

# CHAPTER 8: TOWN CENTRES, SHOPPING & FACILITIES

## 8.1. General Comments

### OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
CHAPT8	260/4	Cadbury Schweppes
CHAPT8	261/45	Government Office for the South East

### ISSUES

1. Should Units 1&2 on the Wykeham Industrial Estate be identified for retail purposes, and Proposal SF4 amended so that if there is a retail need which cannot be met in the town centre such sites would be suitable? (260/4)
2. Should the text of Chapter 8 reflect the need for developers to be more flexible about the format, and scale of their proposed development in view of the need to accord with the sequential approach? (261/45)

### INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 8.1.1 Following the receipt of objections to the Deposit Plan the Council made a number of amendments to the text and policies of Chapter 8 at Revised Deposit stage and, although the objections have not been withdrawn the objectors have written to support the amendments made at Revised Deposit stage and I agree with the Council that the issues have been dealt with.

### RECOMMENDATION

- 8.1.2 That no modification be made to the Plan.

## 8.2. Overall Approach (paragraphs 8.3 - 8.6)

### OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
08.6	325/2	B & Q Plc
08.6	260/3	Cadbury Schweppes

### OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD0802	2316/1	London and Henley Property Holdings Ltd
RD0802	223/1	Mrs P Edwards City of Winchester Trust
RD0804	2277/1	WM Morrison Supermarkets PLC
RD0806	325/2	B & Q Plc

## OBJECTIONS TO PRE INQUIRY CHANGES

Proposal/ Paragraph	Rep Number	NAME
PIC0802	468/4	Cala Homes (South) Ltd
PIC0802	2337/1	London Henley (Winchester) Ltd

## ISSUES

1. Should the Plan effectively prevent any further out-of-centre retail development during the Plan period, or is more flexibility required to accommodate any further retail need identified in future studies? (260/3)
2. Should the supporting text state that the retail requirements outlined in the retail assessment are only a guide and applications will be treated on their merits and in the light of retail need/capacity at the time? (325/2, 325/2 REVDEP).
3. Should paragraph RD08.04 be revised to include figures for net floorspace, as well as for gross floorspace? (223/1/REVDEP).
4. Should the Plan acknowledge the contribution that the reserve MDA at Winchester City (north) could make towards meeting retail needs? (468/4PIC).
5. Are the policies in respect of the Broadway/Friarsgate redevelopment too prescriptive; is it realistic to insist on the comprehensive redevelopment of the site? (2316/1 REVDEP, 2337/1 PIC),
6. Should paragraph RD08.02 be revised to draw a more precise distinction between shopping development at Broadway/Friarsgate and elsewhere in the City Centre? (223/1/REVDEP).
7. Should paragraph 8.04 be amended to reflect the situation that would arise if all the retail floorspace identified in the retail study cannot be accommodated in the Broadway/Friarsgate development then any additional sites will be identified in accordance with a sequential approach? (2277/1/REVDEP).

## INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 8.2.1 In the first issue, although the objection has not been withdrawn, the objector has written to support alterations to the text in the Revised Deposit and I consider that the objection has been met.
- 8.2.2 In Issue 2, the objector sought amendments to paragraph 8.6 of the Deposit Plan and subsequently to new paragraph RD 08.06 in the Revised Deposit. These were to the effect that it should be made clear that the requirements outlined in the Winchester Retail Study are only a guide for future retail development and that individual retail applications will be judged on their own merits in the light of retail need or capacity at the time. The objector's specific concern was that the Plan needs to outline the various requirements for bulky goods retail floorspace, specifically DIY. However in my view the purpose of Chapter 8 is to set a planning policy framework for the District's town centres and shopping provision and together with national guidance in PPG6 (particularly in relation to the sequential test) I consider that the information provided is sufficient to make the Council's approach clear. The further detail requested by the objector would be contrary to advice in PPG12 that development plans should be succinct and not include unnecessary extraneous information. In this case the reference to the Winchester Retail Study in the test provides an adequate reference point for those seeking more information.
- 8.2.3 In the third issue, the Council agrees that it would be helpful to include net floorspace figures within paragraph RD08.04 and has done this in Pre-Inquiry Change PIC08.02. In Issue 4, the substance of the objection relates to the Reserve MDA at Winchester City (North). Whilst additional retail provision in this location, if and when it comes about, will no doubt serve existing as well as future residents, I have considered the issue as part of my report on the objections to Chapter 12 and I see no need for a modification to Chapter 8.

- 8.2.4 Issues 5, 6 and 7 refer to proposed shopping development at Broadway/Friarsgate and I have also referred to this proposal in my report on the objections to Chapter 11. Issue 5 is essentially the same as Issue 2 in Section 11.5 of this report. In Issue 6, the City of Winchester Trust argues that paragraph RD08.02 is unclear and that there is an insufficient distinction between shopping development at Broadway / Friarsgate and elsewhere in the City centre. In response to the objection the Council proposed the amendment of RD08.02 by PIC08.01, but following further comments subsequently put forward a Further Proposed Change FPC08.A. The wording was agreed with the objector apart from the issue of whether reference should be made to the scale of development proposals. This was debated further at the Inquiry but has since been overtaken by the publication of PPS6 in its final form. In this, the reference to an appropriate scale of development within existing centres has been deleted from paragraph 3.7 of the Draft (now renumbered 3.8). This now unequivocally states that it is not necessary to demonstrate the need for retail proposals within Primary Shopping Areas. On balance I am satisfied that that any reference to the scale of development would confuse rather than clarify this part of the Plan and that the wording in FPC08.A is consistent with the final version of PPS6.
- 8.2.5 Finally, Issue 7 is essentially the same as Issue 4 in Section 11.5 and I have dealt with the objection at that point in my report.

### **RECOMMENDATION**

- 8.2.6 That the Plan be modified in accordance with PICs 08.01 & 08.02 and FPC.08.A.

## **8.3. Commercial Development in Town and Village Centres (paragraphs 8.10 - 8.20, Proposals SF.1 & SF.2)**

### **OBJECTIONS TO DEPOSIT PLAN**

<b>Proposal/ Paragraph</b>	<b>Rep Number</b>	<b>NAME</b>
SF.1	325/3	B & Q Plc
SF.1	211/10	Bishops Waltham Parish Council
SF.1	212/19	Bishops Waltham Society
SF.1	305/6	BT Plc
SF.1	263/1	Budgens Stores Ltd
SF.1	81/1	C. J. Webb
SF.1	468/44	Cala Homes (South) Ltd
SF.1	1423/5	Fareham Borough Council
SF.1	1386/4	New Alresford Town Council
SF.1	1386/3	New Alresford Town Council
SF.1	49/1	Somerfield Stores Ltd
SF.1	49/2	Somerfield Stores Ltd
SF.1	324/6	Town Planning Consultancy Ltd
SF.2	468/45	Cala Homes (South) Ltd
SF.2	250/6	English Heritage South East Region
SF.2	138/9	John Hayter

### **OBJECTIONS TO REVISED DEPOSIT PLAN**

<b>Proposal/ Paragraph</b>	<b>Rep Number</b>	<b>NAME</b>
RD0808	325/3	B & Q Plc

RD0808	468/13	Cala Homes (South) Ltd
RD0808	2316/2	London & Henley Property Holdings Ltd
RD0809	1423/1	Fareham Borough Council

## ISSUES

1. Does Proposal SF1 reflect the retail tests set out in PPG6 and incorporate the sequential approach for major new development? (49/2, 263/1, 324/6, 325/3, 305/6, 325/3REVDEP).
2. Should Proposal SF1 be replaced by a Policy which relates to all retail, and allows for the demonstration of need? (325/3, (305/6)
3. Is the remit for Proposal SF1 too broad? (49/1)
4. Should the defined town centre at Bishops Waltham be extended? (211/10, 212/19).
5. Should the boundary of the town centre at New Alresford be revised? (1386/3, 1386/4).
6. Should retail units in Southgate Street be given greater protection? (81/1).
7. Should Proposal SF1 consider the need for commercial and leisure development in the reserve MDA at Winchester City (north)? (468/44, 468/13REVDEP).
8. Are the policies in respect of the Broadway / Friarsgate redevelopment too prescriptive; is it realistic to insist on the comprehensive redevelopment of the site? (2316/2 REVDEP).
9. Does Proposal SF2 repeat Policy requirements elsewhere in the Plan? (138/9).
10. Does the term 'defined town and village centres' need further clarification? (138/9).
11. Should the criteria in SF2 apply to all settlements and not just the larger ones? (138/9).
12. Should SF2 refer to the objective of protecting or enhancing conservation areas and their setting? (250/6).
13. Should SF2 refer to the need for A3 uses in reserve MDA at Winchester City (north)? (468/45).
14. Should para 8.7 be amended to refer to Whiteley as a District Centre? (1423/5, 1423/1/REVDEP).

## INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 8.3.1. In Issues 1 and 2 the objectors were concerned as to the scope of Proposal SF.1 both in relation to consistency with PPG6 and to its coverage of all retail development and the demonstration of need. In RD08.08, RD08.09 and RD08.10 of the Plan the Council has re-drafted Proposal SF.1, added a substantial body of supporting text and included a new Proposal to address the loss of commercial or leisure floorspace. I consider these amendments adequately deal with the objections made.
- 8.3.2. In the third issue, I do not accept the objector's criticism that Proposal SF.1 is too ambitious in covering retail, leisure and office development as there is a strong common denominator between the uses in terms of their locational requirements. Furthermore, more specific policies in addition to Proposal SF.1 concerning offices and leisure are included in the Employment and Recreation and Tourism chapters of the Plan.
- 8.3.3. Issues 4 and 5 concern the boundaries of the town centres of Bishops Waltham and New Alresford respectively, with the objectors requiring revisions. In respect of Bishops Waltham, changes to the Plan in the form of RDMap1.01 has met the objector's point in respect of the Lower Lane car park and surgery although I agree with the Council that the separation of the facilities in the Free Street / Hoe Road area makes them too far away from the existing boundary to be logically included as an extension thereto. As regards New Alresford, the Town Council considers that the town centre boundary should be amended to follow the eastern boundary of St Johns Churchyard and a line joining the rear boundaries of properties to the south of East Street. However I note that amendments to the town centre boundary made in RDMap20.02 have had regard to this objection and I am satisfied that the boundary now proposed is both logical and appropriate.

- 8.3.4. In Issue 6, the objector is concerned as to the loss of shops and offices in Southgate Street, Winchester to residential use and the effect that this will have on the city's economy. However although Southgate Street does not lie within the Primary Shopping Area, the new Proposal in RD08.09 will resist the loss of ground floor commercial or leisure floorspace in the defined town centre and should thereby go some way to meeting the objector's concern.
- 8.3.5. Issues 7 and 13 relate to the Reserve MDA at Winchester City (North) which I deal with in my report on objections to Chapter 12. If and when the site is triggered for development the issue of the scale of retail provision and its contribution to the city can be assessed at that stage. But I see no need to recommend alterations to Proposals SF.1 and SF.2. Issue 8 is dealt with as part of my report on objections to Chapter 11, Winchester.
- 8.3.6. Issues 9, 10 and 11 arise from objections to various aspects of Proposal SF.2. In response to those objections I support the Council's view that the policy is a useful vehicle for ensuring that Class A3 development does not unduly disturb the living conditions of nearby occupiers. There may well be some duplication with other policies of the Plan but any disadvantage therein is outweighed by the ease of reference and clarity that the policy provides. In Issue 10, I consider the wording of the Proposal to be clear whilst in Issue 11 although it is possible that problems may arise in all settlements not just the larger ones, as Proposal SF. 2 is a permissive policy I take the view that it correctly addresses the areas where clear policy guidance is most likely to be needed.
- 8.3.7. In Issue 12, English Heritage request that reference should be made in criterion (ii) to the setting of Conservation Areas. However RD08.12 now includes the statutory requirement to preserve or enhance the character of a Conservation Area and although this amendment is a slightly different point to the suggestion made, I consider it is an improvement to the policy and that no further changes are appropriate.
- 8.3.8. In the final issue, Fareham Borough Council seeks the amendment of the Plan to refer to Whiteley as a 'District Centre' or a 'Village Centre' within a defined retail hierarchy for Winchester District. In addition, all references to Whiteley as a 'Town Centre' should be removed from the Plan or amended. Fareham's concern is essentially that with a status as a town centre, the scale of development in Whiteley's shopping centre could be greater, thereby having an adverse impact on retail facilities within its own administrative area. The City Council's addition of the word 'District' to paragraph 8.7 through RD 08.07 is considered inadequate as a response to the initial objection.
- 8.3.9. In its further evidence to the Inquiry, Fareham Borough Council made it clear that the root of the problem was that in its view the Plan fails to follow guidance in PPG6 and Draft PPS6 to establish a clear hierarchy of retail centres. However I agree with the City Council's view that this guidance has to be adapted to the circumstances within the District, whereby Winchester City Centre is pre-eminent amongst the retail provision and below this is a group of town and village centres (identified in paragraph 8.7 and including Whiteley) that in practice cannot be prioritised. Furthermore, below this group are a large number of local centres, isolated retail frontages and even individual shops. Thus there is a retail hierarchy, albeit that the PPG6 hierarchy of city centre / town centre / district centre / local centre / village centre has been necessarily adapted to suit a District with (in Winchester) just one large town / city and a predominantly rural hinterland.
- 8.3.10. Bearing in mind that Fareham's concern is based on retail provision at Whiteley being consistent with the PPG6 definitions of a town centre and a retail hierarchy, rather than that as in fact set out in Proposal SF1 and paragraphs 8.1 to 8.17 of the Plan, I do not consider that modifications are necessary in response to this objection. If the policy and text are read as a whole I can see no basis for the promotion of Whiteley

beyond its current role, albeit that this is based on car borne shoppers to a greater extent than many more traditional centres. However the Council has also put forward four Further Proposed Changes to remove references to District Centres in order to provide more consistency and less confusion. I agree that this would be helpful.

## **RECOMMENDATION**

8.3.11. That the Plan be modified in accordance with FPCs08.B, 08.C, 13.A and 13.B.

# **8.4. The Primary Shopping Areas (paragraphs 8.23 - 8.29, Proposal SF.4)**

## **OBJECTIONS TO DEPOSIT PLAN**

<b>Proposal/ Paragraph</b>	<b>Rep Number</b>	<b>NAME</b>
08.27	326/2	Unilever Superannuation Fund
08.27	326/3	Unilever Superannuation Fund
08.28	261/56	Government Office for the South East
SF.4	452/5	NHS Estates South East
SF.4	326/1	Unilever Superannuation Fund
SF.4	1386/3	New Alresford Town Council

## **ISSUES**

1. Is the wording of Proposal SF4 sufficiently clear, and does it generally accord with government advice? (326/1).
2. Are primary and secondary frontages sufficiently well defined? (261/56).
3. Is it right for the Proposal to expect applicants to enter into planning obligations? (326/3).
4. Should Proposal SF4 refer to the provision of health care in primary shopping areas? (452/5).
5. Is paragraph 8.26 too prescriptive in specifying the proportion of non-retail frontage that would be acceptable? (326/2).
6. Does the Proposal SF.4 boundary for New Alresford correctly identify the Primary Shopping Area of the town? (1386/3)

## **INSPECTOR'S CONSIDERATION AND CONCLUSIONS**

- 8.4.1 In the first issue the objector considered that the policy required clarification and I am satisfied that the amendment to criterion (ii) in RD 08.14 assists in this regard. However I agree with the objector that the first sentence of the Proposal is misleading as criterion (i) would contradict the statement that a net loss of retail floorspace will not be permitted. The inclusion of the word 'therefore' so that the second sentence begins: 'Within the Primary Shopping Areas permission will not therefore be granted .....' will make it clearer that criteria (i) and (ii) could be treated as exceptions to the first sentence.
- 8.4.2 In the second issue, as secondary shopping areas are not referred to in Proposal SF.4, I agree with the Council that any shopping areas outside the PSAs are, by definition, secondary. In the third issue I consider that the Council are correct to require a Planning Obligation as the soundest method of ensuring that a relocation of a non-retail use within a Primary Shopping Area does not result in an additional unit losing its retail floorspace.
- 8.4.3 In the fourth issue I can see no special justification for primary health care facilities to be an exception to the policy as there is scope for their location in other parts of a defined town centre without the need to occupy prime retail space. Proposals SF.1

and SF.5 are both supportive of such facilities. In the fifth issue I take the view that without a set proportion of non retail use there would be difficulties in interpreting the policy which would lead to inconsistency. I do not therefore regard paragraph 8.26 as being too prescriptive.

- 8.4.4 In the final issue, I do not consider that the additional areas suggested for inclusion (the north side of East Street, the east side of Broad Street – as far as Eddolls – and the whole of the south side of West Street) display the predominance of retail use and the vitality necessary to be designated as a Primary Shopping Area. In my opinion, the policy is all the more robust when the extent of the area protected is smaller rather than larger. This approach would also exclude the designation of the Hankins Garage site.

#### **RECOMMENDATION**

- 8.4.5 That the Plan be modified by re-wording the second sentence of Proposal SF.4 to read: *Within the Primary Shopping Areas permission will not therefore be granted*  
.....

## **8.5. Facilities and Services - New Facilities and Services (paragraphs 8.35 - 8.38, Proposal SF.5)**

#### **OBJECTIONS TO DEPOSIT PLAN**

<b>Proposal/ Paragraph</b>	<b>Rep Number</b>	<b>NAME</b>
08.35	290/4	Thompson Bros (Esher) Ltd
SF.5	452/7	NHS Estates South East

#### **ISSUES**

1. Should the Proposal have regard to uses like garden centres which cannot easily be located in town centres? (290/4).
2. Should Proposal SF5 give more consideration to healthcare provision, and other community facilities, together with the level of contribution they might be expected to make? (452/7).

#### **INSPECTOR'S CONSIDERATION AND CONCLUSIONS**

- 8.5.1 In the first issue the objector seeks a specific policy for garden centres but notwithstanding their special characteristics I consider that as a form of retailing, and often of a significant scale, they should be subject to the criteria of Proposal SF.1. The implication of a separate policy, as requested, is that garden centres should not be subject to tests of need and appropriate location and I can see no merit in a different policy framework for the assessment of individual proposals.
- 8.5.2 The objection in the second issue seeks amendment of Proposal SF.5 to enable easier assessment of the impact of development on healthcare provision. However Proposal DP.12 requires adequate provision in this regard to be made and in my view it is not the role of the Local Plan to anticipate or indeed regulate matters that would be the subject of negotiations in the context of individual developments. Provided there is adequate consultation at the planning application stage (or earlier as appropriate) there is in my view no need for a specific reference in Proposal SF.5.

#### **RECOMMENDATION**

- 8.5.3 That no modification be made to the Plan.

## 8.6. Existing Facilities and Services (paragraphs 8.39 - 8.43, Proposal SF.6)

### OBJECTIONS TO DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
SF.6	1128/1	Headbourne Worthy Parish Council
SF.6	452/6	NHS Estates South East
SF.6	1183/1	Peter Dines
SF.6	1360/2	Robert Tutton

### OBJECTIONS TO REVISED DEPOSIT PLAN

Proposal/ Paragraph	Rep Number	NAME
RD0820	1434/6	Hampshire County Council
RD08.20	2308/1	King Alfred's College

### ISSUES

1. To what extent should the Plan take into account future restructuring of the Health Service, and the likely generation of surplus land? (452/6).
2. Does Proposal SF6 take sufficient account of changing circumstances, and the inevitable closure of certain facilities? (1360/2).
3. Are pubs a community facility, and should the Proposal seek to resist their loss? (1183/1).
4. Should the new Proposal RD08.20 be amended to facilitate essential educational development in the countryside by educational institutions located in the settlements? (2308/1/REVDEP, 1434/6/REVDEP).
5. Should there be a policy within the Plan to protect allotments? (1128/1).

### INSPECTOR'S CONSIDERATION AND CONCLUSIONS

- 8.6.1 In the first issue the objector seeks to amend Proposal SF.6 to, in effect, transfer the powers of the Local Planning Authority to other organisations. However in my view that would be wholly inappropriate as the planning system, and by extension the Local Planning Authority, is the appropriate mechanism by which decisions on land use (including the provision of community facilities) can be made having regard to the need to balance the public interest at large with the interests of other individuals and organisations, public or private.
- 8.6.2 In the second issue the objector seeks the deletion of Proposal SF.6 on the grounds that it is too onerous. However without it there could be a real danger of community facilities and services being lost to, say, residential development, without an adequate opportunity to see if there are other uses that are important to the local community. The policy does not preclude changes to other land uses but, rightly in my view, allows the potential for re-use for the benefit of the local community before market forces lead in entirely another direction.
- 8.6.3 In Issue 3 the objector seeks to delete public houses from paragraph 8.36 and thereby exclude them from the protection offered under Proposal SF.6. However pubs are important to communities – in my view not just in rural areas but also in districts within towns. They should remain in the policy.
- 8.6.4 In Issue 4, Hampshire County Council (Estates Department) considers that the new Proposal (RD08.20), by referring only to Further and Higher educational



establishments, is too restrictive in its coverage. However the Council has explained that the new Proposal has been introduced to cater for this fairly specific and large scale type of development with a large catchment area and already in the countryside. Furthermore, Proposal C.5 (as amended by PIC04.02) in the Countryside Chapter does allow for the development of new and the expansion of existing schools in the countryside, subject to criteria, and I consider that this meets the need for flexibility requested by the objector. A second objector requests that RD08.02 should allow essential education development in the countryside if required by educational establishments located within the settlements. However, again Proposal C.5 would allow this in cases of essential need and I agree with the Council's view that there should be a strict test as to necessity to avoid unnecessary and unsustainable travel patterns.

- 8.6.5 In the final issue, Headbourne Worthy Parish Council requests a policy regarding the retention of allotments. However I consider that Proposal SF.6 (which, as explained in paragraph 8.40, relates to the facilities listed in paragraph 8.36, including allotments) enables their loss to be prevented unless their retention is no longer appropriate

### **RECOMMENDATION**

- 8.6.6 That no modifications be made to the Plan.