

Matter 7 – Retail and other main town centre uses

Issue -Whether the Local Plan has been positively prepared and whether the approach to retail and other main town centre uses is justified, effective and consistent with national policy

Relevant Policies: SP R1PU; SP R2PU; SP R3PU; SP R4PU; R5PU; R6PU; R7PU; R8PU; R9PU; R10PU

Retail Hierarchy and capacity (Policies SP R1PU; SP R2PU)

7.1 What are the inter-relationships with other authorities in terms of shopping patterns and how have these been taken into account?

7.1.1 Nexus Planning was originally jointly commissioned by Copeland and Allerdale Councils in January 2020 to undertake a Retail, Town Centres and Leisure Study to cover the West Cumbria Region. One of the key purposes of the study was to act as the evidence base to assist in the formulation of future development plan policy, specifically in this instance, for the Copeland local authority area. The West Cumbria Study (EB17) was published in August 2020.

7.1.2 The objectives of the 2020 joint Study were to:

- Review current retail and leisure trends and set out how we envisage these impact on provision in West Cumbria;
- Provide an assessment of the current planning policy context within West Cumbria;
- Undertake healthchecks for each of the defined centres within the two authority areas, based on the guidance set out in the Town Centres and Retail Planning Practice Guidance;
- Provide a quantitative and qualitative assessment of both retail and leisure needs within West Cumbria up to 2035;
- Identify opportunities to expand the town centre offer beyond retail to support centres' vibrancy and vitality;
- Review town centre boundaries and, as appropriate, primary shopping areas;
- Provide advice in respect of the opportunity to expand the defined centres; and
- Provide policy recommendations in respect of local impact thresholds and the diversification of centres through strategic town centre advice to both authorities.

7.1.3 Subsequent to the 2020 West Cumbria Study (EB17), Nexus was then appointed in 2021, to undertake an update of the principal findings of the 2020 Study, focusing on the position in respect of the need for additional retail and leisure facilities within the centres of Copeland Borough specifically.

7.1.4 The 2020 Study (EB17) and the 2021 Update (EB18), are both based on the findings from the independently commissioned household shopping survey. The household survey, undertaken by NEMS Market Research, questioned a total of 1,000 households within eight zones across West Cumbria. The eight zones (shown on the plan provided at Appendix K of the 2020 West Cumbria Study and Appendix 1 of the 2021 Copeland Retail and Leisure Study Update), principally cover both the Allerdale and Copeland local authority areas.

7.1.5 A key part of the studies was to analyse where residents choose to meet their retail and leisure needs, and how this may have altered since the undertaking of the previous study in

2015. In particular, an understanding of cross-border shopping patterns in terms of key destinations within Copeland and Allerdale Councils is important in light of the proximity between Workington and Whitehaven town centres, and the qualitatively different offer between the two.

- 7.1.6 In this regard, it is also possible to understand the level of expenditure (convenience and comparison) generated by residents within both authority areas, which is being spent at destinations outside of West Cumbria, principally Carlisle city centre, Keswick town centre and Barrow-in-Furness town centre.
- 7.1.7 Therefore, the analysis of shopping patterns provided within the original 2020 Study (EB17) and the 2021 Update (EB18), has been used to inform the drafting of the planning policies, and in particular when considering whether there is sufficient floorspace to meet residents needs given the presence of a hierarchy of centres in both authority areas.

7.2 What evidence is there in relation to the need for additional retail and other main town centre uses? What does it show?

- 7.2.1 The West Cumbria Study (EB17) and Update (EB18) assess whether there is a need for additional retail and other main town centre uses. This is determined through Available Expenditure minus Expected Turnover of Existing and Committed Floorspace equals Expenditure Surplus or Deficit.

Convenience Goods Floorspace

- 7.2.2 The 2020 (EB17) document identified a need for between 900 sq.m and 1,500 sq.m of additional new convenience goods sales floorspace upto 2035 (dependant on format and operator). Paragraph 11.5 concluded that there is a clear quantitative deficiency in terms of the convenience goods offer in Copeland, and surrounding Whitehaven in particular, that was commensurate to the quantum of floorspace that could be delivered through one additional supermarket coming forward.
- 7.2.3 The Updated Study (EB18) looked at the impact of extending the Local Plan period on the above needs identified. When the Plan period is extended the need for additional floorspace increases. Paragraph 5.29 of the 2021 Update states that *“By 2038, an expenditure surplus of £24.6m exists to support additional convenience goods floorspace; which equates to a floorspace requirement of between 1,700 sq.m and 2,000 sq.m of convenience goods floorspace at 2038.”* This equated to 2400sqm additional floorspace in Whitehaven, 700sqm in Millom and losses in Cleator Moor and Egremont (-500sqm and -400sqm respectively).

Comparison Goods Floorspace

- 7.2.4 The 2020 (EB17) Study identified a requirement for between -1,300 sq.m and -2,200 sq.m of additional comparison goods floorspace at 2035 (again, dependant on format and operator) after account had been taken of any commitments, of which none were identified. In considering that there is not a requirement for ‘additional’ retail floorspace in the short to medium term, the 2020 Study noted that the first priority would be to find new uses for some of the existing stock, bringing back some vacant floorspace into active uses through a mix of residential, leisure and community uses. However, should there be a future demand for additional modern-format floorspace to accommodate both independent and national multiple operators, such units may need to be provided on suitable edge of centre sites.

- 7.2.5 Paragraph 5.29 of the Update (EB18) notes that extending the plan period has had no effect on capacity floorspace needs, stating that *“there is no identified capacity to support additional comparison floorspace within Copeland across the period to 2038”*.

Other Main Town Centre Uses

- 7.2.6 In terms of commercial leisure uses, the key finding from the 2020 Study (EB17) was an identified potential to increase both the cinema and ten-pin bowling provision within Copeland. However, the Study noted that this was likely to be more in respect of ‘boutique’ style cinema or ten-pin bowling operators. In terms of the food and drink sector, an opportunity in Whitehaven to expand the offer was identified. The Study recommended that any future development opportunities within or on the edge of the town centre should accommodate a range of units suitable to accommodate both national multiple and independent leisure operators. This was in addition to opportunities to encourage further community uses within the centres, and provide space for additional independent operators which may provide flexible space for local working.

- 7.2.7 The 2021 (EB18) update notes that extending the Local Plan period does not result in an increased need for bingo halls. In terms of cinemas, that update states that *“the provision of cinema screens in Copeland is insufficient to meet the identified requirement of 4.8 screens at 2021, increasing to 5.0 screens at 2038”* (paragraph 7.7). It notes however that provision in Allerdale may meet some of that need and therefore recommends further discussions with cinema operators to gain a better understanding of the market. It also recommends further discussions with ten pin bowling alley operators noting that the borough could *“potentially support 5.5 bowling lanes at 2021, increasing to 5.8 at 2038”* (paragraph 7.8)

7.3 How does the Local Plan seek to accommodate any needs for such development?

- 7.3.1 The Local Plan accommodates the needs identified above through specific policies relating to retail and leisure.
- 7.3.2 Policy R1 identifies the measures that the Council will take, in partnership with others, to enhance the vitality and viability of town centres and villages. Policies R2, R3, R4 and R5 identify the most appropriate locations for new retail and main town centre uses and the scale of development that would be supported. This helps developers determine where their proposals for new retail and leisure uses may be supported and what criteria they would need to consider before an application is made.
- 7.3.3 The Council has also identified a number of Opportunity Sites (Publication Draft Appendix C) (CD1) which could be suitable for town centre uses.
- 7.3.4 Likewise, retail requirements are supported through a range of broader strategic policies that relate to tourism, town centre improvement, strategic developments, and sustainable communities.

7.4 How is it intended to meet the identified convenience floorspace capacity? How much of the identified floorspace capacity would remain?

- 7.4.1 The 2021 Retail and Leisure Study Update (EB18) identified that once commitments were taken account of, across the Copeland authority area as a whole, up to 2,000 sq.m of additional convenience floorspace could be accommodated.
- 7.4.2 The Study then looked at the capacity for additional floorspace on a town-by-town basis, looking at the performance of existing stores against their expected benchmark averages, and where there may be a particular quantitative and qualitative deficiency in the offer. In this regard, the Study identified that the principal town within which there may be a quantitative capacity for additional convenience floorspace across the plan period, is Whitehaven town centre.
- 7.4.3 Within Whitehaven, the Study identified that the town could support an additional foodstore, with a total additional convenience floorspace provision of up to 2,400 sq.m. However, following a search for suitable sites to allocate for additional convenience (or indeed other main town centre uses) floorspace, none were found which would have the benefit of helping to support the future vitality and viability of the centre.
- 7.4.4 As such, it is recommended that should any proposal be forthcoming, that it would be assessed on its own merits, against the relevant planning policy considerations relating to the sequential and impact tests. Particular consideration should be given to the potential implication of any future foodstore proposal on the health of Whitehaven town centre.
- 7.5 Does Policy SP R1PU provide an appropriate strategic framework for the vitality and viability of town centres and villages?**
- 7.5.1 Policy R1 identifies steps which the Council will take to protect and enhance the vitality and viability of town centres and villages without being overly restrictive, in order to ensure that centres can adapt quickly to change. It provides a strategic framework to facilitate the commercial floorspace requirements which are identified within the evidence base, the 2020 update to the Retail Study (EB18).
- 7.6 What is the basis for the hierarchy of town centres set out in Policy SP R2PU? Does it provide an effective framework to guide new development to the most appropriate locations consistent with the development strategy?**
- 7.6.1 The rationalisation underpinning hierarchy of town centres is derived from the broader development strategy set out in Policy DS3. It directs the largest scale main town centre uses to Whitehaven and then supports other services and retail uses of a scale that is appropriate to their size. This is in the interests of sustainable development.
- 7.6.2 The policy provides an effective framework for decision making as it is clear that development must be of a scale appropriate to the role and function of the centre as well as its position in the settlement hierarchy.

Whitehaven Town Centre (Policies SP R3PU; R6PU)

- 7.7 Does Policy SP R3PU provide an effective framework for Whitehaven Town Centre? How were the town centre boundary and the Primary Shopping Area (PSA) defined? Is the policy justified, effective and consistent with national policy?**

Framework for Whitehaven Town Centre

- 7.7.1 Policy R3PU sets out a series of clear recommendations to help support the future vitality and viability of Whitehaven town centre, which build upon the recommendations provided within the 2020 West Cumbria Study (EB17) and further subsequent work undertaken by the Council, not least the work associated with the Future High Streets Fund bid for the town centre.
- 7.7.2 The framework contained within the policy, builds on the findings from the healthcheck of the centre, which identified that there were a series of commercial, aesthetic and development opportunities which could help support the health of the centre. The framework specifically builds on the wider understanding of Whitehaven’s catchment, the specifics of the town and how improvements to the public realm, shopfronts, wider environmental quality and overarching ease of access will encourage footfall into the centre.
- 7.7.3 The framework is effective and based on a robust evidence base which encourages a diverse town centre offer and one which ensures Whitehaven continues to offer something qualitatively different to other centres in the catchment, and not least Workington town centre. The framework provides further guidance to ensure the centre is sustainable, accessible and provides an environment which both serves the local catchments’ requirements but also provides an offer which draws the tourism trade into the town, which will further support the businesses within the town centre.

Whitehaven Town Centre Boundaries

- 7.7.4 Paragraph 85 of the revised NPPF requires local planning authorities to: **‘define the extent of town centres and primary shopping areas’**, with there now being no specific requirement to identify primary and secondary frontages.
- 7.7.5 It is apparent from the Government’s Response to the Draft Revised National Planning Policy Framework Consultation document (July 2018) that this change seeks to encourage a more positive and flexible approach to planning for the future of town centres.
- 7.7.6 Annex 2 of the revised NPPF indicates that a primary shopping area is the: **‘Defined area where retail development is concentrated.’** Annex 2 also identifies that a town centre is the: **‘Area defined on the local authority’s policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area.’**
- 7.7.7 Turning firstly to the proposed defined primary shopping area, this has been drawn to accord with the NPPF definition to include the area within which retail uses principally dominate, and in turn removing those peripheral areas which principally comprise leisure, office and other uses.
- 7.7.8 Turning secondly to the town centre boundary, the previously adopted town centre boundary for Whitehaven town centre includes the designated primary shopping frontages, along with the area along the frontage of the Harbour and a relatively large area to the south of the centre which includes the Morrisons foodstore and part of the Bridges Retail Park, Civic Hall, Library and the Council’s former offices.
- 7.7.9 The proposed town centre boundary seeks to remove areas of principally residential uses and other non-town centre uses, which ultimately do not fall within the remit of the town

centre as defined by the NPPF. In this regard, the proposed town centre boundary for Whitehaven town centre removes these non-main town centre uses and consolidates the boundary.

7.7.10 It is important to note that this would not preclude future retail and/or leisure development within Whitehaven town centre but instead, will ensure that the Council has sufficient control over potential future competing developments which may have an adverse impact on the vitality and viability of the defined centre. The boundary to the south also includes the entire Bridges Retail Park, given that we consider this to form an important part of the overall offer of the town centre.

7.8 Is the approach set out in Policy R6PU regarding Whitehaven Primary Shopping Area justified, effective and consistent with national policy? Would the Policy provide effective guidance in relation to the proportion of non-retail uses in the PSA?

7.8.1 As set out under Question 7.7 above, the approach to defining the Whitehaven Primary Shopping Area is justified, effective and consistent with national planning policy. In this regard, Annex 2 of the NPPF states that the primary shopping area is the defined area where retail development is concentrated. The area shown on the policies map covers the streets and terraces of commercial units which principally comprise retail uses within the town centre.

7.8.2 Following the relaxation of the Use Class Order and Permitted Development Rights, the principal purpose of defining both a primary shopping area and town centre boundary is for the application of the sequential and impact policy tests. As such, the definition of the primary shopping area and town centre boundary is important in retail planning terms for the following reasons:

- For the purposes of plan-making and development management, sites and applications for new retail, leisure and other main town centre uses that are not in an existing centre and not in accordance with an up-to-date plan will be subject to the sequential and impact tests.
- When applying the sequential approach, an 'edge of centre' site is defined for retail purposes as a location well connected to, and up to 300 metres from the primary shopping area and for all other main town centre uses, a location within 300 metres from a town centre boundary.
- Defining the extent of the primary shopping area for town centres will also enable the local authority to manage Permitted Development Rights.

7.8.3 As such, the recent changes to the use classes order and permitted development rights limit the scope and effectiveness of providing a policy which in effect requires a certain proportion of ground floor frontages to be in retail (formerly Class A1) use. Therefore, although the need to define the primary shopping area remains important for the reasons set out above, specific guidance in respect of the proportion of retail uses within the primary shopping area is no longer required nor effective, and the more flexible approach as set out by Policy R6PU is appropriate.

- 7.8.4 In this regard, Policy R6PU continues to recognise the importance of retail uses within the primary shopping area in drawing footfall in and providing important amenities to the local catchment, but does so in a way which supports the wider national aspirations to help diversify and support the future vitality of centres.

Key Service Centres (Policy SP R4PU)

7.9 Does Policy SP R4PU provide an effective framework for the key service centres of Cleator Moor, Egremont and Millom? How were the town centre boundaries defined? Is the policy justified, effective and consistent with national policy?

- 7.9.1 Policy R4 provides an effective framework for the key service centres as it supports development that improves the vitality and viability of those centres. It contains a list of the types of development that the Council encourages within the centres.
- 7.9.2 Retail uses in Copeland’s smaller town centres (Cleator Moor, Egremont and Millom) are not typically located in a manner which lends itself to the identification of a primary shopping area (‘PSA’); they are interspersed with other uses such as residential, offices etc. As such the Retail Study (EB17) recommends that each of the three centres are defined by town centre boundaries only.
- 7.9.3 The town centre boundaries were defined through a review of current uses within the centre and their location taking into consideration the definition of town centres contained within the NPPF Glossary (see paragraph 7.7.7 above).
- 7.9.4 The policy is justified as it will help ensure that development protects and increases the vitality and viability of Copeland’s Key Service Centres. This is particularly important as the town centre recovers from the impacts of the covid-19 pandemic.
- 7.9.5 The effectiveness of the policy is discussed in paragraph 7.9.1 above.
- 7.9.6 The policy is consistent with national policy, specifically the following paragraph in the NPPF:
- Paragraph 86: *“Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:*
 - *a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;*
 - *b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;*
 - *c) retain and enhance existing markets and, where appropriate, re-introduce or create new ones;*
 - *d) allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;*

- *e) where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre; and*
- *f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites."*

Rural Areas (Policy R5PU)

7.10 Does Policy R5PU provide an effective framework for rural areas? Is the policy justified, effective and consistent with national policy?

- 7.10.1 The NPPF recognises the importance of supporting a prosperous rural economy. An important part of this is to encourage an inclusive economy, providing access to local services and amenities for all. Policy R5PU builds on the national guidance and seeks to encourage appropriate development to support and strengthen sustainability and local community viability.
- 7.10.2 The Policy allows for small scale farm diversification and retail and leisure schemes of 150 sq.m or less under certain criteria.
- 7.10.3 There is no definition provided in the NPPF or NPPG as to what constitutes small scale, and therefore it is considered appropriate to set a clear floorspace threshold in square metres under Policy R5PU to remove any ambiguity in the policy wording.
- 7.10.4 To set the threshold, recently introduced permitted development rights in the Town and Country Planning (General Permitted Development) (England) Order 2015 have been considered. In particular Part R was reviewed which grants permitted development rights to allow the conversion of agricultural buildings to flexible commercial uses. Part R was chosen as the majority of agricultural buildings will be located in 'rural areas', which will meet with the council's definition of 'non-urban'.
- 7.10.5 Part R is broadly divided into two types, schemes below 150 square metres and those between 150-500 square metres. Proposals below 150 square metres can take place without any need for prior notification subject to other conditions of Part R. Schemes up to 500 square metres, however, require an assessment of highways, noise, contamination and flood risk of a site by the Local Planning Authority.
- 7.10.6 Given the unrestricted allowance of 150 square metres, it is considered that this represents an appropriate threshold set by National Government where any impact arising from a rural development would be non-material.
- 7.10.7 It is also considered that this would account for a relatively modest rural enterprise to establish themselves without the requirement for a sequential test. For example, 150 square metres of floorspace would allow for the formation of a relatively modest farm shop selling goods directly produced on the farm or allow a small scale office enterprise to establish around an existing use.
- 7.10.8 The approach as set out within Policy R5PU to protect retail and services within rural settlements will ensure that residents located in more rural areas will still have access to

every day amenities such as local convenience store, Post Office and so on. The approach also follows the guidance as set out by paragraph 84(d) of the NPPF, which seeks to retain and develop accessible local services and community facilities.

7.11 Is the approach set out in Policy R7PU justified, effective and consistent with national policy?

7.11.1 The policy is justified as it ensures a “town centre first” approach is taken to retail uses and other “town centre development” identified in the NPPF Glossary. This will help maintain and improve the vitality and viability of town centres.

7.11.2 The policy is effective as it clearly sets out which applications the policy is applicable to (those for new floorspace with the exception of small scale rural development and those which create unrestricted retail floorspace). It then lists the locations in order where such development should be directed to. This will ensure that out of town locations are only justified where no central, more sustainable sites exist.

7.11.3 The policy is consistent with national policy, specifically the following paragraphs from the NPPF:

- Paragraph 87: *Local planning authorities should apply a sequential test to planning 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.*
- Paragraph 88: *When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.*
- Paragraph 89: *This sequential approach should not be applied to applications for small scale rural offices or other small scale rural development.*

7.12 What is the basis for the thresholds set out in Policy R8PU for an impact assessment and are these justified? Is the approach set out in Policy R8PU justified, effective and consistent with national policy?

7.12.1 The approach to defining relevant impact thresholds for the purposes of the impact test for retail and leisure development located outside of defined centres, is supported by paragraph 90 of the NPPF. Paragraph 90 states that: **‘local planning authorities should require an impact assessment if the development is over a proportionate, locally set threshold’.**

7.12.2 The policy has been drafted taking account of a range of factors of relevance to the hierarchy of centres within the authority area including the average unit sizes, the largest unit sizes within the centre, vacancy rates, characteristics of the catchment areas and the overarching offer within the centres.

7.12.3 In this regard, town centre anchor units will typically provide at least 500 sq.m of gross floorspace. Such a unit could potentially accommodate an operator of importance, which is capable of attracting shoppers to a centre, thus increasing the potential for linked trips. There are a relatively limited number of units greater than 500 sq.m in the four town centres of

Copeland and that the vacancy rates vary throughout the defined centres. In summary, in terms of Copeland centres:

- In Whitehaven town centre, less than 5% of the total stock of commercial units in the town centre have a greater floorspace than 500 sq.m, which includes the large format leisure units which accommodate the Rackshack Snooker Club and four pubs, as well as retail units which accommodate national retailers such as Wilko, Argos Dixons, Morrisons and a Tesco Superstore. The vacancy rate as of 2021 equated to 9.4% of total commercial floorspace and 12.9% of all units.
- In Egremont town centre approximately 5% of all units have a greater floorspace than 500 sq.m, which includes the original Factory Store, the Market, the Lounge Bar and the Cooperative food store. The vacancy rate as of 2021 equated to 19% of total commercial floorspace and 25% of all units.
- In Cleator Moor town centre there are no units with a greater floorspace than 500 sq.m, excluding the Cleator Moor Civic Centre. The vacancy rate as of 2021 equated to 31% of total commercial floorspace and 30% of all units.
- In Millom town centre less than 5% of the total stock measures 500 sq.m or more, which includes the Tesco Supermarket, The Clock Tower Restaurant, the Conservative Social Club and Travis Perkins. The vacancy rate as of 2021 equated to 19% of total commercial floorspace and 24% of all units.

7.12.4 The recommended approach is that the impact threshold of relevance to Whitehaven town centre is set at 500 sq.m for both retail and leisure proposals. This threshold would effectively be the default to be applied authority-wide, should a proposal not fall within the criteria set out below which we recommend is applied to development in proximity to the Key Service Centres.

7.12.5 The above recommendation is also reflective of the town centre vacancy rates and the potential for out of centre retail developments to become even stronger in the future at the expense of centres' vitality and viability. The existing out of centre commercial destinations all offer a range of comparison goods, which traditionally would have been sold from town centres. As such, the recommendation is reflective of the need to safeguard against the out of centre retail destinations becoming even stronger at the expense of the health of defined centres.

7.12.6 Turning to the key service centres, these are generally anchored by a national multiple convenience store (typically operated by Co-op). These operators underpin the function of these centres, drawing in custom and encouraging linked trips to the other parts of the centre. Should the viability of such stores be impacted, there is a real risk of the role of the wider centre being undermined. There are relatively few units substantially larger than 300 sq.m in any of the key service centres; as such, to lose an occupier of this magnitude could have a significant adverse impact on the centre as a whole. Accordingly, in the local context, 300 sq.m constitutes a significant unit for key service centres.

7.12.7 For the purpose of drafting future planning policy, it is important to qualify the area to which each local impact threshold will apply. We recommend that the threshold of relevance to the key service centres (i.e. 300 sq.m) would be applicable within 800 metres of the boundary of the relevant centre. The distance of 800 metres is broadly commensurate with the potential walk-in catchments of smaller centres and is identified by Guidelines for Providing for Journeys on Foot (The Institution of Highways & Transportation, 2000) as being the 'preferred maximum' acceptable walking distance to a centre. We consider it to be appropriate for the

higher threshold of 500 sq.m to apply authority wide (i.e. beyond 800 metres of these centres), due to the lesser likelihood of significant adverse impacts arising from retail and leisure development.

7.12.8 Based on the above, the policy approach is considered to be justified, effective and consistent with planning policy. In this regard, the local impact thresholds are proportionate to the role and function of the centres within the hierarchy and ensure that in accordance with policy, there is sufficient emphasis on protecting the vitality and viability of defined centres. Importantly, any impact assessment will be proportionate to the nature of the proposal and the details agreed at pre-application stage.

7.13 Do policies R7PU and R8PU reflect the definition of ‘edge of centre’ in the Glossary of the Framework and in particular the distinction between retail and non-retail uses?

7.13.1 Policies R7PU and R8PU are supported by the text provided at paragraphs 11.9.1 and 11.9.2 which set out the definitions as provided within Annex 2 of the NPPF. The supporting text confirms that edge of centre for retail purposes is a location well connected to and up to 300 metres from the defined primary shopping area, and for all other main town centre uses is a location within 300 metres of a town centre boundary.

7.13.2 Policy R7PU then provides further policy guidance in respect of the application of the sequential test, and refers back to national planning policy guidance. In referring to ‘town centres’ within Policy R7PU, reference should be made back to the preceding paragraphs and definitions as provided within the NPPF. The reference within Policy R7PU to ‘main town centre uses’ reflects the requirements of paragraph 87 of the NPPF.

7.13.3 In terms of Policy R8PU, the policy refers to ‘defined centre’ in applying the impact test for retail and leisure development, and the moves on to providing the relevant impact thresholds. The definition of what comprises a ‘defined centre’ is provided at the preceding paragraphs as set out above which reflects the NPPF definitions. The policy is clear that the impact thresholds apply to retail and leisure development, which reflects the requirements of paragraph 90 of the NPPF.

Non-Retail Development in Town Centres (Policy R9PU)

7.14 Is Policy R9PU justified, effective and consistent with national policy?

7.14.1 Policy R9 outlines the situations wherein non-retail development would be permitted in town centres. The policy is justified to ensure that uses within the town centre are appropriate to its role and function and do not harm the amenities of town centre residents e.g. through excessive noise and disturbance. This is important as the Local Plan aims to protect and improve the vitality and viability of the centre, whilst also protecting the health and well-being of those that live there.

7.14.2 The policy is effective as it lists the types of development that will be supported within the town centre along with the criteria they should meet. This will ensure it achieves the objectives listed in the paragraphs above.

7.14.3 The policy is consistent with national policy, specifically paragraph 86b,c and f:

- *Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:*
 - *b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;*
 - *c) retain and enhance existing markets and, where appropriate, re-introduce or create new ones;*
 - *f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.*

Hot Food Takeaways (Policy R10PU)

7.15 Does Policy R10PU provide an effective framework for the consideration of hot food takeaways?

7.15.1 Yes, the policy clearly sets out the criteria that applications for such uses must meet in order to be acceptable. This is to protect residential amenity and the street-scene. Criterion c will also ensure there are no detrimental impacts on road safety which could occur if for example, the takeaway was on the opposite side of a busy main road to parking provision.

7.15.2 The final paragraph will allow the Council to control the opening hours of such uses on a case by case basis. For example where the use is in close walking distance to a school site, hours may be restricted to avoid school closing times.