 2,500 square metres applies
- The application seeks consent for a mezzanine extension of 1,527 square metres which falls well below the default threshold in the NPPF

- 3.6 A retail impact assessment is therefore not required to support this application.
- 3.7 Although paragraph 12.5 of the Development Policies DPD refers to the potential impact that new shops can have in diverting trade, it also acknowledged that such uses can add to the vitality and viability of existing centres. As we have shown, there is no requirement to assess impact in this case, but even so this proposal will add to the Homebase offer and further enhance the role it performs in attracting shoppers to the centre and generating the opportunity for linked trips with other businesses within the town centre.
- 3.8 The proposed mezzanine extension will be used to sell similar non-food goods to those that are permitted by the operational consent. There will be no change to the character, format or offer that the Homebase store currently caters for.
- 3.9 In relation to scale, the extension is appropriate in that it is integral to the store and represents a logical extension to the existing mezzanine. It equates to a 30% (rounded up) increase in the internal floor area of the main Homebase building (excluding the garden centre) which represents an entirely appropriate increase in the scale of floorspace that already exists on site.
- 3.10 Homebase has provided a breakdown of the existing and proposed turnover (sales) for this store. Whilst the precise sales figures are commercially sensitive and therefore confidential, we have compared these with published Company averages and our experience of similar DIY home improvement stores. From this we have extrapolated the following turnover figures for the Finchley Road Homebase store:

Table GRP2: Existing & Proposed Turnover of Homebase Store in 2014

	Sales Density £ Per Sq.M	Existing Sales Area Sq.M	Existing Turnover £Millions	New Sales Area Sq.M	Proposed Turnover £Millions	Uplift in Turnover £Millions
Homebase	1,100	4,168	4.58	1,527	5.496	0.916

Notes:

- (1) All floor areas in square metres and rounded-up
- (2) Sales Density calculated from Homebase estimates, published Company averages and G R Planning experience and includes sales from the main store as well as the external garden centre
- (3) Existing Sales Area includes main store (3,165 sq.m.) and external garden centre (1,003 sq.m.)
- (4) Uplift in Turnover provided by Homebase and assumes 20% increase from new mezzanine area of 1,527 sq.m.

- 3.11 As we confirm, the turnover estimates use a combination of sources and are therefore reliable and robust. The estimated uplift in turnover uses the same sources with greater emphasis on the actual sales forecasts provided by Homebase themselves. These same forecasts have previously been used and accepted by Planning Authorities in approving similar Homebase mezzanines at Liskeard, Solihull, Bromsgrove and Hexham.
- 3.12 It is widely accepted within the retail planning industry that extensions (including mezzanines) do not result in a pro-rata increase in turnover. For example, most food operators have shown, through experience and surveys, that the rate of increase in turnover resulting from extensions is around 30%. For non-food operators the position varies as the examples below show:
- Dreams Beds, Unit 8, Edge Lane Retail Park, Liverpool – in granting planning permission for a mezzanine of 465 square metres the Council accepted that it would generate an uplift of 10%
 - Argos, Unit 4, Cambridge Retail Park, Cambridge – in granting planning permission on appeal for a mezzanine of 921 square metres the Council accepted that it would generate an uplift of 11.1%
- 3.13 Further examples include the mezzanines approved at the Homebase stores referred to in paragraph 3.11, where in each case the Council in question accepted that the uplift in turnover would be 20%. This again shows that the estimate we have used in Table GRP2 is reliable and robust.
- 3.14 The proposed mezzanine extension will therefore result in an uplift of around £916,000. This figure is immaterial in retail planning terms. Most of this uplift will in practice be drawn from a higher spend by existing customers and from competing retail stores. As the new floorspace would continue to complement the town centre and allow Homebase to stock a greater depth of range and showcase more bathroom and kitchen layouts and fitted bedrooms, very little, if any, trade will be drawn from other businesses within the town centre. Put into perspective, this figure (£916,000) compares with a comparison turnover for FRTC of £58.2Million in 2008 (paragraph 5.23 of the Camden Retail Study Update 2008 refers). Also, that in the 20 year period to 2027 available comparison spend in Camden was estimated to grow by nearly £1.3Billion (paragraph 5.17 of 2008 Retail Update). In addition, that the proposed mezzanine area of 1,527 square metres represents only 4.5% of the total amount of A1 floorspace that FRTC was estimated to accommodate in 2008 (paragraph 6.34 of 2008 Retail Update). All these figures from the Retail Update are likely to have materially increased since it was first published in 2008.

- 3.15 Most of this is however academic, in that, as we confirmed earlier, retail impact is not relevant as the Homebase is within an established town centre location, close to the O2 Centre, which the 2008 Retail Study confirms is a 'key anchor' of FRTC (see paragraph 6.35). Our brief analysis shows, however, that the scale of the proposed mezzanine extension is appropriate and would not give rise to any material retail implications.
- 3.16 Paragraph 27 of the NPPF states that an application should only be refused where it fails to satisfy the sequential test or is likely to have a "*significant adverse impact*" on nearby centres. This needs to be considered in the context of paragraph 14 of the NPPF which requires Planning Authorities to weigh the balance of any adverse impacts against the benefits that arise from the application, with permission only being refused where there are significant and demonstrable adverse effects that outweigh those planning benefits.
- 3.17 In the judgement *William Davis Ltd, Jelson Ltd v Secretary of State for Communities and Local Government & North West Leicestershire District Council* [2013] EWHC 3058 (Admin), the Court held that paragraph 14 of the NPPF only applied to a scheme that was found to be sustainable. The proposed mezzanine extension does not give rise to any significant or demonstrable adverse impacts, the sequential approach is not relevant and it is compliant with local and national retail policies. It would also be sustainable in that:
- It would maximise the use of the existing store and footprint and the applicants (Homebase's) asset
 - It would involve an extension to a store in a well established town centre location that is highly accessible and provides the opportunity for linked trips with other businesses within the centre
 - The proposed works would be financed by Homebase stimulating jobs in the local economy through the construction and fitting-out works
 - It would secure 5-6 new full-time equivalent jobs, in addition to the 75 (40 full-time equivalent) jobs that the store already provides
- 3.18 Taken together with the presumption in favour of sustainable development, planning permission should therefore be granted.

(ii) Community Infrastructure Levy

- 3.19 Pre-application discussions have taken place with the Council's Community Infrastructure Levy (CIL) Team concerning the application of the CIL Regulations to the proposed mezzanine extension.
- 3.20 A General Enquiry (reference 9432344) was submitted to the Council on the 29th May 2014 arguing that in line with the advice in paragraphs 5.8 – 5.9 of the London Plan Supplementary Planning Guidance (April 2013) on Cross Rail Funding & the Mayor's CIL charges, the proposed mezzanine was excluded from the CIL Regulations (by Regulation 6 (1) of the 2011 CIL Regulations (as amended)) and a payment was not therefore required. Whilst a written response was not received, the Council subsequently confirmed in discussions over the phone

that their initial view was that a CIL payment was required, due to the comments in paragraph 2:1:2 of the Government's Community Infrastructure Levy Guidance (February 2014), but that the issue would be assessed in more detail once an application was formally submitted.

- 3.21 The Applicants (Homebase) have therefore sought legal advice on the matter from Dentons UKMEA LLP (of One Fleet Place, London). Based on their clear written advice, dated the 12th June 2014, the Applicants position is that this application is made pursuant to Article 3 of the Town and Country Planning (Development Management Procedure) England Order 2010 in respect of gross retail floor space increases of more than 200 square metres. The Order, made under section 55(2A) of the Town & Country Planning Act 1990, specifies types of development to which Section 55(2) applies. Regulation 6(1) of the Community Infrastructure Levy Regulations 2010 provides that the carrying out of work to, or in respect of, an existing building for which planning permission is required only because of provisions made under Section 55(2A) of the Town & Country Planning Act 1990 should not be liable to CIL.

(iii) Other Planning Issues

- 3.22 Other than the matters addressed in the Design & Access Statement and supporting Transport Statement and Travel Framework Plan, no other planning issues are raised by the proposed mezzanine extension. As the new floorspace to be provided is internal, there will be no impact on the character of the area or local amenities.
- 3.23 The grant of planning permission for the mezzanine extension will not prejudice any other development proposals from coming forward within the 'Growth Area' or on the allocated shared car park site. As we have shown the proposed mezzanine is consistent with the aims and objectives of the policies for the 'Growth Area' and FRTC.
- 3.24 The development will secure new investment within the Homebase store and create 5-6 new full-time equivalent jobs, in addition to the 75 (40 full-time equivalent) jobs that the store currently provides for, reemphasising the importance of retail jobs to the local economy as is recognised in the London Plan (see Policy 4.8 of the 2014 Draft Plan).
- 3.25 As no planning, transport or wider impacts result from the proposed mezzanine extension, there is no need to consider any mitigation requirements in the form of Planning Obligations, and no need therefore to assess the proposals further in relation to the advice and requirements set out in the Council's Planning Guidance on Planning Obligations, CPG8.

(b) Design & Access Statement

(i) Design Principles

- 3.26 The application only seeks consent for minor external works in the form of two new fire exit doors on the southern elevation of the store facing the 'service road' and London Underground Station. Both will be flush steel doors to match the existing fire exit on this elevation.

- 3.27 As these works will not materially affect the external appearance of the store and will be designed to match existing, there is no need to assess the proposals against any of the design policies of the adopted LDF or the corresponding policies in the NPPF. No other design issues are raised by the proposals.

(ii) Access principles

- 3.28 The implications of the proposals in terms of the existing car parking, access and servicing arrangements and addressed in the supporting Transport Statement and Travel Plan Framework. The former concludes that:

“This Transport Statement has been prepared with regard to relevant planning policy and the guidance contained within the Department for Transport’s *‘Guidance on Transport Assessment’* (March 2007). It demonstrates that:

- The development proposals accord with national, regional and local policies relevant to transport;
- The site is accessible by a range of sustainable modes of transport;
- The development proposals will result in only a marginal increase in traffic attraction; and,
- Parking demand associated with the increased floor area at the store can be accommodated within the existing O2 Centre car park”

- 3.29 The proposed mezzanine will incorporate the appropriate customer facilities, services, mobility and Health & Safety requirements, and will include a new up/down escalator to assist customers in accessing the extended mezzanine floor.

4.0 SUMMARY & CONCLUSIONS

- 4.1 This Statement is submitted in support of the application from Homebase Ltd seeking full planning permission to install a mezzanine extension of 1,527 square metres and undertake minor external works in the form of two new fire exit doors. The new floorspace will be used to sell and display a greater depth of range and showcase more kitchen and bathroom layouts and fitted bedrooms, as well as other A1 non-food goods in line with the operational planning consent for the store.
- 4.2 There will be no material change in the primary use of the existing retail store and it will continue to complement and support the vitality and viability of FRTC within which it is located.
- 4.3 The proposed mezzanine extension does not give rise to any land use planning or retail implications and would not be at variance with the retail, design and transport policies of the NPPF or the adopted policies of the LDF. The proposals will create 5-6 new full-time equivalent jobs, in addition to the 75 (40 full-time equivalent) jobs that the store currently provides for.
- 4.4 Paragraphs 5.8 - 5.9 of the London Plan Supplementary Planning Guidance confirm that the proposed mezzanine extension does not generate the requirement for a CIL payment. Regulation 6(1) of the Community Infrastructure Levy Regulations 2010 provides that the carrying out of work to, or in respect of, an existing building for which planning permission is required only because of provisions made under Section 55(2A) of the Town & Country Planning Act 1990, which applies in the case of this application, should not be liable to CIL.
- 4.5 The proposals benefit from the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF which means in this case that planning permission should be granted.
- 4.6 Condition 1 of the operational consent for the Homebase (reference 9501238R2) confirms that the existing store can be used for the sale and display of any A1 non-food goods. The Applicants would invite a similar restriction on the proposed mezzanine extension.
- 4.7 In light of the above we would respectfully request that this application is approved in accordance with the adopted LDF documents, the NPPF and Section 38(6) of the Planning & Compulsory Purchase Act 2004.