

DRAFT PLANNING POLICY STATEMENT NOTE: PPS6 PLANNING FOR TOWN CENTRES

Report By: Chief Forward Planning Officer

Wards Affected

Countywide

Purpose

To inform the Committee of the proposals contained in PPS6 on planning for town centres.

Financial Implications

None identified.

Introduction

1. The Office of The Deputy Prime Minister (ODPM) is inviting comments on the draft version of PPS6. Specifically they welcome views on whether: there are any further elements of PPG6 that should have been included in PPS6; requirement for further guidance; clarity; and details on practicality of delivery. This document is one of a series being published by the Government to consult on the detail of its planning reform agenda. It is the Government's intention that this PPS and guidance contained in the annexes should replace PPG6: Town centres and retail developments.

Summary of Draft PPS6

2. The key elements of the statement are:
 - A re-emphasis of the 'town centres first' objective;
 - Support for the plan-led approach at regional and local levels;
 - Local authorities to positively plan for growth and growing town centres;
 - To tackle social exclusion through ensuring access to a wide range of everyday goods and services;
 - To promote more sustainable patterns of development and less reliance on the car.
3. A number of the key principles in the existing PPG6 and recent Ministerial statements have been brought forward, including plan-led development, network and hierarchy of centres and the sequential approach. However, the draft PPS6 sets out details on the identification of capacity, at a regional and local level and the selection of suitable sites. The principal changes include:

a) Changes to the level of detail provided at the regional level

Greater emphasis at the regional level, through Regional Spatial Strategies (RSS) and Spatial Development Strategies (SDS) in London, to set out the vision and strategy for the development of a balanced network of town centres. RSS's should plan for the distribution of growth to ensure that the network of centres is not overly dominated by the largest centres so that there is a more even distribution of facilities. They should also set out a network of centres and hierarchy based the centre's role, range of facilities and degree of specialisation. Any significant changes to the network and hierarchy should be through the development plan at regional and local levels.

b) Assessments of capacity at both a regional and local level

Draft PPS6 requires RSS's to include an assessment of need for additional floorspace over the plan period, not only for retail but for other key town centre uses, especially leisure and office use. The assessment should be for 5 year periods and should assess the capacity of existing centres to accommodate additional development, while addressing the Governments key objectives. The RSS's should also monitor and review implementation. Capacity for additional retail, leisure and office floorspace is also required to be addressed at a local level, taking into account quantitative and qualitative factors.

c) Clear definition of the types of development and uses to which the policy applies

The main types of development and land uses to which the policies applies are:

- retail (including warehouse clubs and factory outlet centres);
- leisure and entertainment facilities (such as cinemas, restaurants, drive through restaurants, bars and pubs, night clubs, casinos, health and fitness centres, bowling alleys and bingo halls);
- offices (commercial and public);
- arts, culture and tourism (theatres, museums, galleries, and concert halls, hotels, and conference facilities);
- small-scale community facilities (including health centres, pharmacies, post offices, libraries and job centres).

d) Identification of criteria for selecting sites and assessing planning applications

The draft PPS6 identifies 5 issues that should be assessed by local authorities in selecting sites for new development:

- Need for the development;
- Appropriate scale of development;
- Sequential approach;
- Impact on existing centres;
- Accessibility.

e) Clarification of 'need' and other material considerations

PPS6 confirms that need assessments should be carried out as part of the plan preparation process and updated every 5 years. They should take account of the strategy for the region's centres contained in the RSS. The draft PPS reinforces part of previous Minister's statements that greater weight should be given to quantitative considerations. The statement confirms that the 'class of goods' approach should be adopted and that the goods base rather than business base should be used to calculate expenditure. Qualitative need should be justified on the basis of providing consumer choice. The Statement identifies a number of other material considerations that do not constitute 'need' but should be taken into account in selecting sites and considering planning applications. These include: employment, economic growth and physical regeneration.

f) Inclusion of floorspace thresholds to confirm appropriate scale of development

Draft PPS6 requires the scale of new facilities to be directly related to the role and function of the centre and the catchment area they serve. To achieve this the guidance introduces maximum thresholds for development to be included in development plans. Local authorities will be required to include the maximum gross floorspace of an individual development, which will be acceptable in different types of centres in their area. Local authorities should also set an upper limit for the scale of development in local centres. In demonstrating need and applying the sequential approach to site selection local planning authorities should, where appropriate include phasing policies in development plans and Local Development Documents.

g) Details of supporting information required with all applications

- Applications for proposed developments will be required to demonstrate:
- The quantitative and qualitative need for development (not necessary for proposals located within existing centres or on allocated sites in an up to date development plan);
- That the development is of an appropriate scale;
- That there are no more central sites for the development (not necessary for extensions);
- That there are no unacceptable impacts on existing centres; and
- That the locations are accessible.

h) Good Practice Guidance

Draft PPS6 is to be accompanied by a number of forthcoming Good Practice Guides, including:

Assessing the Need and Impact of New Retail and Leisure Development;
Applying the Sequential Approach;
Strategies for Smaller Centres;
Good Practice Guidance on Planning for Tourism;
Good Practice in Managing the Evening Economy; and
Safer Places: The Planning System and Crime Prevention.

Analysis of implications

4. In general terms producing comment on the provisions of the new PPS6 has been hindered by the uncertainty of the relationship of the Draft statements to the anticipated accompanying guidance.
5. In April 2003 the deputy prime minister clarified the distinction between quantitative and qualitative need by placing greater weight on quantitative need and stated that regeneration and employment are a material consideration rather an indicator of need. Although the new PPS does state that regeneration and employment benefits do not indicate need it has moved away from April's position with regard to weighting. Whilst the PPS does explain that local authorities should still place greater weight on quantitative evidence, a caveat has been added that affords more weight than the April statement provided to qualitative evidence where it can be clearly demonstrated that it will benefit a socially excluded community.
6. The situation in PPS6 is further confused by para 2.43 offering little guidance in how much weight should be attributed to 'other relevant matters', which includes regeneration, employment, economic growth and social inclusion, when selecting sites.
7. When assessing proposals that combine a number of separate uses (e.g. retail warehouse parks), para 3.18 requires the applicant to consider the degree to which the constituent units within the application could be accommodated on sequentially preferable sites. However, a single retailer is not expected to split their store into separate sites. Whilst it is welcomed that this issue is addressed there is concern over how to define 'a single retailer' or 'separate uses'. For example how would a proposal with separate concessions within the store or those stores that perform identifiable separate operations from within the store, be assessed?
8. The sequential approach to site selection is no longer required in relation to extensions and as highlighted previously nor will a single retailer be expected to split their store into separate sites, but in both cases it will still be necessary to prove need. The local authority should establish that the evidence presented on need for further floorspace relates specifically to the class of goods proposed to be sold. However, it is unclear in para 3.31 whether the exception afforded to extensions with regard to the sequential approach is for both an extension to a single unit and extensions to multiple developments such as retail parks, especially those in a single building e.g. former School of Farriery site. Although the sequential approach is not a relevant consideration in relation to extensions, regard to accessibility to the proposed development should still be considered.
9. The requirement to demonstrate need for leisure and office development has been emphasised in the draft PPS 6. However, guidance on how this should be demonstrated is limited, as the focus within the wording is towards retail development. The scale of such uses in Hereford and the market towns is such as to make the task of forecasting need etc extremely difficult, not least because of the changing lifestyle element within leisure development and the very small scale of office development in Herefordshire's urban areas. Although, it is stated that further guidance will be provided in the form of a good practice guide until this is published it will be difficult to apply the policy within the UDP or to planning applications.
10. The requirement to assess need in towns and cities has been further endorsed in the new guidance. The requirement to plan positively will mean that local authorities will

be expected to assess need in their towns and cities and allocate sites to meet anticipated demand for the next five years. Conversely the need for additional floorspace should be assessed no more than five years ahead, as town centre sites may become available within this time. This may be of particular relevance when assessing applications, which try to project future demand as evidence of need. Although the Council has undertaken detailed work in Hereford, this new emphasis on local authority led study may have resource implications with regard to updating the Hereford study and providing a countywide assessment, including the market towns. Also, how this five year review will fit into the development plan process is unclear, especially in relation to current procedures that work on longer timescales.

11. The onus on the local authority and a plan led approach is furthered by the requirement to set a gross floorspace threshold for individual developments (retail, leisure and office) that will be acceptable in different types of centres in their area. Site thresholds or description of the scale of development to which town centre policy considerations apply are absent from the draft PPS6, although some indicative floorspace figures are shown in the glossary. More guidance is needed in how to determine and apply these thresholds, although the individual characteristics of towns and cities may make this problematic.
12. Whilst a hierarchy of centres should still be defined, both regionally and at the local level, the guidance does allow more flexibility in so far that a more balanced approach to locating development is encouraged, rather than over development in one location. Where major growth is identified the extension of town centres can now be considered. The revised deposit of the UDP is proposing to extend the city centre in Hereford in line with guidance in PPS6.
13. There is concern that primary and secondary shopping frontages are only considered within the section on evening economy (para.2.20). These are important policy considerations and deserve greater prominence within PPS6 to ensure that vitality and viability of our centres are maintained and enhanced.

RECOMMENDATIONS

THAT the Cabinet Member (Environment) be recommended that the points summarised in the Analysis of Implications in this report forms the response of Herefordshire Council to be submitted to The Office of the Deputy Prime Minister.