
REPORT TO:	Environmental and Development Services Committee	AGENDA ITEM:	8
DATE OF MEETING:	4th March 2004	CATEGORY:	
REPORT FROM:	Deputy Chief Executive	DELEGATED/ RECOMMENDED OPEN/EXEMPT PARAGRAPH NO:	
MEMBERS' CONTACT POINT:	Ian Bowen (5749)	DOC:	
SUBJECT:	Consultation Paper on Draft PPS6: Planning for Town Centres	REF:	
WARD(S) AFFECTED:	All	TERMS OF REFERENCE:	ES03

1.0 Recommendations

- 1.1 That: the contents of the draft PPS6 be noted, and that officers respond to ODPM as set out in paragraphs 4.15 – 4.19 of this report.

2.0 Purpose of Report

- 2.1 To inform members of, and seek views on, a draft Planning Policy Statement (PPS) 6: Planning for Town Centres issued by the Office of the Deputy Prime Minister (ODPM).
- 2.2 Responses are required to be submitted by 15th March 2004. A copy of the draft guidance has been placed in the Members' Room and is available on ODPM's website at www.odpm.gov.uk.

3.0 Executive Summary

- 3.1 The Government proposes to revise its policy on town centres currently set out in PPG6. The existing guidance requires rigorous tests to be applied to proposals for out-of-centre developments. In tandem, it encourages local planning authorities to be proactive in identifying and bringing forward suitable town centre sites for development, and implementing town centre management.
- 3.2 The revised policy refines this approach by seeking to channel investment, via regional strategies, to appropriate smaller town centres which have traditionally lost out to larger towns and cities. The revision also sharpens the requirement for local authority research into the

development potential of their centres and the preparation of strategies for their conservation and enhancement. It also seeks to address a number of serious inconsistencies in the way that the policy has been applied in the past.

- 3.3 Whilst the draft revised policy is generally supportive of this Council's own practice in relation to town centres, it is short on detail in key areas and a response to ODPM is recommended.

4.0 Detail

Background - The Government's Existing Policy on Town Centres

- 4.1 The Government's existing policy, set out in Planning Policy Guidance Note 6: (PPG6 Town Centre and Retail Development), seeks to reinforce the vitality and viability of existing town centres.
- 4.2 A central plank of this policy is ensuring that new development takes place within existing centres rather than in competing locations outside of them. This is achieved by requiring firstly a 'need' to be demonstrated for new developments proposed at out-of-centre locations, followed by a 'sequential approach' to site selection requiring in-centre sites to be fully examined before considering less central sites. Evidence is also required to show that the trade impact of the new development would not be such as to undermine the vitality and viability of the town centre as a whole. New developments are also required to be accessible by a choice of means of transport.
- 4.3 A similar approach is required of local planning authorities in proposing sites for development through allocations in local plans.
- 4.4 To complement this approach, PPG6 also highlights the need to plan positively for town centres. This requires the preparation of strategies to attract new investment and achieve a high quality of urban design, rather than merely refusing permission for unwanted developments.

The Need for a Revised Policy

- 4.5 Whilst the current PPG6 approach enjoys a broad level of support amongst retailers, developers and local planning authorities, the Government has identified a number of shortcomings. The revisions now proposed seek to remedy those problems and also coincide with a wider review of planning policies under reforms currently being made to the planning system.
- 4.6 In summary, the Government considers that local planning authorities have failed to be sufficiently proactive in identifying and promoting suitable sites and implementing town centre strategies in the way that PPG6 intended.

- 4.7 Also, as the policy has evolved, serious inconsistencies have arisen in terms of understanding the scope and assessment of 'need', sequential approach and retail impact studies. This has led to a wide variation throughout the country in the way decisions are made on planning applications and at appeal. There is also a concern that town centre and retail issues are not being addressed effectively at regional level.

Draft PPS6 – The Government's Proposals

- 4.8 The Draft PPS is at pains to re-affirm the existing advice. Additionally, however, it seeks to remedy the problems identified above and introduce a greater emphasis on the regeneration of smaller town centres which have traditionally suffered from investment being concentrated in larger town and city centres. Accordingly, it is proposed that:

At the Regional Level

- 4.9 Regional Planning Guidance (RPG) should develop a vision for a network and hierarchy of centres and avoid excessive concentration of facilities in the highest level of centres. As part of this, assessments of the overall need and capacity for additional floorspace in existing centres would be undertaken.

At the Local Level

- 4.10 Local planning authorities would assess in detail the need and capacity for additional retail, leisure and other key uses, and identify suitable sites and provide for growth of town, district and local centres. In the case of town centres, growth could be accommodated by increased densities through multi-storey, mixed use development. It may also be achieved through the identification of edge-of-centre sites capable of accommodating larger-format developments where the assessments indicate that such a need exists. The overall aim will be to put the appropriate type and scale of development in the right type of centre via a plan-led approach.
- 4.11 Whilst 'need' and capacity assessments are already recommended under existing policy, they have not in practice been carried out to any rigorous degree given the substantial resource implications associated with the necessary survey work and other data. Such information is often only available from specialist retail planning consultants. It is also notoriously difficult to plan with any degree of confidence for non-retail town centre uses such as leisure and other commercial activities.
- 4.12 Nevertheless, the draft PPS6 intensifies the advice in this regard and asks authorities to allocate sufficient sites to meet anticipated demand for the next five years, and to consider using compulsory purchase (CPO) powers to ensure sites are brought forward. Assessments would need to be updated regularly (at least every 5 years) and

supplemented by the preparation of town centre strategies looking at issues such as transport, design issues and crime prevention. The assessments would form part of the evidence base for future Development Plan Documents under the reformed planning system.

- 4.13 To assist regional bodies and local planning authorities in the above, the Government proposes to issue companion guides on the five topics listed below:

1. **Assessing Need and Impact of New Retail and Leisure Development**
2. **Applying the Sequential Approach**
3. **Strategies for Smaller Centres**
4. **Managing the Evening Economy**
5. **Planning for Tourism.**

- 4.14 The draft PPS6 also contains further advice on a range of other matters. These include, for example, the need to manage the evening economy, the need for local authorities to retain and enhance street and covered markets and the designation of new centres in urban growth areas.

Officer Comments

- 4.15 The Government's policies are important to South Derbyshire as smaller town centres such as Swadlincote are likely to have limited catchment populations and are especially vulnerable to competing developments.

- 4.16 The emphasis on the regeneration of smaller town centres based on strategies clearly accords with this Council's own practice and ambitions for the regeneration of Swadlincote Town Centre in particular. The Council is in fact already putting into practice much of the advice put forward in the draft PPS6. In this regard, the Swadlincote Town Centre Vision and Strategy was prepared in February 2001 following which a number of potential development sites have been identified. These include the former Wraggs site which has recently been taken up for a food store by Morrison's. The Council has also instigated and continues to support the Sharpe's project on the site of the former derelict pottery which represents an exemplar for the wider regeneration of the town. More recently, as a means of implementing the next step of the Vision and Strategy, this Committee resolved that a Study and Masterplan be prepared using Section 106 monies provided from the Morrison's development for the purpose of investigating the design and feasibility of re-paving, de-cluttering the streets, improving the Delph and improving gateways etc. (EDS Committee 29th January 2004 refers).

- 4.17 The Government's proposals provide a context for continuing this work in the future and can therefore be welcomed.

4.18 However, it is very disappointing that the various companion documents which are central to the implementation of the policy are to be issued separately some time in the future. Historically, such documents have been significantly delayed. It is therefore very difficult at this stage to assess the likelihood of the policy being any more successful than the current one. In particular, there is a heavy reliance upon robust survey data being available to enable local planning authorities to undertake need and capacity assessments. As indicated in para. 4.11 above, such information has thus far not been readily available and it is vital that these matters are realistically addressed in the companion guides. In the absence of such data, local authorities will continue to be at a disadvantage in attempting to resist inappropriate development at out of centre locations and less effective in promoting the development of in-centre opportunities.

4.19 There are also a number of more specific points listed below which it is considered should be raised in response to this consultation:

- The advice that local planning authorities should use CPO powers is noted but it must be acknowledged that many Councils do not have the means to deploy these costly procedures. Public sector-led site assembly in such circumstances is therefore not a realistic option. Detailed advice and assistance about how this can be achieved would be welcome.
- The revised Guidance inexplicably makes an oblique reference in para. 3.31 to the fact that planning applications for the extension of existing out-of-centre stores should be exempt from the sequential approach. (This reference flatly contradicts guidance elsewhere in the document at para 3.14). The logic for this approach is unclear and would create an arbitrary and unacceptable loophole. Local planning authorities would be seriously disadvantaged in seeking to exercise reasonable control over such extensions and the reference should be removed from the draft Policy.
- Whilst the use of higher densities and multi-storey development is accepted as a general principle, it should be acknowledged that the historic character of some centres, including Swadlincote and Melbourne, may make this inappropriate and in conflict with conservation policies.
- The Guidance appears to use the terms "centres" and "town centres" interchangeably leading to ambiguity over the circumstances in which detailed aspects of the policy applies. It will be important, particularly in the determination of planning application and appeals that the Guidance is clear and unambiguous.

5.0 Financial Implications

5.1 There are as yet significant but unquantified financial implications arising from the introduction of the Guidance.

6.0 Corporate Implications

6.1 The promotion and enhancement of the town and local centres is of corporate interest to this Authority.

7.0 Community Implications

7.1 In supporting existing centres, the draft PPS6 seeks to promote social inclusion by ensuring a wide range of shopping, leisure and services in locations accessible to all.

8.0 Conclusions

8.1 Whilst the Guidance can be broadly welcomed, there are a number of important points which should be made to ODPM in response to this consultation. These are described in this report.

9.0 Background Papers

9.1 None other than referred to in this report.