

**RE : HOMEBASE, ELIZABETH WAY, SAFFRON WALDEN**

**APP/C1570/W/19/3241526**

**OPENING SUBMISSIONS ON BEHALF OF UTTLESFORD DISTRICT COUNCIL**

1. Since opening their doors more than 30 years ago, Homebase has played an important role in the community of Saffron Walden and the surrounding area.
2. In April 2016 a specialist survey company NEMS carried out a household survey of representative samples of residents in Uttlesford, dividing the sampled area geographically into sub-zones, to assess shopping habits. For the zone relevant to this appeal, 53.8% of households relied on the Saffron Walden branch of Homebase for most of their household's DIY and decorating shopping.
3. Local offerings which have emerged since then (in particular, the appellant points to a revamped version of Ridgeons and B&M variety store) are demonstrably different in terms of what they offer and to whom.
4. To those living in the Saffron Walden area, it is clear that Homebase matters. It is part of local life.
5. The proposals which are the subject of this appeal seek to replace Homebase with a care home.

6. The impact in the quantitative language of comparison goods floorspace is agreed as between UDC and the appellant (Retail SOCG) such that UDC do not need to explore that particular matter further in oral evidence (Retail SOCG para 10). The Retail Capacity Studies carried out on behalf of UDC in 2016 and 2018 calculated the amount of floorspace that can be provided based on the amount of household expenditure available to support it in the area. The exercise includes a forecasting exercise for 2026 in respect of comparison goods. It is agreed between UDC and the appellant that those forecasts indicate that even if Homebase close there would remain an over-supply of existing comparison goods floorspace out of the town centre. If, as the Council say, the town centre constraints mean that Homebase would not be able to relocate in the town centre, there would then be no quantitative justification for an out-of-centre Homebase store.
7. Quantitative assessment only paints part of the picture, and all of the main parties have rightly considered the qualitative offering. It is the Council's case that the qualitative impact of the loss of Homebase in terms of the residual local offering in the DIY/decorating retail sector will be very significant.
8. The effect in retail terms is that those who rely on Homebase are likely to have to travel further afield and some distance away for much of their equivalent shopping. Ridgeons and B&M – the former a builders' merchant aimed at the trade albeit not restricted to trade customers, the latter a modern-day Woolworths - are no substitute. Nor are the offerings of a heavily-constrained town centre where a smattering of small independent shops selling, for example, fabrics and furniture are not comparable either individually or collectively. The reality is clear : those who rely on Homebase would not have a comparable local alternative.
9. The loss of Homebase from the retail offering in Saffron Walden is the principal harm which would arise from the proposals but it is not the only one. The planning system seeks to protect standards of residential amenity - people's living conditions are a fundamental component of good planning. In this case, the residents of a number of identified houses in Elizabeth Close (Numbers 5-9, 25-29, and 33), a very pleasant

suburban cul-de-sac which runs adjacent to the site, would be affected for the worse by the proposals. Living conditions in Elizabeth Close would be harmed, in terms of outlook, privacy, and the overbearing presence of a large residential block.

10. Planning is always about balance.

11. The appellant seeks to justify the loss of Homebase by arguing that there is a need for new care homes in the area. In order to get around the fact that even on their own evidence they cannot demonstrate a material shortfall in the district, the appellant has artificially drawn-up a so-called 'target area'. It is a matter of conjecture whether the appellant would have devised this approach if the district-wide data had supported their case. Even based on the target area, however, the appellant cannot demonstrate a material shortfall now and can only do so for the future by a one-sided projection characterised by a reliance on a rising demand and a static supply. The appellant's justification for replacing Homebase by a care home is an allegation of unmet need for care homes – this need argument is fundamentally flawed.

12. The provision of 68 bed spaces in a care home, in circumstances as exist in this district where the local authority cannot demonstrate a 5 year housing land supply, is a benefit of the proposal to be weighed in the balance alongside other benefits claimed such as the provision of jobs.

13. The statutory test requires the proposal to be determined in accordance with the development plan unless material considerations indicate otherwise. The current development plan consists of the saved policies of the Uttlesford Local Plan 2005 (The Essex Minerals Plan is part of the development plan but is not relevant to this appeal). As for material considerations, the NPPF is a very important material consideration. Local policies which had been emerging through the local plan process now carry no weight, the emerging plan having now been formally withdrawn.

14. In this case, even on the tilted balance engaged by the absence of a 5 year housing land supply, it is UDC's case that the adverse impacts of the scheme would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.

15. Accordingly, the Council's case is that this appeal should be dismissed.

Edward Grant

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