



**Examination into Warwick District Local Plan
Matters and Issues identified by the Inspector
Further Written Statement**

Matter 9 – Retail and Town Centres

Questions

2) Is the approach to the development of retail and other main town centre uses set out in Policies TC1-TC3 and TC5 justified and consistent with national policy? How is the sequential approach to be applied?

With reference to our statements to Questions 5 and 6, below, **policy TC2** as written is considered to be unjustified and inconsistent with national policy.

5) What is the basis for the threshold of 500sqm of floorspace in terms of the need for an impact assessment and the definition of “large scale”?

We understand the 500sqm threshold is based principally on advice provided in the retail evidence Warwick District Retail and Leisure Study Update (WDRLSU) (April 2014). This provides a definition of a ‘large shop’ as being over 280sqm gross floorspace. Subsequently, the WDRLSU, somewhat arbitrarily, advises applying a local floorspace threshold as low as 500sqm gross.

Warwick District is not an exception to any other local authority area such as to justify a departure from national guidance. The proposed threshold amounts to an 80% reduction in the NPPF prescribed threshold. Such a low threshold is overly restrictive, unnecessary and not supported by evidence.

We acknowledge the health of the District’s centres is a legitimate local consideration. However, the retail evidence demonstrates that when assessed against key indicators these centres are vital and viable and perform their role and function in the local retail hierarchy. There is insufficient justification to warrant such a low, blanket threshold being applied so inflexibly across the district.

The WDRLSU suggests stores with floorspace over 500sqm gross are unlikely to be a purely local facility and will tend to draw trade from outside their local catchment. No evidence is provided in support of this assertion. A low quantum of floorspace, by its very nature, precludes the stocking of a choice and range of goods which may otherwise serve over and above a local function.

The LPA has mechanisms available to safeguard against undue trading effects on centres from out of centre destinations (e.g. retail parks); not least, the imposition of planning conditions so that the specifics of any consent(s) granted can be tailored. These provide sufficient controls for the LPA to protect nearby centres.



NPPF advises the scope of any impact assessment should be proportionate to the scale of the proposal and this should be agreed with the Council on a case-by-case basis. The threshold for triggering such discussions should equally be proportionate. An 80% blanket reduction of the NPPF threshold is not proportionate and overly restrictive.

Investment in business should not be over-burdened by the combined requirements of planning policy expectations (NPPF, para 21). The policy should not act as a barrier to growth but encourage local retail investment at an appropriate scale. A 500sqm threshold is unjustified and therefore unsound. It will stifle/discourage investment and is likely to result in negative implications for retail development in the District.

6) Is the proposed allocation at Chandos Street, Leamington (Policy TC4) appropriate and justified?

The proposed site allocation outlines the Council's aspirations for a comprehensive redevelopment. The proposed draft policy TC4 reads; *'The Chandos Street car park, as shown on the Policies Map, will provide the focus of a major town centre development proposal to comprise of retail and other appropriate main town centre uses'*.

However, the allocation measures just 0.8ha. This simply will not provide the area required to deliver the policy's development aspiration. The proposed allocation of Chandos Street is not appropriate or justified.

What is the planning history of the site?

We understand in March 2010, Wilson Bowden submitted a planning application for a retail scheme at the site, together with residential development and car parking (ref: W/10/0340). The scheme proposed 19,900sqm retail floorspace, 9 townhouses and 512 car parking spaces.

The planning application was refused 11th November 2011. Reasons for refusal included:

- excessive bulk and mass;
- impact on the Conservation Area;
- loss of traditional buildings and the historic street pattern;
- impact on amenity of nearby uses and residents;
- design; and
- excessive car parking and lack of measures to promote public transport.

It has been four years since the scheme's refusal and the site's promoters have failed to bring forward any comprehensive replacement scheme, let alone one which successfully addresses the above points whilst, crucially, delivering development needs.



How would development contribute to meeting the need for additional floorspace?

The draft local plan confirms that the development allocation will not deliver floorspace needs. At Paragraph 3.65, it speculates that; "*further land will be required beyond the confines of the allocated car park area. This will be necessary to create required quantum of floorspace...*" No detail on how this may be achieved is provided.

As such, policy TC4 and its allocated area shown in the proposals map does not provide an appropriate strategy and is not justified. It is not positively prepared as it does not meet objectively assessed development needs.

It is considered to be inconsistent with national policy which advises LPAs the importance of meeting the needs for retail, leisure, office and other main town centre uses met in full, this should not be compromised by limited site availability (paragraph 23, NPPF).

Are there any particular constraints to development and is it viable and realistically deliverable?

The site allocation measures just 0.8 ha. This simply will not provide the area required to deliver the policy's development aspiration. Furthermore, the planning history demonstrates that the Conservation Area precludes significant scale and mass at the site, and any undue impact on the historic street pattern. The site's proximity to existing residential properties (which abut the site to the north and east) gives rise to residential amenity sensitivities.

We note the Council's position set out in its 'Public Participation Report' which suggests "*there is nothing in the refusal reasons for the 2010 planning application to indicate that a revised scheme which responds to the refusal reasons will not be acceptable to the local planning authority.*"

However, it is clear that in order to acceptably overcome such constraints (to be acceptable in planning terms) development would need to be physically small, respect the existing historic street pattern, and include buffers to safeguard the amenity of the adjacent residential properties.

With regard to such a development's magnitude, the Council's stated position in its Public Participation Report is that "*it is not possible to speculate on the precise amount of floorspace that will come forward until a detailed scheme is agreed...*"

In the four years since the refusal the Council is no clearer on the amount of floorspace which may be realistically deliverable. This site is highly unlikely to be able to accommodate the retail/town centre use needs identified.