

Consultation comments on policy E4 - retail and main town centre uses

- Support - 11
- Neither support of object - 3
- Object - 4

The changes to the supporting text and the Local Plan policies have not only been informed by the responses to the Regulation 18 consultation but they have also taken on board any additional feedback that has come out of discussions/meetings with statutory consultees and members in order to improve the clarity and understanding of the contents of the Local Plan.

Comments that support policy E4 – retail and main town centre uses		
Respondent number	Comment	Officer comment
ANON-KSAR-NKTH-6	Winchester is a tourist and historic place to visit. Consideration should be given to facilitating small start ups and small local businesses that give a unique opportunity for shopping that is different to large chains and business rates should be discounted accordingly.	Support welcomed. The local plan seeks to support small businesses by increasing the range of developments allowed within town centres. Unfortunately the financial measures proposed are outside of the remit of the local plan. Recommended Response: No Change
ANON-KSAR-N8MP-M	[This response should be read in conjunction with the full copies of the ‘North Whiteley Representations to the Winchester Local Plan Regulation 18 representations OBO Crest Nicholson’ representations submitted by email to: planningpolicy@winchester.gov.uk on 14/12/2022 from j.grist@nexusplanning.co.uk , which includes the relevant figures and appendices, with tables correctly formatted] Paragraph 81 of the Framework gives significant weight to the need to support economic growth whilst	Support for strategy welcomed and comments noted. Site specific comments regarding North Whiteley (Policy SH2) will be considered under responses to that policy. Recommended response: No Change.

	<p>paragraph 86 emphasises the role town centres play at the heart of local communities. In this respect, the Council seeks to promote a vibrant economy for the District with Strategic Policy E1-E4 setting out the strategy for achieving this. Crest Nicholson is committed to helping the Council achieve its target of creating a vibrant economy through the development of the land at the North Whiteley MDA by locating development in a sustainable location where future occupiers will be situated in close proximity to existing services and facilities of the town to ensure the continued vitality and viability of Whiteley District Centre.</p>	
<p>ANON- KSAR- N856-2</p>	<p>The proposed 3G football pitches on the Mill Lane sport & recreation site in Wickham would breach these requirements in size of development, value to the local community and amount of traffic generation.</p> <p>'10.85 Small scale town centre uses that provide a facility or service which is aimed at serving the immediate locality, and are up to c 278 sq.m net (3,000 sqft)1 in size, will generally be acceptable outside of defined centres. When assessing whether a proposal can be considered as a local facility or service, account will be taken of the nature of the proposed use, its value to the local community, its expected catchment and the amount of traffic generation as well as its size. Policy E8 outlines the approach that will be taken for proposals involving local facilities and services, including shops, and criteria to support the retention of such facilities'</p>	<p>Policy E4 relates to the main town centre uses which do not include outdoor recreation facilities.</p> <p>Comments regarding Wickham (Mill Lane) will be considered under responses to site allocation The Glebe (WK2) and other allocations in Wickham as relevant.</p> <p>Recommended response: No Change.</p>

<p>ANON- KSAR- N8GG-5</p>	<p>W7 Central Winchester Regeneration ("Saxongate" etc) is essential :</p> <p>(1) Ensure CUSTOMERS including TOURISTS have Transport drop-off points to QUICKLY reach the Winchester Retail sites that feed people and that are a major Winchester City Council money-earner. Ensure TOURISTS drop-off points can QUICKLY reach Winchester Heritage Tourist Sites like Cathedral and Christmas Market and Timber-Framed wood-beam Historic buildings - including some of the oldest Pubs/Taverns in England ("Eclipse Inn" is aid to be Haunted !).</p> <p>(2) Ensure W7 "Central Winchester Regeneration" ("Saxongate") ENHANCES attracting TOURIST and Resident Customers to Winchester's Historic Heritage Town Centre - Development needs to ENHANCE Hampshire's Historic Heritage centres in Appearance and in Style and in quality, and must not overshadow the Historic "Guildhall" and other Historic Heritage sites.</p> <p>(3) Needs the RIGHT Retail stores to ATTRACT Customers - usually selling products etc that Customers cannot find in Southampton "Westkey Plaza" and cannot find in Basingstoke "Festival Place" and etc.</p>	<p>This comment does not relate to the generality of Policy E4. These comments will be considered under the responses to site allocation Central Winchester Regeneration (W7).</p> <p>Recommended response: No Change.</p>
<p>BHLF- KSAR- N8BX-H</p>	<p>Strategic Policy E3 E4</p> <p>The Trust supports the aspiration to maintain and enhance the role of centres. Healthcare uses would be more easily accessible in some cases and are potentially mutually beneficial to other uses in town centres. The Trust would be please to explore potential as appropriate.</p>	<p>Support welcomed and comments noted.</p> <p>Recommended response: No Change.</p>

Comments that neither support or object to policy E4 – retail and main town centre uses		
Respondent number	Comment	Officer comment
ANON-KSAR-NKNP-8 Otterbourne Parish Council	This policy will need to be promoted carefully with priority being given to maintain and improve the attractiveness of our town centres. Vacancy within our town centres is having a detrimental impact on the needs and expectation of the resident public and visitors which means that the proposed policies will need to be applied carefully.	Comments noted. It is agreed that it is important to maintain and improve the attractiveness of our town centres and Policy E3 sets out an intention to support this. Vacancy levels are lower in Winchester compared to national figures and it intended that a more flexible approach to uses within town centres will help to minimise this. Recommended Response: No Change
ANON-KSAR-NKQ5-G Curdridge Parish Council	I support most of this policy, but WCC needs to understand that if it opposes all out-of-town development, then trade will go to neighbouring districts that do permit this sought-after shopping experience. Then revenue and jobs will go elsewhere.	The comment is noted, however it is considered that the plan should continue with the promotion of town centres as the first option for locating such development. Flexibility exists within policy E4 to consider particular needs and requirements of businesses in regards to locational requirements. Retail warehousing/bulky goods are primarily located at Winnall. Recommended Response: No change
BHLF-KSAR-N8BE-X Environment Agency Link here	Strategic Policy E4 - Retail and Main Town Centre Uses It is stated that “Shops or other town centre uses that will serve a local need and are under 278sqm (net) in size, will generally be acceptable outside of defined centres and sequential and impact assessments will not normally be required”. The sequential approach is always applied where development is proposed within flood risk areas for the lifetime of the development.	EA response. Wrong type of ‘sequential approach’. No amendment required. Policy E4 clearly applies to town centre use sequential test, not flood risk sequential considerations, which are covered elsewhere (Policy NE6)

Comments which object to policy E4 – retail and main town centre uses		
Respondent number	Comment	Officer comment
ANON-KSAR-NKZ5-S	As per E1	<p>This comment has been considered in relation to E1 and raises no further issues.</p> <p>Recommended Response: No Change</p>
ANON-KSAR-NK3N-B	The “sequential test” is mentioned many times within this section but does not seem to be clearly defined. The sequential test for town centre development must be defined in enforceable terms.	<p>Although the sequential test is outlined in central government advice, it is accepted that some applicants may not be aware of this. It is also considered that it would be useful to provide clarification on the local interpretation of the sequential test.</p> <p>It is also considered that the policy should only consider town centre uses that are proposed outside of the centres identified in E3.</p> <p>Recommended response: Amend title of Policy E4 as follows –</p> <p>‘Strategic Policy E4 Retail and Main Town Centre Uses Out of Centre’</p> <p>Alter policy in respect of the sequential test as follows –</p> <p>Outside of the centres listed in Strategic Policy E3 above identified town-centres, proposals for new or expanded retail and other main town centre uses will be considered where they comply with the sequential test, which requires applicants to demonstrate why the proposal could not be accommodated within a</p>

		<p>town centre, or – failing that- on the edge of a town centre.</p> <p>New or expanded retail development or and large scale leisure development outside of the identified town centres listed in Strategic Policy E3 above will not normally be permitted unless the requirements of the sequential test and any required impact tests have been satisfied.</p> <p><i>Add to end of policy –</i></p> <p>In all cases, the local planning authority will consider the requirements for town centre uses in relation to the sequential test on a case by case basis and applicants will be required to submit sufficient information to enable the sequential test to be appropriately assessed.</p>
ANON-KSAR-N81T-V	See our answer to Policy E3 above	<p>The comments have been considered in response to E3 and do not raise any new issues here.</p> <p>Recommended Response: no change.</p>
BHLF-KSAR-N8BD-W	<p>Objections and comments</p> <p>Ambiguities in the text</p> <p>Retail studies</p> <p>Paragraph 10.77 regarding the timing of the retail studies is ambiguous. The text states “This will therefore also be undertaken as part of the review of the plan in 5 years time.” Presumably this means 5 years from the adoption of the plan rather than 5 years from now, but this should be clarified. Further, how does this 5 year review relate to the review of</p>	<p>5yrs from the Adoption of a Local Plan is when planning authorities are required to conduct a review. This would therefore apply across all areas of the plan, including town centre uses and employment demand.</p> <p>Capacity is the term used by retail consultants when referring to likely demand for floorspace. It is accepted this could be confusing, so this could be re-worded. The council is currently undertaking an update to the 2020 RTCUS, which will result in updated estimates for</p>

	<p>employment policies based on the new retail and employment studies?</p> <p>Strategic Policy E4 - Retail & main town centre uses Objections and comments Ambiguities in the text The Trust feels the use of the word “capacity” in paragraph 10.75 is ambiguous. Does this mean projected need (for additional comparison goods retail)? In addition, is the Local Plan providing for the lower of the two projections ie 1,852 sqm by 2036 rather than 2,961 sqm by 2029? The Trust feels the use of two different floorspace threshold figures is confusing and requests that one is used consistently: Strategic Policy E4 requires application of the sequential test for retail applications outside the town centre if they exceed 350 sqm; paragraph 10.85 allows similar uses if they serve the locality if they are only up to 278 sqm. As these two policies (one restricting, one allowing) are mirror images it would seem sensible to use the same floorspace threshold.</p>	<p>floorspace over the plan period. Paragraph 10.75 will therefore be updated when this has been completed.</p> <p>350 sqm is the threshold above which applications for retail and leisure developments will be required to undertake an impact assessment. The 278 sqm refers to the sequential test, which is a different requirement.</p> <p>Further consideration of how the sequential test could be applied has resulted in a proposal to amend the policy to remove the reference to the 278 sqm. Instead, the policy will consider the need for, and scope of, any sequential assessment on an individual basis. The reference to 278 sqm will be expanded upon in the supporting text and also within E8 (Facilities and Services) where it is more relevant. The figure will also be amended to 280 sqm to co-incide with the figure for community shops under the new Class F2 of the Use Classes Order.</p> <p>Recommended Response: Amend Policy in respect of small proposals as follows –</p> <p>Shops or other town centre uses that will serve a local need and are under 278sqm (not) in size are considered to provide a local facility or service, will generally be acceptable outside of defined centres. and sequential and impact assessments will not normally be required.</p> <p>Amend supporting text at 10.85 –</p>
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	Recommendations	Officer response
Comments from SA	Strategic Policy E4 could be strengthened by requiring that the scale, form and design of development should be appropriate in relation to the established character and any historic assets. The policy already requires that developments respond to the size of the centre and its role within the hierarchy. However, given that many of these locations contain important elements of townscape and the historic environment the policy could also require consideration for these sensitivities. Cross referencing to the appropriate heritage policy could also be included.	<p>It is important that LP is read as a whole.</p> <p>There are a number of other LP policies in the high quality design and heritage topics that address these issues and it not necessary for all policies of the plan to repeat this. Policy E3, which outlines the strategy regarding town centres already requires this at iii).</p> <p>Recommended Response – No Change</p>
Comments from HRA	NONE AS YET	

Amendments to policy E4

Amendments to supporting text

All supporting text updated, final version below.

MAIN TOWN CENTRE USES OUT OF CENTRE

10.83 Strategic Policy E4 sets out the council's approach to considering proposals for town centre uses in out of centre locations.

10.84 Proposals for the main town centre uses in edge-of-centre or out-of-centre locations will be required to demonstrate why they could not be located on a sequentially preferable site in accordance with the NPPF. Winchester, Whiteley, Bishops Waltham, New Alresford and Wickham have Primary Shopping Areas within the wider Town Centre boundaries, which is relevant for the consideration of retail development, as set out in the NPPF.

10.85 Proposals for retail and leisure developments that are outside of defined town centres and have floorspace of 350 sqm gross or more, will also require the submission of an impact assessment.

10.86 The 2020 RTCUS found that the current local thresholds within the adopted Local Plan did not prevent the incremental growth of small retail and leisure developments. The thresholds also did not allow the city council the opportunity to identify impacts associated with incremental increases to existing facilities or the change of use or applications to vary conditions on individual units within a retail park. In the light of this, the new 350sqm gross threshold will ensure that proposals for smaller stores and applications to incrementally expand existing edge and out of centre retail offer are appropriately assessed in terms of their potential impact on existing centres. This approach has been confirmed by the ETCUS 2023.

10.87 Consideration of impacts on town centres will include assessment of the effect of the proposal on planned or future investment within centres or the overall planning strategy for the centre, including any regeneration sites identified in the Local Plan.

- 10.88 When assessing out of centre applications for retail or large-scale leisure developments, regard will be had to the nature of the use being proposed and any specific format or locational requirements that may apply.
- 10.89 Applicants should agree the scope of any required sequential and impact assessments with the local planning authority prior to the submission of the application.
- 10.90 If such proposals are approved, conditions may be sought restricting the range of goods sold or the exact nature or the proposed use, or permitted development rights may be removed, where considered justified and necessary in order to protect the integrity of nearby town centres and avoid unnecessary development of town centre uses in inappropriate locations.
- 10.91 Small scale town centre uses that provide a facility or service which is aimed at serving the immediate locality, will generally be acceptable outside of defined centres. When assessing whether a proposal can be considered as a local facility or service, account will be taken of the nature of the proposed use, its value to the local community, its expected catchment and the amount of traffic generation as well as its size. Shops that are primarily intended to service everyday needs such as convenience goods and are under 280 sqm net (c 3,000 ft) in size, are considered provide a local facility under Policy E8 (Local Facilities and Services).

Amendments to policy

Strategic Policy E4 Main Town Centre Uses Out of Centre

~~The required need for retail and main town centre uses development will be met within the identified town centres of the hierarchy, by the development within the site allocations set out in the plan and the approval of new development within town centre boundaries. The scale and form of the development should be appropriate in relation to the size of the centre and its role within the hierarchy.~~

Outside of the identified town centres listed in Strategic Policy E3 above, proposals for new or expanded retail and other main town centre uses will be considered where they comply with the sequential test, **which requires applicants to demonstrate why the proposal could not be accommodated within a town centre, or – failing that- on the edge of a town centre.**

Where the development is for retail or leisure development, an impact assessment will also be required when the proposal is over 350sqm gross.

New or expanded retail development or large-scale leisure development outside of the **identified town** centres listed in Strategic Policy E3 above will not normally be permitted unless the requirements of the sequential test and any required impact tests have been satisfied.

Shops or other town centre uses that ~~will serve a local need and are under 278sqm (net) in size,~~ **are considered to provide a local facility or service**, will generally be acceptable outside of defined centres and ~~sequential and impact assessments will not normally be required.~~

In all cases, the local planning authority will consider the requirements for town centre uses in relation to the sequential test on a case-by-case basis and applicants will be required to submit sufficient information to enable the sequential test to be appropriately assessed.