



Appeal Decision

Site visit made on 5 August 2024

by P Terceiro BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th September 2024

Appeal Ref: APP/P2114/W/23/3334804

Carisbrooke Garage, Carisbrooke Road, Newport, Isle of Wight PO30 1DF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr S Vinojan against the decision of Isle of Wight Council.
 - The application Ref is 23/00984/FUL.
 - The development proposed is described as *to change the use of an area of the garage showroom (sui generis) to a convenience store (Ea). All as illustrated on enclosed plan. Application has indicated the customer only car parking area.*
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have used the site address from the Council's decision notice as it more accurately reflects the address of the appeal property.

Main Issue

3. The main issue is whether the appeal site is a suitable location for the proposal, having regard to local and national policies for retail development.

Reasons

4. The appeal site is a car sales and motorcycle repair workshop located on the corner of Carisbrooke Road and Wellington Road. The site contains an external area which is used for the display of vehicles. It is agreed by the main parties that the proposal is for a main town centre use and that the site is in an out-of-centre location.
5. Policy DM9 of the Isle of Wight Core Strategy and Development Management Development Plan Document 2012 (the CS) states that proposals for new retail development will be expected to be located within the town centre boundary before edge-of-centre and out-of-centre sites are considered. Any proposal for retail development which falls outside of the identified town centre boundaries will be assessed on a sequential and impact basis as outlined in national policy.
6. The National Planning Policy Framework (the Framework) sets out that a sequential test should apply to applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. This approach supports the viability and vitality of town centres. It

is for the applicant to demonstrate compliance with the sequential test. The application of the test will need to be proportionate and appropriate for the given proposal and, where an application fails to satisfy the sequential test, it should be refused.

7. The submission is accompanied by a retail survey which was carried out within Newport. The survey lists a series of criteria which reflect the appellant's requirements, and relate to catchment area, rent, parking, alterations needed, size, rate relief, and access for deliveries. However, little justification has been provided for using these criteria, particularly when considering that some matters including rent, rate relief and operational requirements would not be specific to the proposed use.
8. Any unit that failed to meet the above criteria was discounted, but the initial pool of units has not been identified, nor has an assessment of each unit against the required criteria been provided. As such, it is not possible to fully understand the availability of locations, nor why each unit has been deemed unsuitable to accommodate the proposal.
9. Of the four units remaining, those in St James Street have been discounted because there are other convenience stores in the vicinity. The Council advises that the residential area around the site is also served by other nearby convenience stores, which is not disputed by the appellant. On this basis, it is unclear why these sites were rejected.
10. The units within the High Street have further been discounted because there are parking meters, which the appellant asserts would result in insufficient trade being generated. However, there is no compelling evidence before me to demonstrate that this would be the case, even more so when considering that such parking arrangements are the same for other units in the High Street and for existing businesses. As such, comprehensive reasoning has not been provided to justify the unsuitability of these sites.
11. I appreciate that the selected site would meet the appellant's needs. However, for the above reasons, I find that the retail survey is not sufficiently robust and appropriate reasoning has not been provided to justify discounting other sites. As such, the submission fails to adequately demonstrate that the proposed use can only be accommodated in this location, even more so when noting the vacant units within the town centre. In the absence of such information, it is not possible to rule out that the development would have a harmful effect on the vitality and viability of Newport Town Centre.
12. Accordingly, it has not been demonstrated that the appeal site would be a suitable location for the proposal having regard to local and national policies on the location of retail development. The proposal would be contrary to CS Policy DM9 for the reasons given above. It would also be contrary to the Framework, where it seeks to ensure the vitality of town centres.

Other Matters

13. The proposal would deliver a convenience store on site, which would serve a large housing estate and provide for the day-to-day needs of local people. However, in the absence of compelling evidence to demonstrate that there is a deficiency in the provision of convenience stores in the locality, and noting the other convenience stores nearby, I ascribe this matter limited weight in support

of the scheme. As such, this would not outweigh the harm and associated policy conflicts that I have identified.

14. The site was originally occupied by a petrol station with a shopping unit. However, this historic use has ceased and would therefore not justify the proposal before me.

Conclusion

15. The proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

P Terceiro

INSPECTOR