Plymouth and South West Devon Joint Local Plan Examination

Response to Inspectors’ Matters Issues and Questions for the Examination Hearings

JLP Councils

Matter 6 Retail Development/ Town Centres

JLP Councils : 8 January 2018
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Appendix A: Minor modifications associated with Matter Statement 6

Appendix B: Plymouth City Centre Map showing location of City Centre Boundary

Appendix C: Maps identifying Primary shopping Area/ Centre Boundary for the Village centres of the smaller town and larger villages in the TTV Policy Area
Matter 6 Matter 6 Retail Development/ Town Centres

Main issues – Are the objectively assessed retail needs based on robust evidence? Does the plan set out a positively prepared strategy for viable centres and the provision of retail and other main town centre development across the plan area, which is justified, deliverable and in line with national policy?

Evidence Base Documents

- Plymouth District and Local Centres Study (EC2)
- Plymouth Retail and Centres Study (EC3)
- Retail and Centres Study – Final Report Volume 2: Retail Expenditure and Capacity Tables (EC3A)
- Retail and Centres Study – Final Report Volume 3: Retail Impact Assessment Tables (EC3B)
- Plymouth Hotel Market Study (EC5)
- Plymouth and South West Devon Joint Local Plan: Assessment of Employment Forecasts (EC8)
- Plymouth Retail Study 2017 (EC9)
- Retail and Leisure Study (EC10)
- Retail and Leisure Study: Appendices (EC10A)
- Review of City, District and Local Centres in Plymouth for the Joint Local Plan (EC11)
- Derriford Development Framework Evidence Report (SGA1)
- Derriford and Seaton Area Action Plan Report on Proposed New District Shopping Centre (SGA2)
- Plymouth City Centre Development Study: Executive Summary SGA3)
- Plymouth City Centre Development Study: Main Report (SGA3A)
- Plymouth City Centre Strategic Masterplan (SGA4)
- Plymouth Waterfront Strategic Masterplan (SGA5)
6.1 The JLP Councils consider that the objectively assessed retail needs are based upon robust evidence in accordance with the requirements of paragraphs 23, 158 and 161 of the Framework. In particular, two retail study documents have been recently commissioned to inform the JLP production: the Plymouth Retail Study 2017 EC9 and the Retail and Leisure Study (2017) for South Hams and West Devon Councils EC10. Both studies are supported by surveys of household shopping patterns and incorporate up to date data on population and retail expenditure levels across each local authority area. Both studies also take into account existing levels of convenience and comparison goods floorspace and commitments for new retail floorspace in order to establish the level of quantitative need for net additional convenience and comparison in each of the main settlements. In addition, assessments of qualitative need have been undertaken in each study and the Plymouth Retail Study 2017 also examines whether there are any areas of deficiency across the Plymouth urban area, and considers strategies to deal with these deficiencies. The assessments which have been undertaken are in line with national policy contained within Section 2 of the NPPF and supporting guidance in the PPG.

6.2 As a consequence of the identified need both quantitative and qualitative for retail and other main town centre uses, the Plan allocates a series of sites across the Plan area which will accommodate the identified needs for the plan period via directing growth in main town centre uses to town centre uses following the sequential hierarchy. This approach seeks to maintain and enhance the health and attractiveness of existing centres and also identify the provision of new centres which are required to eliminate geographical areas of deficiency and to serve growing/new communities. In order to ensure that development is deliverable in key locations, such as Plymouth city centre and the adjacent waterfront area, the strategy is supported by evidence base studies, including the City Centre Strategic Masterplan (SGA4) and the Waterfront Strategic Masterplan (SGA5), which consider the approach required for the redevelopment of individual sites.
Issue 6.1: Establishing retail needs and other main town centre uses

Question 6.1(i)
Are the retail hierarchies set out in Figures 3.8 and 3.9 of the JLP justified by the evidence?

6.3 The JLP Councils consider the submitted JLP is legally compliant and sound and that the retail hierarchies are justified by the evidence base. The evidence that the Council’s rely on to support the Retail Hierarchy in Figure 3.8 and 3.9 of the plan is detailed below and forms part of the examination library.

6.4 These are: The Plymouth District and Local Centres Study 2010 (EC2), Plymouth Retail and Centres Study 2012 (EC3); the Plymouth Retail Study 2017 (EC9); Review of City, District and Local Centres in Plymouth for the Joint Local Plan March 2017 (EC11). Retail and Leisure Study, EC10; Devon Retail and Leisure Study Appendices, EC10A. The JLP Councils consider these form a sound basis for the hierarchy’s set out in Figure 3.8 and 3.9 the JLP.

6.5 In relation to the hierarchy set out in the Plymouth Policy Area, these evidence base documents have been used to inform the hierarchy set out in figure 3.8. Paragraphs 6.15 of the Plymouth Retail and Centres Study 2012 (EC3), identified that an in depth analysis of shopping centres in Plymouth was undertaken as part of the Shopping Centres SPD produced by Plymouth City Council and recommended it should be adopted when the strategic plan was next reviewed. The assessment undertaken complied with national guidance, looking at standard definitions of each type of retail centre. This informed the approach to setting the retail hierarchy of the city, district and local centres that are set out in Figure 3.8 of the JLP. Recommendations in paragraph 6.75 of the EC3 report has therefore defined a retail hierarchy, including changing Crownhill to a local centre, identifying new centres at Derriford, Millbay and Plymstock Quarry.

6.6 Further work was undertaken within report EC9 which looked at retail commitments through the grant of planning permissions as well as the distribution of retail centres across the City to inform the hierarchy of centres.

6.7 In terms of the commitments, table 10b of report EC9 details the commitments and planning permissions that are in place. The
planning permission at Plymstock Quarry of 1675 net sq.m of floor space supports the strategy of a new local centre to serve this market under application 07/01094/OUT. Likewise there are permissions in place at Sherford which supports the strategy of new centres, with planning permissions: 06/02036/OUT and 49_7/2426/06/0 and a strategic masterplan including, a district centre and three local centres. Planning permissions are also in place for retail floor space in Millbay. Again supporting the hierarchy within tables 3.8 of the JLP for a proposed new local centre.

6.8 While the proposed centre at Keyham road is not considered in the evidence base in relation to the establishment of a centre, given the allocation at policy PLY58 (1) St Levan Gate and the existing array of town centre uses, the JLP Councils consider that supported by a food store this area will function as a local centre serving the local community and has as such proposed the local centre in this location.

6.9 As a result, the evidence is considered by the JLP Councils to justify Figure 3.8 and that the retail hierarchy set out is compliant with national policy as well as local evidence supporting and justifying the approach on sound evidence.

6.10 In relation to the hierarchy set out in the Thriving Towns and Villages Policy Area the JLP Councils consider that in principle the evidence base supports the retail hierarchy of centres. However, it is considered that 2 of the centres identified as Village and Community Centres should be removed from the hierarchy. These are Stokenham / Chillington and Lifton, neither of which are considered to have a centre that can be defined with a boundary. It is also considered that in Figure 3.9 and policy SPT6 the Village and Community Centres of the smaller towns and larger villages description should be amended to Village centres of the smaller town and larger villages. This would aid clarity in understanding in the hierarchy. This is set out in the proposed minor modification in appendix A.

6.11 The JLP Councils proposed modifications to the JLP draft Figure 3.9. ‘Retail hierarchy in Thriving Towns and Villages Policy Area (‘TTVPA’) Centres. Would now read as follows:

6.12 Figure 1 – modifications to JLP draft Figure 3.9. Retail hierarchy in TTVPA
<table>
<thead>
<tr>
<th>Town centres of main towns</th>
<th>Dartmouth</th>
<th>Ivybridge</th>
<th>Kingsbridge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Okehampton</td>
<td>Tavistock</td>
<td>Totnes</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Village centres of the towns and larger villages*</th>
<th>Bere Alston</th>
<th>Dartington</th>
<th>Hatherleigh</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village centres of the towns and larger villages*</td>
<td>Lifton</td>
<td>Modbury</td>
<td>North Tawton</td>
</tr>
<tr>
<td>Village centres of the towns and larger villages*</td>
<td>Salcombe</td>
<td>Stokenham / Chillington</td>
<td>Yealmpton</td>
</tr>
</tbody>
</table>

* Village centres of the towns and larger villages are Local Centres in the retail hierarchy

6.13 The Retail and Leisure Study report (EC10), Retail and Leisure Study Appendices (EC10A) and Retail and Leisure Study technical note provide the evidence base for the revised draft TTVPA retail hierarchy shown above.

6.14 The Retail and Leisure Study report (EC10) and Retail and Leisure Study Appendices (EC10A) contain up to date health checks of all town centres, village centres contained with the JLP draft Figure 3.9 save for Dartington in Appendix E (contained in EC10A). The health checks were undertaken in October 2016 and have been prepared in compliance with relevant national guidance including that set out in Paragraph: 005 Reference ID: 2b-005-20140306 of the NPPG.

6.15 Section 4 of the Retail and Leisure Study report (EC10) which assesses the South Hams centres concludes that Dartmouth, Ivybridge, Kingsbridge and Totnes fulfil the role and function of a town centre and Section 10 recommends that each of these centres be designated as town centre in the retail hierarchy. Section 5 of the Retail and Leisure Study report (EC10) which assesses the West Devon centres concludes that Okehampton and Tavistock fulfil the role and function of a town centre and Section 10 recommends that each of these centres should be designated as town centre in the retail hierarchy.

6.16 Section 4 of the Retail and Leisure Study report (EC10) and Appendix E.1 of the Retail and Leisure Study Appendices
(EC10A) conclude that Woolwell, Yealmpton, Modbury and Salcombe perform the role and function of a local centre and Section 10 recommends that each of these centres should be designated as a local centre in the retail hierarchy. For Woolwell this is set out in figure 3.8 given its location in the Plymouth Policy Area. Section 5 of the Retail and Leisure Study report (EC10) and Appendix E.2 of the Retail and Leisure Study Appendices (EC10A) conclude that North Tawton, Hatherleigh and Bere Alston fulfil the role and function of a local centre and Section 10 recommends that each of these centres should be designated as local centre in the retail hierarchy. Paragraph of 1.45 of this Statement provides reasoned justification for referring to these centres as ‘village centres’ in the JLP rather than ‘local centres’ as defined by the NPPF.

6.17 Stokenham / Chillington and Lifton community centres have both been proposed to be removed from the draft JLP Thriving Towns and Villages Policy Area Centre Retail hierarchy (Figure 3.9) because the evidence base indicates that these areas do not fulfil the role of a local or village centre, this is set out in paragraph 1.10 above. Section 4 of the Retail and Leisure Study report (EC10) and Appendix E.1 of the Retail and Leisure Study Appendices (EC10A) conclude that Chillington / Stokenham provide a very limited range of shops and services and do not fulfil the role of a local or village centre. Section 5 of the Retail and Leisure Study report (EC10) and Appendix E.2 of the Retail and Leisure Study Appendices (EC10A) conclude that Lifton provides a very limited range of shops and services and does not fulfil the role of a local centre.

6.18 Dartington has been designated as a village centre in the TTVPA retail hierarchy on the basis that the JLP allocates a significant amount of growth to Dartington. Policy TTV29 allocates 262 new homes and 17,300 sqm of employment floorspace within Dartington. Dartington has therefore been designated as a village centre in the TTVPA in order to protect and enhance the existing range of services and amenities. The Retail and Leisure Study technical note contains the Dartington village centre boundary.
**Question 6.1(ii)**

Paragraphs 3.42-3.46 of the JLP summarise the findings of the most recent 2017 retail studies (EC9, EC10 and EC10A). These conclude that there is a limited quantitative need for new net convenience and comparison retail floorspace across the plan area until after 2026 (Figure 3.7 of the JLP (p29)). On this basis the JLP states that no sites are allocated or floor space requirements set out to meet future needs. Nevertheless site allocations are made within the JLP which incorporate retail facilities including Policies PLY38, PLY48, PLY50, PLY56, PLY58 and PLY59. Furthermore Annex 2 of the JLP contains specific floorspace targets for food and non-food retail development. Are the allocations and targets justified by the evidence?

6.19 The JLP Councils consider the submitted JLP is legally compliant and sound and that the allocations set out in policies PLY38, PLY48, PLY50, PLY56, PLY58 and PLY59 and targets set out in Appendix 2 are justified by the evidence base.

6.20 The Plymouth Retail Study 2017 (EC9) establish that there is not a quantitative need for new convenience and comparison goods retail provision until post 2026. While the Retail and Leisure Study (EC10) establish that there is only limited quantitative need for new convenience goods retail provision throughout the plan period and only a limited comparison goods retail provision until post 2026. The JLP Councils do, however, consider that there is a qualitative need for retail development at certain specific locations. This is supported by the evidence base. The JLP authorities consider this approach accords with the approach set out in paragraph 161 of the framework which requires ‘the needs for land or floor space for economic development, including both quantitative and qualitative needs for all foreseeable types of economic activity over the plan period, including retail and leisure development.’

6.21 The qualitative consideration principally relates to the need to improve food retail provision to meet the needs of local communities, support the network of centres and also the need to improve the health and attractiveness of the City Centre. Section 2 of the Plymouth Retail Study 2017 (EC9) makes a clear recommendation to the JLP Councils to consider qualitative factors in deciding on the level of retail provision to plan for. Sections 3 and 4 of that evidence base document consider in detail the qualitative needs and consider an assessment of the spatial distribution of convenience retail provision.
6.22 It is a clear recommendation of the evidence base that qualitative considerations are as equally important part of the need which should be planned for. It is on this informed basis that the JLP sets out policies to meet qualitative needs. This approach also supports the JLP’s strategy for sustainable development set out in policy SPT1 and for Sustainable Linked Neighbourhoods and Sustainable Rural Communities in SPT2, in particular points 1 and 9 of this policy and the measures set out in figure 3.2 regarding access to local facilities.

6.23 In relation to the specific policies set out the JLP Councils can further set out: In relation PLY38, Derriford District Centre, the delivery of a new district centre in the Derriford area is a long standing aspiration for Plymouth and was first identified as a policy objective in the Plymouth Core Strategy, which was adopted in 2007. It has since been a constant part of the Councils strategy supported by previous retail studies as historic evidence base including CBRE study in 2004, Cushman and Wakefield Study studies in 2006, and Plymouth District and Local Centres Study 2011 (EC2), and the Retail and Centres Study in 2012 (EC3).

6.24 The Plymouth Retail Study 2017 (EC9) includes an assessment of gaps in retail provision. Section 3 of the study continues to identify parts of Derriford as lacking provision for food retail as part of the gap area assessments. The commercial centre is also in close proximity to significant number of employment locations, Derriford Hospital and the new Seaton Neighbourhood which further support need to provide facilities to serve the area.

6.25 Section 4 of the Plymouth Retail Study 2017 (EC9) sets out a detailed consideration of the proposal for a District Centre (as part of the commercial centre) which has informed policy PLY38 and how the strategy for the commercial centre has been set out in the JLP. This includes a full review of the historic evidence base and sought the engagement with site promoters. Section 4 also considers the form and location of the centre and considers of how it should develop over time. This is considered to be an up-to-date assessment, providing a robust evidence base to support the inclusion of the new Derriford district centre in the JLP regardless of the limited quantitative need.

6.26 PLY48 Sherford new community sets out the JLP Council’s support for the implementation of the existing planning permissions 06/02036/OUT and 49_7/2426/06/0 and strategic masterplan. This includes a district centre and three local centres, which are identified as commitments and have been identified.
considered in the evidence base documents EC9 and EC10. These centres also are considered to be a fundamental component part of the new community being delivered and condition 10 of 49_7/2426/06/0 requires their delivery as part of the neighbourhoods which make up the new community.

6.27 PLY56.2 (part d) identifies the potential opportunity to relocate the local centre which forms part of the Saltram Meadow development (as set out in PLY 50). This policy does not promote new provision; rather it supports the potential for the relocation of the existing centre within the development. The local centre was an approved element of outline application 07/01094/OUT and is a commitment which is included in the evidence base assessment EC9.

6.28 In relation to PLY56.4, the Former Western National bus depot site, no specific quantum of retail provision is set out in the policy. Instead, the policy makes clear that retail uses could form part of the overall mix of uses on the site, but clarifies at point C that the scale of uses should be limited to meeting the needs of the surrounding local area.

6.29 In relation to PLY58.1 (Land at St. Levan Gate Keyham and PLY58.18 Weston Mill Sports pitches), the evidence base (Plymouth Retail Study 2017 (EC9)) has identified a spatial gap in the distribution of food retail provision in the western part of the City. The nature of this gap in is set out in section 4 of the document, paragraph 4.69 onwards. These two sites are able to accommodate new convenience goods retail floorspace which will increase access to local food provision in the western part of the city in line with the aspirations of policy SPT2. This approach builds upon the position previously set out in Plymouth Retail and Centres Study (EC3) section 6, which recommended that this gap area is supported by new provision. This approach is already enshrined in the Plymouth Core Strategy, which allocates a District Centre the Western Mill area as (informed by another, earlier, part of the evidence base: Plymouth District and Local Centre Study (EC2)). The Council is committed to improving the spatial distribution of retail provision in relation to access locally to local food shopping to support the need of the communities in line with policy SPT1 and SPT2.

6.30 Policy PLY59.2 (Land either side of Clittaford Road, Southway) includes provision for a small to medium sized food store. This relates specifically to planning permission 16/01044/FUL, granted on 29.11.2016, which is now a functioning ALDI retail store. This site had also previously been identified in the City...
Council’s ‘Shopping Centres Supplementary Planning Document’ as having the opportunity to help reinforce the role of the local centre.

6.31 Annex 2 of the JLP contains specific floorspace targets and ‘direction of travel’ indicators. These figures are monitoring targets for the plan period and are taken from the Joint Local Plan’s evidence base, specifically the up to date evidence set out in Plymouth Retail Study 2017 (EC9) and Retail and Leisure Study (EC10) which together set out the need for retail floor space for the Plan area. Both studies are supported by surveys of household shopping patterns and incorporate up to date data on population and retail expenditure levels across each local authority area. Both studies also take into account existing levels of convenience and comparison goods floorspace and commitments for new retail floorspace in order to establish the level of quantitative need for net additional convenience and comparison floorspace in each of the main settlements. In addition, assessments of qualitative need have been undertaken in each study and the Plymouth Retail Study 2017 also examines whether there are any areas of deficiency across the Plymouth urban area. The assessments which have been undertaken are in line with national policy contained within Section 2 of the NPPF and supporting guidance in the PPG. Setting targets based on the evidence set out in EC9 and EC10 are considered to meet the requirement of paragraph 158 of the Framework for Local Plans to be based on adequate, up-to-date and relevant evidence in the preparation of the plan.

6.32 As set out above, the JLP Councils consider the submitted JLP is legally compliant and sound and that the allocations set out in policies PLY38, PLY48, PLY50, PLY56, PLY58 and PLY59 and targets set out in Appendix 2 are justified by the evidence base and form part of the strategic approach to Delivering Sustainable Development in Policy SPT1, Sustainable linked neighbourhoods and communities and spatial distribution of retail facilities in SPT5 and SPT6.
**Question 6.1(iii)**

Have the needs for other main town centre uses, as identified in national policy, been adequately assessed?

The JLP Councils consider the submitted JLP is legally compliant and sound and the needs for town centre uses have been properly assessed where necessary.

6.33 In relation to the Plymouth Policy Area the needs for other main town centre uses are derived from a series of thematic and area based studies, which include a blend of quantitative and qualitative assessments of need/demand. A number of studies considered need and demand for specific land uses across different parts of Plymouth (such as the employment land review – see below) whilst others focused upon specific areas of the city due to the nature of some main town centre land uses and the role and function of the retail hierarchy. Key to this issue is the role and function of the city centre at the pinnacle of the retail/centre hierarchy and the need to ensure that the city centre (including the waterfront area) remained the primary location for a range of main town centre uses. As a consequence, the opportunities for main town centre uses have been analysed in the following documents: the Plymouth City Centre Development Study 2014 (SGA3 and 3A), the City Centre Strategic Masterplan 2017 (SGA4) and the Waterfront Strategic Masterplan 2017 (SGA5). This considers the range of site and potential opportunities for a range of Town Centre uses to be distributed through the City Centre and Waterfront areas as a comprehensive approach to the growth of these areas.

6.34 These studies support the Plan’s strategy for the provision of main town centre uses across a series of allocated sites in the city centre and waterfront areas via policies PLY6 – PLY37. Due to the nature of some main town centre uses it is not possible to undertake a quantitative assessment in the same way that Class A retail floorspace, Class B1 office floorspace and hotel uses are analysed. Instead, the evidence base studies have approached the assessment on the basis of qualitative factors and also identifying specific allocations which allow for the provision of main town centre uses in suitable sequentially preferable locations (i.e. the city centre) as and when demand arises over the Plan period.

6.35 In establishing the scope of the evidence base the JLP Councils were also mindful of the existing extensive range of leisure facilities which are provided through the city including the Plymouth Life centre, two cinema complex’s, including the Vue leisure complex which provides a strong range of leisure facilities
to serve the city including a large bowling alley. Planning permission has also been granted for a leisure uses through the redevelopment of Bretonside Bus Station granted under planning application 15/00159/FUL for a new cinema (Use Class D2) 7,990 sqm, and food and beverage uses (Use Class A3, A4, A5) 7,217 sqm. The combination of the existing and approved development (and under construction) is considered to present a strong range of leisure based uses to serve the City. The future requirements will be considered further at the next plan review stage once the development of Drakes Leisure at Bretonside Bus Station has become operational.

6.36 In relation to the need for B1 Offices, the Employment Topic Paper (TP4) sets out key matters relating to wider Employment Matters this includes B1 Office which is a town centre use. This sets out the evidence for B1a Office in both the Plymouth Policy Area and Thriving Towns and Villages Policy Area. This has informed Policy SPT4 which sets out the provision of B1a set out for both Policy areas.

6.37 The Assessment of Employment Forecasts (EC8) provides a technical assessment of the forecast economic needs including B1a Office in both Policy areas. This is itself considered up-to-date and based upon up-to-date evidences sources, trajectories and data sets. It is considered by the JLP authorities to present an up-to-date assessment of this town centre use to inform the Plan and the policies set out, in accordance with requirements of Paragraphs 158 and 161 of the Framework.

6.38 In relation to hotel requirement, Plymouth Hotel and Market study (EC5) considered the requirement for hotel provision in Plymouth which has identified the need for further provision. Alongside the more recent evidence set out Plymouth City Centre Strategic Masterplan (SGA4) and Plymouth Waterfront Strategic Masterplan (SGA5), this has collectively been used to identify and inform policies and allocations in the Joint Local Plan. This is considered to provide an adequate assessment of the needs for Hotel uses in accordance with requirements of Paragraphs 158, 161 of the Framework.

6.39 In relation to the TTVPA the evidence base includes the Retail and Leisure Study report (EC10), Retail and Leisure Study Appendices (EC10A), Torridge DC, South Hams DC, West Devon BC and North Devon DC Employment Land Review (EC1) the Employment Topic Paper (TP4), The Assessment of Employment Forecasts (EC8). Policy DEV17 makes positive provision for
accommodating these other main town centre uses in the TTPVA centres.

6.40 The Retail and Leisure Study report (EC10) provides an assessment of the following types of other main town centre uses: food and beverage (A3-A5 use classes) (Section 9.4), cinemas (Section 9.5), games of chance (Section 9.6), health and fitness (Section 9.7) and family entertainment (Section 9.8). Section 10.4 of the Retail and Leisure Study report (EC10) identifies opportunities to develop additional culture and tourism uses in Tavistock, Totnes, Kingsbridge, Okehampton town centres’. The Torridge DC, South Hams DC, West Devon BC and North Devon DC Employment Land Review (EC1) provides an assessment of need for office floorspace.

6.41 The JLP Councils therefore consider that the JLP is supported by a detailed evidence base which provides an up to date assessment of the relevant town centre uses which need to be planned for in the JLP set within the context of the existing provision through the plan areas. The approach is considered to appropriately deal with the needs for the main town centre uses, as identified in national policy, specifically paragraphs 23, 158 and 161 of the Framework and that the assessments set out in the evidence has been taken forward in the Policies and allocations set out in the Joint Local Plan.

6.42 Issue 6.2: Delivering and managing retail development and other main town centre uses (Policies SPT5, SPT6, DEV6, DEV16, DEV17 and DEV18)
Issue 6.2: Delivering and managing retail development and other main town centre uses (Policies SPT5, SPT6, DEV6, DEV16, DEV17 and DEV18)

Question 6.2(i)
Are the retail related terms set out within the policies consistent with the definitions in the Framework?

6.43 The Councils believe that that the submitted JLP is legally compliant and sound. The Policies SPT5, SPT6, DEV6, DEV16, DEV17 and DEV18 use the key NPPF language and transfer this in to the local policies. These policies include other considerations and requirements which are locally specific and use other language to the Framework. These provide further guidance and consideration which are relevant in considering proposals which include town centre uses and also guide development in town centres. The JLP Councils consider this is a robust approach which is tailored to the needs of the local area as advised by Paragraph: 002 Reference ID: 12-002-20140306 of the NPPG.

6.44 Importantly, the policies set out the need for retail development in policy SPT5. Policy SPT6 sets out a sequential hierarchy which provides the basis of the consideration for the sequential test required by Paragraph 24 of the NPPF. This, including table 3.8 and 3.9, sets out the network of centres and within the Plymouth Policy Area this defines the City Centre, District Centres and Local Centres all defined in the NPPF Town Centre definition in Annex 2 Glossary.

6.45 In the Thriving Towns and Villages The NPPF terminology has been adapted (shown at Figure 1 of this Statement) to reflect the rural character of the area. The second-tier centres in the TTVPA retail hierarchy are defined as ‘village centres’. Village centres will be defined on the JLP Proposals Map and will be afforded equivalent status to the local centres in the PPA. The JLP Councils consider that references to village centres are consistent with the definition of local centres as set out in the NPPF:

'Area defined on the local authority’s proposal map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but...
6.46 The JLP Councils consider that the relevant retail terms are clearly set out in Policy SPT6 supported by figures 3.8 and 3.9. A foot note is also proposed to be included as a minor modification (set out in Appendix A) to figure 3.9 to clarify that the Village centres are Local Centres in the retail hierarchy to aid clarity in this matter.

6.47 Policy DEV6 focuses on hot food takeaways and introduces an approach which is locally specific as an additional consideration to the wider approach towards town centre uses and areas set out in SPT5, SPT6, DEV16, DEV17 and DEV18. While hot food takeaways are not defined in the NPPF, the term is defined in The Town and Country Planning (Use Classes) Order 1987 (as amended) in relation to ‘A5 hot food takeaways - For the sale of hot food for consumption off the premises’ this is therefore considered clear for the purpose of the policies.

6.48 Policy DEV16 sets out the plan’s approach to retail and town centre uses and their location. This adopts the NPPF language but also includes local considerations to make the policy locally specific rather than duplicating the NPPF. The policy fulfils the role set out in paragraph 23 point 8 of the NPPF for the ‘consideration of proposals for main town centre uses which cannot be accommodated in or adjacent to town centres’.

6.49 The policy sets out the requirement to consider the sequential hierarchy in applying the ‘sequential test,’ in accordance with paragraph 24 of the NPPF to apply to proposals for ‘main town centre uses’ not in a centre, including assessment of ‘suitable’ and ‘available’ sites and the consideration of ‘flexibility’. The policy also adopts the NPPF language of paragraph 25 for small scale rural offices or other small scale rural development.

6.50 The policy in relation to the Impact Assessments as set out in Paragraph 26 of the Framework accords with the language, making clear the considerations relate only to ‘retail, leisure and office outside of town centres’ and focuses the consideration on ‘investment in’ and ‘vitality and viability’ of centres as set out in paragraph 26 of the Framework. The policy also makes clear that the test of ‘significant adverse’ impact is that considered in accordance with the language in Paragraph 27 of the NPPF.

6.51 Policy Dev 17 aims to enhance the economy of town centres in the TTVPA and identifies types of development that the JLP
Councils will support in town centre locations. This policy accords with Paragraph 23 of the Framework which seeks to promote competitive town centre environments and manage growth in the centres in a positive way. The JLP Councils consider that the retail terms used in Policy Dev 17 are consistent with the NPPF retail definitions with local considerations which are relevant to assessing proposals in the Town Centres of the TTV area.

6.52 Policy DEV18 sets out an approach which accords with NPPF paragraph 23 promoting competitive town centre environments with the policy setting a clear approach to management and growth of town centres using the language of the NPPF. The policy specifically sets out the approach to Primary and Secondary frontages making clear that the centres vitality and viability is a key consideration in the determination of proposals.

6.53 The approach of the JLP Councils in policies SPT5, SPT6, DEV6, DEV16, DEV17 and DEV18 is considered to be soundly based and using the language of the Framework. This is supported by locally specific considerations which the JPL Council’s consider is appropriate and necessary to set out policies which promote competitive town centres environments, the management and growth of centres with a defined network and hierarchy of centre as required by Paragraph 23 of the Framework.

Question 6.2(ii)
The above retail policies refer to Plymouth city centre and town, district, local, village and community centres. Whilst the Policies Map (consisting of 3 plans) is not before us for examination, we note that it only refers to primary shopping areas and centre boundaries within the PPA and primary shopping areas within the TTVPA.

a. Is the Councils’ approach to centre boundaries justified and consistent with national policy, particularly paragraph 23 of the Framework which seeks that LPAs in drawing up local plans 'define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres....'?

b. How do the Councils propose to determine whether a development proposal is within a centre, is in an edge of centre location or is out of centre? Are the policies clear in this regard?

c. Are the primary shopping areas and centre boundaries identified within the plan area justified and based on robust evidence?
6.54 The Councils believe that that the submitted JLP is legally compliant and sound. In relation to the Policies Map, the updated version prepared for examination rectifies the omission text in the key and sets out the City Centre boundary for Plymouth City Centre and the inclusion of boundaries for the centre boundary and primary shopping area for the Village Centres in the TTVPA. It now makes clear that the red line defines both the Primary Shopping Areas and centre boundaries for allocated town centres. The exception is the boundary of Plymouth City Centre which has a wider boundary shown by (green line), Appendix B provides a map of the City Centre showing the City Centre boundary. This clarifies the policies map making clear the extent of town centre boundaries and primary shopping areas in a consistent way. The Primary and Secondary frontages where relevant for each town centre is proposed to be set out in the forth coming Supplementary Planning Documents for each Policy area which will make it clear where the considerations set out in policy DEV18 apply.

6.55 In relation to question a. Is the Councils’ approach to centre boundaries justified and consistent with national policy, particularly paragraph 23 of the Framework which seeks that LPAs in drawing up local plans ‘define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres.

6.56 In defining the extent of town centres and primary shopping areas the Councils have considered the definition of the Primary and Secondary frontages in defined centres, as required by paragraph 23 of the Framework. For the PPA these are set out in the Review of City, District and Local Centres in Plymouth (EC11) for the Joint Local Plan. This was a full review of the town centre boundaries, primary shopping areas and the primary and secondary frontages. It provides a comprehensive reviews and the location of the frontages which informed the definition of the centre boundaries and the primary shopping areas in accordance paragraph 23 point 3. This review of each centre and its boundaries and frontages has been used to define the boundaries on the policies map and the review of the frontages will be used to inform the forth coming Supplementary Planning Document for the Plymouth Policy Area.

6.57 The evidence base for the TTVPA centre boundaries includes the Retail and Leisure Study report (EC10), Retail and Leisure Study Appendices (EC10A) and Retail and Leisure Study technical note.

6.58 For the TTVPA town centres, primary and secondary frontages and town centre boundaries have been drawn up in accordance
with paragraph 23 of the Framework as explained in Section 10.5 of the Retail and Leisure Study report (EC10). The primary frontages and secondary frontages for town centres in the TTVPA are defined in Appendix M and N of the Retail and Leisure Study Appendices (EC10A) and will inform the fourth coming Supplementary Planning Document for the TTVPA. The town centre boundaries have now been included on the JLP Policies Map prepared for the examination, these are set out in Appendix C.

6.59 The TTVPA village boundaries have been drawn up in accordance with paragraph 23 of the Framework as explained in the Retail and Leisure Study technical note and the village centre boundaries will be included on the JLP Proposals Map.

6.60 In relation to point b, How do the Councils propose to determine whether a development proposal is within a centre, is in an edge of centre location or is out of centre? Are the policies clear in this regard?

6.61 The JLP Councils approach to defining where proposals are in centre follows that of the NPPF para 24 and the definition of edge of centre set out in annex 2. The primary shopping area will be taken to define ‘in centre sites’ for retail purposes and the Town Centre Boundaries as shown on the Policies Map will be taken to define ‘in centre sites’ for all other main town centre uses. For edge of centre sites, the definition in the glossary of the NPPF provides clear guidance for the consideration of where sites are ‘edge of centre’ and the JLP does not seek to unnecessarily replicate this consideration into local policy in line with the approach set out in Paragraph: 010 Reference ID: 12-010-20140306 of the NPPG. Policy DEV16 sets out clear requirements for edge of centre and out of centre proposals to be demonstrated by a sequential test, in point 2 in relation to the hierarchy of centres. This policy alongside the national policy in paragraph 24 of the Framework and guidance set out in the NPPG Ensuring the vitality of town centres section.

6.62 In relation to point c Are the primary shopping areas and centre boundaries identified within the plan area justified and based on robust evidence?

6.63 The JLP Councils consider the Centre Boundaries and Primary Shopping Areas are justified having been based on a robust evidence base.
6.64 In relation to the Plymouth Policy Area, the Town Centre Boundaries, Primary Shopping Area (PSA) alongside the Primary and Secondary frontages were reviewed in detail in 2012 in the adopted Shopping Centres SPD which also undertook a review of the challenges of each centre. The SPD formed part of the evidence considered when again the Council reviewed the boundaries of the retail centres, primary shopping areas and the frontages in The Review of City, District and Local Centres Report (EC11) 2017. The approach taken in this document to defining town centre boundaries and also PSA followed an assessment based upon considering the definition for each as set out in Annex 2 of the Framework.

6.65 The assessment was also informed by the approach set out in para 23 of the Framework by considering the proposed Primary and where designated Secondary frontages when setting out the boundaries. For the district and local centres the PSA and Centre Boundaries were considered to be the same area as these smaller centres were not considered to have a reduced PSA to the wider Centre Boundary.

6.66 The TTVPA town centre and village centre boundaries are also considered to be based on a robust and up-to-date evidence base. The TTVPA town centre and village centre boundaries are based on up-to-date health checks completed in October 2016 contained in Sections 4 and 5 of the Retail and Leisure Study report (EC10) and Appendices E.1 and E.2 of the Retail and Leisure Study Appendices (EC10A).

**Question 6.2(iii)**

*Do Policies SPT5 and SPT6 provide sufficient clarity on delivering retail provision during the plan period?*

6.67 The Councils believe that that the submitted JLP is legally compliant and sound and that Policies SPT5 and SPT6 provide clarity in relation to the retail strategy for the JLP area. The policies are positively prepared setting out a clear strategy which is justified by the evidence base, importantly EC9 and EC10, setting out how objectively assessed need is to be met, given the lack of quantitative need. Policy SPT5 sets out a clear strategy for provision for retail development setting out the requirements for proposal to meet a compelling qualitative need based upon the evidence base. Given the limited objectively assessed quantitative need, this policy places a clear importance for qualitative needs, as identified in Plymouth Retail Study 2017.
It sets out a supportive approach for small scale retail provision within neighbourhoods and communities and then defines the approach taken in the Plymouth Policy area, to support the city centre and the approach to Derriford district centre and the requirement for further food retail provision in the west of the City. This sets out a clear requirement for applications to be considered against, supported by the other town centre policies which the policy defines as considerations as part of the strategy.

Policy SPT6 sets out a positive strategy, as required by paragraph 23 of the Framework. It sets out a clear sequential hierarchy of centres, acknowledging the regional role of Plymouth City Centre and then for each policy area provides a clear hierarchy of centres. These two policies set a clear strategic context for both retail and main town centre uses to be considered against, informed by the evidence base. They do need to be considered alongside the other policies of the Plan specifically DEV15, DEV16, DEV17 and DEV18 which policy SPT5 makes clear are part of the consideration. The JLP Councils consider they provide clear direction and consideration for proposals to be considered against and meet the requirements of paragraph 23 of the Framework.

**Question 6.2(iv)**

*iv In relation to Policy SPT5:*

*a. How will ‘compelling’ qualitative needs be determined?*

*b. Is it clear what a small local convenience shop means in terms of size and is this supported by evidence?*

*c. What does the policy mean by ‘reasonable walking distance’?*

*d. Does the evidence justify the qualitative need for new retail development within the proposed Derriford district centre and the western side of the city? Should cross-reference be made to the specific detailed policies for these proposals?*

*e. What is meant by the term ‘complementary non-food retail’?*

*f. What size of new retail development will be supported in these locations and is this justified?*

*g. Have the potential effects of these proposals been adequately assessed and are they in accordance with the overall spatial strategy of the plan?*
6.69 In relation to Policy SPT5, the Councils believe that the submitted JLP and Policy SPT5 are legally compliant and sound in its approach.

6.70 In relation to question a. How will ‘compelling’ qualitative needs be determined. The Policy clearly sets out a range of needs in points 1 and 2 which are considered to be the most compelling qualitative needs to be addressed. Part 2 provides specific examples of where qualitative improvements can be achieved whilst Part 1 indicates that there may be other opportunities for qualitative improvement elsewhere. Qualitative needs are likely to be ‘compelling’ where they relate to the specific nature of the policy, namely: improvements to the city centre, provision of new facilities in Derriford, new food retail provision in the western part of the city and also where accessibility to food retail provision can be improved. These give a clear direction to what the JLP Councils consider to be compelling qualitative needs over the plan period, with policy SPT5 considered alongside SPT6, DEV15/16/17/18.

6.71 In relation to retail proposals coming forward in determining whether there is a compelling qualitative need, these will be considered against points 1 and 2 and then a case by case approach will be required. It will be for case officer or Planning Committee to decide based on the evidence presented whether there is a compelling position for the proposal. This will include consideration of the requirements in Policies SPT6, DEV15, 16, 17 and 18 which policy SPT5 refers to. This approach allows individual applications to be determined on their merits but within a clear framework of policies which together fulfil the spatial retail strategy.

6.72 In relation question b. Is it clear what a small local convenience shop means in terms of size and is this supported by evidence? The policy deliberately does not define the exact size of a small local convenience shop, on the basis that local convenience shopping needs will vary between different villages, communities or settlements.

6.73 The terminology itself is however clear that such a proposal would need to be limited in scale and that its function must be a convenience shop such as a post office, news agent or local store which seeks to meet the day-to-day needs of a local community. Larger stores such as supermarkets would not fit within this definition. This supportive approach to meeting communities’ needs is not based upon a quantitative need requirement, but instead acknowledges that in specific
communities, village or urban areas there may well be a lack of such provision. Access to such facilities is a constituent part of the JLP sustainable development approach set out in SPT1 with point 2ii defining a sustainable society where ‘Neighbourhoods and communities have a mix of local service and community asset and accessible greenspaces, that meet the needs of local people. It also accords with the sustainable linked neighbourhoods and sustainable rural communities approach of SPT2. The policy will also work alongside the other policies of the plan including DEV16 which at point 3 requires an impact assessment for stores over 550 sqm gross in the PPA and 250 sqm in the TTV.

6.74 In relation to question c. What does the policy mean by ‘reasonable walking distance’? The Local Plan defines a reasonable walking distance in relation to small scale local convenience store in figure 3.2 which supports policy SPT2 at 800m. This distance will be used in relation to policy SPT5 in determining proposals.

6.75 In relation to question d. ‘Does the evidence justify the qualitative need for new retail development within the proposed Derriford district centre and the western side of the city? Should cross-reference be made to the specific detailed policies for these proposals?’

6.76 In relation to the Derriford District Centre, the delivery of a new district centre in this area is a long standing aspiration for Plymouth and was first identified as a policy objective in the Plymouth Core Strategy, which was adopted in 2007. It has since been a constant part of the Councils strategy supported by retail studies as evidence base including: the Plymouth District and Local Centres Study 2011(EC2) and the Retail and Centres Study (EC3) in 2012, Derriford Development Framework Evidence Report (SGA1), Derriford and Seaton Area Action Plan Report on Proposed New District Shopping Centre (SGA2). These were all considered in the Plymouth Retail Study 2017 (EC9) which provides a comprehensive review of the proposed centre.

6.77 The deficiency in food retail provision in the western part of the city was also identified as part of the Core Strategy, with policy CS07 allocating a district centre in the in the Weston Mill Area. The western side of the city has also been acknowledged as a gap area for food retail provision by the Plymouth District and Local Centres Study 2010 (EC2) and the Retail and Centres Study (EC3) in 2012 and most recently in the Plymouth Retail...
Study 2017 (EC9) chapter 4 which provides a comprehensive review of the approach to the gap area in the western part of the city.

6.78 The Plymouth Retail Study 2017 (EC9) also includes an up-to-date assessment of gaps in retail provision across the city. This is set out in section 3 of the study. The 2017 study continues to identify, as part of a gap areas assessment, parts of Derriford area as lacking food retail provision. The 2017 study also identifies the western part of the city as lacking provision as part of the gap area assessment.

6.79 Section 4 of the 2017 study (EC9) considers the areas of deficiency in Derriford and Western Plymouth, making specific recommendations on the approach to be taken. This continues the guidance contained within previous studies. For example, guidance in Plymouth District and Local Centres Study (EC2) section 7 recommends district centres being allocated in both gap areas, while the Retail and Centres Study (EC3) within section 5 paragraph 5.27 onward considering requirement for district centre in Derriford and acknowledging the gap in food retail provision in Western Part of the city. This demonstrates a continued identified need for new retail facilities in these areas.

6.80 Section 4 of EC9 considered the previous position in the Core Strategy, Derriford AAP which was examined but not adopted and the previous evidence base in relation to these two areas and provides an up-to-date assessment of the options going forward including considering changes in circumstances since the Core Strategy. This includes extensive consideration of the Derriford District centre and the opportunities to bring forward this development and what land uses should be included in the district centre. It also considers in detail the range of uses which the centre should include influenced by the existing array of facilities in the Derriford area and changes in the retail market in recent years. Paragraphs 4.17- 4.68 of EC9 look specifically at the sustainable uses and how they should include in the strategy in the JLP. This identifies the need for food retail provision to anchor the centre and supporting non-food retail as a component of a successful centre. This comprehensive approach is considered by the JLP councils to provide clear qualitative need for the District centre. Furthermore, the District Centre is a fundamental part of the strategy for the commercial centre and the wider Derriford and Northern Corridor Growth area and central to the JLP strategy.
6.81 In relation to the gap area in the western part of the city this is again considered in detail in Section 4 of EC9. This has informed the JLP Council’s consideration of whether a requirement for a district centre should be retained from the Core Strategy or whether an alternative approach should be taken, given that the gap area still existed. The evidence in section 4 of EC9 4.69-4.81 considers changes in the local area through increased provision from the discount retailers and the specific characteristics of the area and the accessibility of the two sites. It is clear from the evidence that while the Keyham and surrounding local area has a range of centres these contain only smaller size convenience stores. Site PLY58.1 offers the opportunity for a larger level of provision for a small food store/supermarket to serve the local community and will also fulfil a role in supporting the new proposed local centre and offer a retail facility currently lacking in the local area. The site also provides the opportunity to serve the naval base and dockyard which employs a significant local population.

6.82 In relation to Weston Mill site PLY58.18, this location offers the opportunity in the western part of the city to accommodate main food retail provision. Map 3 in appendix c of EC9 clearly identifies the wider Weston Mill area as lacking access to main food retail provision within a 10 minute drive time. This position, whilst influenced to a certain extent by the provision of new discount retail stores, has remained a gap area since 2004 and was also identified in both EC2, and EC3. Given these considerations, the JLP councils consider that the Weston Mill site should be allocated to improve the spatial distribution of main food provision in the western part of the city and is based on robust evidence. Whilst the general principle of new food retail provision on both sites is supported, the policy is clear that the final scale of development will be determined via an impact assessment, to ensure that their individual and cumulative impacts, including commitments, do not harm the health of nearby defined ‘town centres’. This is considered a robust and evidenced based approach which accords with requirements of paragraph 23 point 6, 158 and 161 of the Framework.

6.83 In relation to whether cross reference should be made to the Policies PLY38, PLY58.1 and PLY58.18 within SPT5, the JLP Councils consider that this is not necessary, the plan should be considered as a whole and there are clearly policies for sites within these areas which identify where the provision should be directed. Where proposals come forward on other sites the allocation in PLY38, PLY58.1 and PLY58.18 would be sequential preferable locations.

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6.84 In relation to question e. What is meant by the term ‘complementary non-food retail’? Regarding the new district centre at Derriford. This refers to the range of additional class A1 retail facilities which are additional to the food retail floorspace sought by this policy. Plymouth Retail Study 2017 (EC9) in section 4 (paragraphs 4.22-4.23) considers the acceptability of non-food floorspace as part of the district centre and indicates that the scale of this type of floorspace is an important consideration. Section 4 highlights the limited amount of short term capacity for non-food (comparison) goods floorspace in the city and indicates that the level of non-food floorspace should be limited in order that the catchment of the new centre covers only part of the city (i.e. a district role and function) and not a city-wide function in order to minimise impact on the city centre. It is for this reason that policy SPT5 notes that non-food should be complimentary. This point is then expanded in policy PLY38 point 1 which makes clear that it should be limited to a scale and type which will not result in the centre having a significant adverse impact on the city centre or the ability of other centres to perform the primary retail function. The JLP Councils consider that this approach of SPT5 and PLY38 set a clear requirement that non-food retail should be complimentary and can be tested at application stage through a Retail Impact Assessment in relation to its impacts on the city centre and other centres. This approach is justified by the evidence base, principally EC9, and is effective in considering proposals which come forward.

6.85 f. What size of new retail development will be supported in these locations and is this justified? The approach of SPT5 is to give support to retail proposals, particularly convenience goods floorspace, across Plymouth which can be proven to provide a qualitative improvement in retail provision across the city and support the principle of building sustainable communities.

6.86 In both Derriford and western Plymouth the focus will be on convenience goods floorspace, particularly new foodstore floorspace which can help to remove a qualitative deficiency of provision in these locations (see paragraphs 3.5-3.16 of EC9 2017 retail study). Within Derriford a new centre is planned and, as such, it should contain a range of retail, service and main town centre uses which can provide for the day-to-day needs of the growing local residential and working population. Whilst the aim is to support local needs and not to provide a new centre which has a large catchment and competes with the city centre (see paragraphs 4.27-4.46 of EC9 2017 retail study). As
such, it is anticipated that the amount of comparison goods and leisure floor space within the new centre will be limited, in order that it is complementary to the role and function of the city centre. Paragraphs 4.45-4.47 of EC9 explain why it is not appropriate to define a specific floor space figure for retail and leisure space in the Plan and indicate the range of factors which should be taken into account when determining future planning applications.

6.87 Within the western part of Plymouth, the qualitative need for improved food retail floor space arises out of the analysis contained within Appendices C, D and E and paragraphs 3.5-3.16 of EC9. Paragraphs 4.69-4.81 outline the nature of the deficiency in food retail floor space and assess the potential of the two locations which are identified in Policy PLY58. Paragraph 4.81 of EC9 outlines the recommended approach for both locations, indicating that the appropriate specific scale of floor space will be set via a retail impact assessment.

6.88 Given that the characteristics of each case will be different, and will be dependent on the characteristics of the local area and also the qualitative need to be met, it is not appropriate for SPT5 to give a specific size of retail floor space which will be supported (see paragraphs 4.35, 4.44-4.47 and 4.80 of EC9). Instead, proposals will be considered against a suite of development management policies in the Plan, including DEV16 which requires, in certain circumstances, an assessment of the impact of retail proposals on the health of, and investment within, defined ‘town centres’. Policies PLY38 and PLY58.1 and PLY58.18 also make clear that the impact of proposal in these allocations must also be considered. The use of the impact assessment tool will provide a robust method of assessing whether the size and scale of retail proposals are acceptable within the wider network of town centres in the city.

6.89 In relation to question g. Have the potential effects of these proposals been adequately assessed and are they in accordance with the overall spatial strategy of the plan?

6.90 In relation to the relationship of the proposals in SPT5 to the overall spatial strategy of the plan, it is salient to note that:

6.91 The provision of a new centre (including new retail floor space) at Derriford in policies SPT5 and SPT6 accords with Strategic Objective No.4.
6.92 The aim of making qualitative improvements to food retail provision in western Plymouth accords with Strategic Objective 1 as it will help to meet the needs of Plymouth’s residents in relation services.

6.93 In terms of the assessment of the potential effects of proposals in SPT5, the plan has adopted a rigorous approach via a detailed assessment in the evidence base and also in terms of how future proposals are assessed. Following the identification of the areas where new provision should be focused, Chapter 4 of the Plymouth Retail Study 2017 (EC9) undertook a rigorous assessment (paragraphs 4.14-4.68) of the land use mix, location, scale and delivery of the new district centre at Derriford. An underlying theme throughout this analysis was the need to ensure that the new centre could be accommodated within Plymouth’s retail/centre hierarchy without any adverse impacts upon other centres. Key to this assessment was the need to ensure that the new centre has a localised catchment and not a city-wide catchment, in order to protect the health of the city centre. The assessment in Chapter 4 of EC9 also acknowledged, however, that the plan could not undertake a detailed assessment of the new centre at Derriford and new food retail floorspace in western Plymouth until a detailed proposal (beyond the content of the plan) was formulated at the planning application stage. It is for that reason that PLY38 and DEV58.1 and DEV58.18 require an assessment of the impacts of the proposals. Therefore, beyond a suite of basic guiding principles which are enshrined in to SPT5, the other policies of the plan indicate that retail proposals which may attract support from SPT5 must, as set out in policy DEV16 if they are in excess of 500sq m gross, be tested against their impact upon the health of, and investment within, nearby ‘town centres’ in Plymouth’s retail hierarchy. This will ensure that the effects of proposals have been adequately assessed and only those proposals which are in accordance with the overall spatial strategy will be supported.

Question 6.2(v)
As Policy DEV6 (hot food takeaway) applies only to the Plymouth Policy Area: Should the title of the policy reflect this?

- a. Are the requirements of the policy supported by robust local evidence?
- b. Is the reason for the restriction clearly explained?
- c. How has the distance of 400m been determined?
6.94 The policy title provides a clear link that the policy relates to Plymouth with the policy wording setting out its requirement to the Plymouth Policy Area. The JLP Councils consider that the policy is clear where it applies to for use in the Development Management process.

6.95 In relation to question a. Are the requirements of the policy supported by robust local evidence? Childhood obesity as well as a local issue is also an issue the Government has committed to tackle through the publication of the national a coordinated strategy” Childhood Obesity: A Plan for Action”1. This plan identifies the importance of a whole systems approach to tackle obesity.

6.96 The work that has been done at the national level has seen the Department of Communities and Local Government (DCLG) working together with Public Health England and the Department of Health to produce guidance on assisting local councils on delivering healthier food environments.

6.97 The Plymouth Report 20142 identified that in 2014 the percentage of overweight and obese children in reception year had increased from 22.4% in 2006/07 to 24.9% in 2012/13. This evidences that childhood obesity is impacting upon nearly a quarter of primary school aged children, and furthermore it is a growing problem.

6.98 This evidence illustrates the fact that there is a particular issue locally that Policy DEV6 is seeking to address and respond to.

6.99 In relation to question b. Is the reason for the restriction clearly explained? The justification for the policy is explained within the supporting text. However the reason for the restriction can be further expanded upon to support the policy.

6.100 The majority of hot food takeaways offer food which is energy dense and nutritionally poor, which can contribute to obesity. Hot food takeaways within close proximity to schools, i.e. within easy walking distance, provide an attractive and affordable food option for pupils and could be a contributing factor to unhealthy eating habits in children and counter healthy eating programmes within schools.

6.101 In order to create a local environment, with accessible local services that reflect a community’s needs and support its health

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1 https://www.gov.uk/government/publications/childhood-obesity-a-plan-for-action
and well-being, the Council wishes to minimise the proliferation of hot-food takeaways, particularly in the vicinity of secondary schools and community centres.

6.102 There are a number of publications and research papers that identify a need to limit the availability of hot food takeaways, as part of a healthy weight plan to reduce obesity, the health impacts of poor weight management and the subsequent costs to society and health care services. These publications include details of the evidence base on which their findings and recommendations are based.

6.103 The National Institute for Clinical Excellence (NICE) has also made reference to the need to control takeaway numbers and their location. The Public Health Guideline on cardiovascular disease prevention (PH25) recommendation 11 calls for action to encourage local planning authorities to restrict planning permission for take-aways and other food retail outlets in specific areas (for example, within walking distance of schools).

6.104 A number of studies have found that takeaway food outlets are often located in areas of higher socio-economic deprivation. PHE’s obesity knowledge and information team (formerly the National Obesity Observatory) has produced a briefing paper on fast food outlets, together with downloadable data on fast food outlets by local authority. They found that although the concentration of fast food outlets and takeaways varies by local authority in England, there is a strong association between deprivation and the density of fast food outlets, with more deprived areas having more fast food outlets per 100,000 population.

6.105 Conversely, the availability of healthy food, and in particular fresh produce, is often worse in deprived areas. This has led some to propose that the creation of so-called ‘food deserts’ (areas where there is poor access to healthy and fresh foods) in deprived areas may contribute to obesity.

6.106 Improving the quality of the food environment around schools and in the community has the potential to influence children’s food-purchasing habits, potentially influencing their future diets. However, it is important to note that taking action on hot food takeaways is only part of the solution, as it does not address sweets and other high-calorie food that children can buy in shops near schools.
6.107 In relation to question C. How has the distance of 400m been determined? The 400m distance is recognised as a reasonable walking distance, which equates approximately to a 10 minute walking time, and is suitable given the length of normal school break times. The 400m exclusion is a direct line measurement; therefore individual applications will need to consider physical barriers such as roads, crossings, etc.

6.108 The evidence and publications suggests that limiting the availability of takeaways within walking distance of schools can contribute to tackling the rising levels of obesity and other health impacts such as cardiovascular disease. 400 metres has been considered a reasonable walking distance and is outlined within the Urban Design Compendium 2 and the Institute of Highways and Transport, Guidelines for providing journeys on foot. The 400m zone is an accepted standard across many planning policies, for example the Mayor on London has recently supported a policy approach using 400m.

6.109 The PHE publication, Healthy people, healthy places briefing - Obesity and the environment: regulating the growth of fast food outlets (2014), reports evidence concerning children’s diet and healthy school meals. It finds that children who eat school meals tend to consume a healthier diet than those who eat packed lunches or takeaway meals. While there have been many initiatives to improve standards of school meals, including nutrient-based standards and the School Food Plan, these currently only affect around four in ten children who take school meals. Uptake of school meals decreases when children move from primary to secondary school (46.3% compared to 39.8%), and in many cases secondary school pupils are allowed to leave the school premises at lunchtime. A report from the Nutrition Policy Unit of London Metropolitan University found that food outlets in close proximity to, and surrounding, schools were an obstacle to secondary school children eating healthily.

**Question 6.2(vi)**
Are the provisions set out in Policy DEV16 for determining retail and town centre development proposals, effective, justified and consistent with national policy? In particular:

a. Do the local thresholds set out in point 3 of the policy realistically reflect the current situation in the relevant centres and do they achieve an acceptable balance between maintaining the retail function of the centres and allowing flexibility to accommodate an appropriate range of other uses?
b. Point 4 allows the provision of a limited amount of bulky goods retail in out of centre locations. How much would be considered a ‘limited amount’ and is the approach justified by the evidence?

c. Is it clear what the terms ‘limited development’ and ‘complementary to’ mean within the context of point 5? Are Plymouth’s core tourism areas appropriately defined? Is the approach of the policy justified?

6.110 The JLP Councils believe that that the submitted JLP and the specifics of Policy DEV16 are legally compliant and sound in its approach to the management of retail and Town Centres.

6.111 In relation to question part a. The local thresholds set out in point 3 of the policy are based on an up-to-date assessment in evidence base documents Plymouth Retail Study (EC9) and Retail and Leisure Study (EC10) and its appendix in EC10a for the two JLP Policy Areas.

6.112 For retail development proposals in Plymouth Policy Area, the City Council has considered, via the contents of the Plymouth Retail Study 2017 (EC9), whether to adopt the national default threshold of 2,500 sq m gross for impact assessments. This assessment has been undertaken in Section 6 of the 2017 Retail Study (EC9) and has considered the scale of retail uses which are important to the health and attractiveness of defined ‘town centres’ across the city’s retail centre hierarchy (see paragraphs 6.6-6.17 of EC9). It has also considered the suite of factors highlighted by the NPPG and also the implications of cumulative retail proposals. This has resulted in the identification of a threshold of 500 sq m gross for retail proposals lying outside of defined ‘town centres’ as an appropriate minimum threshold for assessing the effects of proposals on the health of, and investment within, defined centres.

6.113 Previous to the recommendations in the EC9 evidence base, the Council commissioned Plymouth Retail and Centres Study (EC3) which included an assessment of where a locally specific threshold should be applied. This is set out in section 6 of the document at paragraphs 6.64-6.70. This recommended that the same threshold of 500 sq m gross be adopted locally. It is therefore considered that the new local figure is robustly demonstrated by the evidence supporting the JLP and is justified.
6.114 The 250 sqm gross local threshold for the TTVPA is based on an up to date assessment of existing centres contained within the Retail and Leisure Study report (EC10).

6.115 Section 10.5 of the Retail and Leisure Study report (EC10) assesses the need to set a local impact threshold taking account of all relevant considerations set out in national guidance. Section 10.5 concludes that a 250 sqm gross local threshold would be appropriate to both the TTVPA given the size and the performance of the town centres (EC10).

6.116 For other leisure and office development, the JLP Councils have not sought to define a locally specific threshold and are satisfied that the national threshold is a sufficient benchmark to consider such proposals.

6.117 In relation to question b. Point 4 allows the provision of a limited amount of bulky goods retail in out of centre locations. How much would be considered a ‘limited amount’ and is the approach justified by the evidence? The JLP Councils believe that that the submitted JLP is legally compliant and sound. The evidence contained in Plymouth Retail Study 2017 (EC9) and Retail and Leisure Study (EC10) identify there is only limited quantitative retail needs in the Plan area until post 2026 and as such policy SPT5 makes no allocations based on quantitative need. The JLP Councils however recognise that some ranges of goods have specific locational or market requirements as set out in Paragraph: 011 Reference ID: 2b-011-20140306 Revision date: 06 03 2014 of the NPPG and as such the policy makes clear that specific consideration should be applied and that controls should apply to such floor space. The reference to a ‘limited amount’ links back to there being no quantitative need to be planned for, however the JLP councils also considers in accordance with paragraph 161 of the framework qualitative need should be considered. Section 5 of EC9 considers specifically bulky goods provision, this considers the current provision of and locations of providing this range of good and deficiencies in representation it concludes at 5.45 that many but not all of the major national multiple retailers are present. Given the assessment made, paragraph 5.59 recommends that further land should not be allocated. The policy therefore plans positively for managing such floor space which might come forward as required by paragraph 23 of the Framework. The consideration over what constitutes a limited amount would need to be determined during the application stage by officers.

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3 Paragraph: 016 Reference ID: 2b-016-20140306
JLP Councils PSWDSLPE Xamination Hearing Statement – Matter 6
and where relevant Planning Committee with robust justification provided by applicants, with the starting point being that only a limited amount is required based on the evidence.

6.118 In relation to question c. Is it clear what the terms ‘limited development’ and ‘complementary to’ mean within the context of point 5? Are Plymouth’s core tourism areas appropriately defined? Is the approach of the policy justified? 1.76 The JLP Councils believe that the submitted JLP is legally compliant and sound. The policy sets out a potentially supportive approach to main town centre uses in core tourism areas, as part of the wider approach to considering retail and town centre use. This gives the consideration of such proposals the opportunity for a different approach to potentially be taken if a proposal is considered to be in a core tourism area.

6.119 The JLP does not specifically define areas as core tourism areas, such areas are however evident including such areas as the City Centre and Waterfront areas of the city. Although other areas could also be considered, dependent on the range of facilities and attractions within them which fulfil a significant tourism function. It will be for the development management process to consider if a proposal is in such an area. The terms ‘limited development’ and ‘complementary to’ are considered to provide a clear direction to the suitability of main town centre uses to be both limited in scale and complimentary to the tourism area. This aids the decision maker in their consideration. For example, a large DIY store would not be either complimentary to or limited development within such an area. The JLP Councils consider this is the most appropriate strategy for such consideration to be undertaken and is a positive approach required by paragraph 23 of the Framework.

**Question 6.2(vii)**
Is it clear how development proposals in TTVPA town centres will be assessed against Policy DEV17: is it an effective planning policy?

1.100 The JLP Councils consider that Policy DEV17 provides an effective planning policy which aims to promote competitive town centres in accordance with Paragraph 23 of the Framework with the requirement to protect primary frontages in town centres as the most suitable location for retail development.

1.101 Policy DEV17 identifies types of development that the JLP Councils will support in town centres in the TTVPA and the policy
clarifies that the suitability of proposals for such development will be assessed according to their location relative to the town centre boundary, primary and secondary frontages. Policy DEV18 provides detailed guidance on the mix of uses that the JLP Councils will seek to maintain in primary and secondary frontages in the TTVPA town centres.

**Question 6.2(viii)**

Policy DEV17 refers to secondary shopping frontages. Have these been designated, are they justified and are they clearly set out within the plan?

1.102 The TTVPA town centre secondary frontages have been drawn up in accordance with paragraph 23 of the Framework as explained in Section 10.5 of the Retail and Leisure Study report (EC10) and defined in Appendices M and N of the Retail and Leisure Study Appendices (EC10A). The defined town centre secondary frontages are based on up-to-date health checks completed in October 2016 contained in Sections 4 and 5 of the Retail and Leisure Study report (EC10). The town centre secondary frontages will be defined in the forthcoming Supplementary Planning Document which will support and amplify the JLP.

**Question 6.2(ix)**

Regarding Policy DEV18 - the protection of local shops and services:

Is it effective for the first paragraph to be negatively worded when national policy seeks the promotion of the retention and development of such services and facilities?

b. Are the specific percentages and requirements relating to primary shopping areas within the TTVPA justified, effective and based on robust evidence?

c. No specific percentages relating to primary shopping areas are set out in point 4 which relates to the PPA. Why is the approach different in the PPA and is it justified by the evidence?

d. Point 5 includes reference to hot food takeaways. How does this relate to Policy DEV6?

e. How will 'no significant harm' be determined by decision-makers when considering development proposals against point 6?
6.120 The Councils believe that that the submitted JLP is legally compliant and sound in its approach to Policy DEV18.

6.121 In relation to question a. the JLP Councils do not consider that the opening part of the policy is negatively worded. The Councils consider that the policies SPT5, SPT6, DEV 16, DEV17 and DEV18 together promotes competitive town centre environment and the policies manage growth of centres over the plan period as required by Paragraph 23 of the NPPF.

6.122 Retail stores, local services and facilities are a key part of the network of centres which serve the communities they are based in. They provide the key service for these communities, it is therefore the case that the change of use or loss of these core elements of the centres needs to be positively managed. Policy DEV18 clearly sets out the considerations for this management to take place. The opening section makes clear which uses in the centre the policy relates to and then the remainder of the policy set out the considerations. The JLP Councils consider this is a robust approach and when read alongside the other retail and town centres policies it presents a positive approach to managing competitive town centres required by paragraph 23 of the NPPF.

6.123 In relation to question b. Are the specific percentages and requirements relating to primary shopping areas within the TTVPA justified, effective and based on robust evidence, The inclusion of specific percentages and requirements relating to primary shopping areas within the TTVPA is considered by the JLP councils to be an appropriate and effective approach.

6.124 The six main towns in the TTVPA all have a town centre with a distinctive character which reflects their past functions, role and traditions, whilst continuing to meet current needs in a changing retail sector. All of the towns and village centre have a strong focus as the heart of the communities they serve. There is also limited out of centre development of retail outlets outside of their town centres, which has helped them to continue to function to a significant degree as ‘traditional’ town centres, offering a good range of shops, predominantly traditional in character and providing the convenience and comparison sectors for their communities. The continued existence of relatively high percentages of Use Class A1 units has been significant. For some of the town centres, such as Tavistock and Totnes, this character and nature of uses is widely considered, by local residents and visitors alike, to be an attraction in itself. It is often cited as a characteristic that should be retained and as being critical to the
retention of the continued vibrancy and viability of the town centres.

6.125 The JLP Councils are keen to protect this significant, important and predominantly retail character found in the Primary Shopping Frontages of the main towns and villages. This is considered to be critical to the long-term health of the town centres. Accordingly, Policy DEV18 point 4 seeks to control the amount of non-retail uses in these areas, whilst providing scope for some changes of use within the defined primary frontages. This approach is considered to accord with the approach set out in paragraph 23 of the Framework with the policy requirements setting out requirements for the management and growth of the centres. The approach taken recognises the town centres and the central primary frontages as the hearts of the community and supports the vitality and viability of the centre going forward in accordance with point 1 of Paragraph 23. It also ensures that an appropriate balance of A1 retail units is maintained which will also help promote and retain a competitive town centre that provides customer choice and a diverse retail offer which reflects the individuality of the town centre, in accordance with approach of point 4 of paragraph 23 of the Framework.

6.126 In relation to question c. No specific percentages relating to primary shopping areas are set out in point 4 which relates to the PPA. Why is the approach different in the PPA and is it justified by the evidence? No specific percentages relating to primary shopping areas are set out in point 3 of DEV18 which relates to the PPA. This marks a different approach between the two policy areas; the JLP Councils do not consider that the same approach to the two areas needs to or should be taken.

6.127 The JLP councils consider that the criteria set out for the PPA provides, as directed by Paragraph 23 of the NPPF, the mechanisms to promote competitive town centre environments making clear how proposals in the different constituent parts of the centre should be considered making clear, as set out in point 3 of the policy, which uses will be permitted in the primary and secondary frontages, and the approach to rest of the town centre area. The JLP Councils consider the criteria clearly relate to the definitions in the glossary of the Framework setting out policies to manage them in a positive way.

6.128 In relation to question d. Point 5 includes reference to hot food takeaways. How does this relate to Policy DEV6? Point 5 sets out consideration for uses including drinking establishments, hot food takeaways, betting shops, payday loan premises and
amusement arcades which all have the potential through their operation to cause impacts on the surrounding environment both in centres and the wider communities of the plan area. It sets out the consideration which the Councils will use in considering such proposals. In relation to hot food takeaways, point 5 will be used alongside the other criteria of the policy as well as the provisions contained within policy DEV6 in the decision making process. A balanced consideration taking in to account both policies will be required in the same way all the relevant policies will be required in the decision making process.

6.129 In relation to question e. How will ‘no significant harm’ be determined by decision-makers when considering development proposals against point 6? ‘No significant harm’ will need to be determined on a case by case basis in the application process. This will include considering the size of the settlement, range of services and facilities, the role the individual proposal (or proposals) play in the community and the availability of other facilities which serve the area. These factors will be different in each circumstance dependent on the area, village, settlement, community or urban area. This will also need to consider any guidance or policies set out in Neighbourhood Plans for the area where they have been prepared. It is not therefore possible for a set process to be set out in the JLP beyond that in the policy. The policy will therefore need to be considered alongside other material considerations relevant to the site, community and local area in accordance with Section 38(6) of Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990.

6.130 In conclusion the JLP Councils consider the retail and town centre policies set out in SPT5, SPT6, DEV6, DEV16, DEV17 and DEV18 set out a positive approach to the management and growth of town centres with policies which set out a detailed approach for considering proposals for main town centre uses. These are based on an up-to-date evidence base and are effective in the strategy and the considerations which contribute to it and are consistent with national policy and informed by relevant guidance in the NPPG.
APPENDIX A: MINOR MODIFICATIONS ASSOCIATED WITH MATTER STATEMENT 6

The following changes are proposed alongside those already proposed:

Policy SPT6

Spatial provision of retail and main town centre uses

The provision of new retail floorspace and other main town centre uses will be positively planned for having full regard to the following sequential hierarchy of centres.

1. Plymouth City Centre is a regional centre and the primary centre for the Plan Area in relation to major comparison goods shopping and town centre uses.

2. For the Plymouth Policy Area:
   i. A new mixed use district centre proposed at Derriford - which is complementary with the role of the City Centre.
   ii. Existing district centres - primarily main food / convenience shopping and other retail and services as appropriate to role of the centre.
   iii. Existing and proposed local centres - primarily for top-up food shopping and local services.

3. For the Thriving Towns and Villages Policy Area:
   i. The town centres of the Main Towns - primarily main food / convenience shopping and other retail and services as appropriate to role of the centre.
   ii. The village and community centres of the towns and larger villages - primarily for top-up food shopping and local services.

Figure 3.9 Retail hierarchy in Thriving Towns and Villages Policy Area

<table>
<thead>
<tr>
<th>Town centres of Main Towns (main food / convenience shopping and other retail and services as appropriate to role of the centre)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dartmouth</td>
</tr>
<tr>
<td>Okehampton</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Village centres of the smaller town and larger villages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village centres of the smaller town and larger villages* (daily / top-up food / convenience shopping and local / neighbourhood level services)</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
</tr>
<tr>
<td>Bere Alston</td>
</tr>
<tr>
<td>Lifton</td>
</tr>
<tr>
<td>Salcombe</td>
</tr>
</tbody>
</table>

* Village centres of the towns and larger villages are Local Centres in the retail hierarchy
APPENDIX B: PLYMOUTH CITY CENTRE MAP SHOWING LOCATION OF CITY CENTRE BOUNDARY
APPENDIX C: MAPS IDENTIFYING PRIMARY SHOPPING AREA/ CENTRE BOUNDARY FOR THE VILLAGE CENTRES OF THE SMALLER TOWN AND LARGER VILLAGES IN THE TTV POLICY AREA
SOUTH HAMPS DISTRICT COUNCIL AND WEST DEVON BOROUGH COUNCIL RETAIL STUDY ADDENDUM

RETAIL AND LEISURE STUDY TECHNICAL NOTE

Introduction

1. PBA was instructed by South Hams District Council (‘the Council’) in December 2017 to provide guidance on boundary designations for village centres located in South Hams and West Devon. This note forms an addendum to the South Hams and West Devon Retail and Leisure Study report (‘Retail and Leisure Study report’) (EC10).

2. The JLP Councils Matter 6 Retail Development/Town Centres Statement includes amendments to the Thriving Towns and Villages Policy Area (TTVPA) retail hierarchy as set out in Figure 3.9 of the Plymouth and South West Devon Joint Local Plan (‘JLP’).

3. The amended TTVPA retail hierarchy identifies nine village centres: Modbury, Salcombe, Woolwell, Yealmpton, Hatherleigh, North Tawton, Bere Alston, Lifton and Dartington.

4. This note sets out the method for designating centre boundaries. Annex 1 of this note contains the village centre boundary plans.

Method

5. The village centre boundary designations are based on the findings of the Retail and Leisure Study report (EC10) and Retail and Leisure Study Appendices (EC10A) prepared by PBA in 2016/2017.

6. The Retail and Leisure Study Appendices (EC10A) contain up-to-date health checks of all village centres contained within the TTVPA save for Dartington. The health checks were undertaken in October 2016 informed by site visits undertaken by PBA.

7. The method applied by PBA for designating the extent of centres is consistent with guidance contained in the National Planning Policy Framework (‘NPPF’).

8. Annex 2 of the NPPF states that the town centre boundary should incorporate all of the primary shopping area and areas predominantly occupied by other main town centre uses within or adjacent to the primary shopping area including leisure uses, offices, arts, cultural and tourism uses. The NPPF also recognises that for smaller centres it is possible that the town centre boundary and the primary shopping area will be identical.

9. For each village centre the boundary has been designated to include the areas predominantly occupied by retail and other main town centre uses. As is typical in smaller rural centres of this type, retail and other town centre uses are limited so that in each case the primary shopping area is the same as the town centre boundary.

10. The village centre boundary plans are contained at Annex 1 of this note and will be defined on the JLP Proposals Map.
Annex one – Village centre boundary plans