

Gosport Borough Local Plan 2011-2029

Statement on Issues and Questions

Issue 3.4

Is the threshold of 1000sqm given in paragraph 11.68 in the explanation to policy LP29 too high?

Date: 6th February 2015



GOSPORT
Borough Council

Introduction

- 1.1 The key principles of the Council's retail strategy as set out in the Gosport Borough Local Plan 2011-2029 (GBLP) are to protect and enhance the Borough's centres, secure where possible opportunities to claw back expenditure into Gosport and improve the retail offer of its centres particularly for Gosport Town Centre which is the Borough's principal retail destination. The Council consider this approach is compatible with the policies of the NPPF for supporting town centres. It is recognised there may be some circumstance where it may be necessary to consider new retail development proposed outside of the centres.
- 1.2 It is important to assess the impact that new retail proposals may have on existing centres. Paragraph 26 of the NPPF allows local authorities to set a local threshold for requiring a retail impact assessment to be carried out by an applicant.
- 1.3 Paragraph 16 of the NPPG provides further clarification on paragraph 26 of the NPPF including the factors to consider in setting a locally appropriate threshold these points are set out below:
 - scale of proposals relative to town centres;
 - the existing viability and vitality of town centres;
 - cumulative effects of recent developments;
 - whether local town centres are vulnerable;
 - likely effects of development on any town centre strategy; and
 - impact on any other planned investment.

Policy LP29: Proposals for retail and other town centre uses outside of centres – policy context

- 2.1 The GBLP focuses new retail proposals and developments in the Gosport Waterfront and Town Centre Regeneration Area and where appropriate, in other centres in the Borough in relation to their scale. This approach reflects the importance of the role of town centres promoted in the NPPF. However, in accordance with paragraph 23 of the NPPF, the GBLP recognises there may be circumstances where new retail and other town centre uses cannot be accommodated in or adjacent to a centre. Policy LP29 and its accompanying reasoned justification paragraphs, provide the policy framework to allow for the full consideration of such proposals.

2.2 *Proposed Policy LP29 states that:*

1. Proposals for new retail and other town centre uses outside of a centre will need to meet the:

- a) the sequential test in accordance with the latest Government guidance; and*
- b) impact assessment in accordance with the latest Government guidance and locally set floorspace threshold.*

2. Planning permission will be refused where an application fails to satisfy the sequential test or is likely to have significant adverse impact on the vitality and viability of a centre.

2.3 The Council is proposing a minor modification to this policy which is set out in the Schedule of Proposed Minor Modifications to the Publication Version (Submission Library document LP/A1/1/4). This is to improve the clarity of the policy. The proposed minor modification is referenced in LP/A1/1/4 under LP29 (Point 1) on page 3 of that submission document. For ease of reference it is reproduced in the text below:

Proposals for new retail and other town centre uses outside of a centre will need to undertake ~~meet~~ the:

- a) the sequential test in accordance with the latest Government guidance; and*
- b) an impact assessment in accordance with the latest Government guidance and locally set floorspace threshold.*

2.4 The Council is proposing a locally determined threshold for new retail proposals and this is set out in paragraph 11.68 of the GBLP. In relation to new retail proposals paragraph 11.68 states:

' when assessing retail... development outside of town centres which are in accordance with the allocations in this Local Plan, the Borough Council will generally require an impact assessment if the development is over the following size thresholds in terms of gross external floorspace:

- 1,000 sq.m for new retail development.'*

2.5 Local authorities can set a locally determined reduced threshold for an impact assessment. Paragraph 11.69 of the GBLP states that the lower threshold for retail development has been set to take into account relevant local retail evidence.

- 2.6 To provide some guidance on setting the threshold reference has been made to the recently developed convenience store at Alver Village which was for 1,858 sq.m.
- 2.7 In this instance, a quantum of retail provision was envisaged for the Rowner Regeneration Area (Policy LP7). The intention was to replace the existing neighbourhood centre as part of the mixed use allocation as the existing centre at Nimrod Drive was in a poor condition and experiencing a high level of vacancies – of the total number of vacant units in the centre, 62% were vacant¹. In order to understand the level of any potential impact that such a proposal might have on existing centres, the Council sought advice from GVA Grimley who had undertaken the Town Centres: Retail, Leisure and Office Study for the Council in 2007 (Submission Library document LP/E10/1).
- 2.8 The consultants examined three sizes for a food store in Rowner with a floor space of 2,787 sq.m., 2,323 sq.m., and 1,858 sq.m in order to assess the potential impacts of each one on the existing centres. Although the assessment concluded all three sizes were likely to have an impact on the Principal and District Centres. However the smallest size would cause the least impact and the Council considered this had to be balanced alongside the regeneration opportunities which could be secured from the scheme as a whole. The Council concluded that in this case, despite the potential impact, a foodstore of 1,858 sq.m. together with a small number of other retail units could create a new local centre. This would provide firstly, a significant opportunity to improve the retail offer for local residents in this part of Gosport and secondly, contribute towards reducing the leakage in convenience expenditure to other shopping destinations outside of the Borough
- 2.9 It was recognised that the on balance the overriding regeneration benefits for the wider Rowner area meant there were particular circumstances to allow a store that would have some impact on the Town Centre. It is therefore considered that a threshold for an impact assessment should be set below the 1,858 sq.m.
- 2.10 To provide examples of larger store sizes, the Council looked at the store profile for convenience shopping in the existing centres. Examples of larger convenience in-centre stores include:
- Morrisons in Gosport Town Centre measures 4,160 sq.m. (gross) (2,299 sq.m. net);
 - Waitrose 1,463 sq.m. (gross) (1,024 sq.m. net);

¹ Table 6.4, page 50, Town Centres: Retail, Leisure and Office Study, 2007 Submission Library document LP/E10/1.

- Co-Op in Lee-on-the-Solent District Centre 1,134 sq.m. (gross) (530 sq.m. net); and
- Lidl in Forton Road/The Crossways Local Centre 1,208 sq.m. (gross) (846 sq.m. net).²

- 2.11 It is likely that a store of a comparable size if located outside of a centre could have an impact on the centre. Therefore it is considered that a retail impact assessment would be required for a smaller size of store. On this basis, 1,000 sq.m is considered by the Council to be an appropriate threshold to test the potential retail impact of proposals outside of the centres.
- 2.12 Public consultation on the proposed threshold was undertaken in December 2012 when the Council consulted on the Gosport Borough Local Plan 2011-2029 Consultation Draft (Submission Library document LP/A1/2). No comments were received on Policy LP29 or on the locally set threshold figure for the Consultation version of the local plan. (Summary and Analysis of Consultation responses on the Consultation Draft December 2012, page 120.) (Submission Library document LP/A4/4a).
- 2.13 Following consultation on the Publication Version of the GBLP, no representations were received to say that the Borough Council should only be using the national threshold of 2,500 sq.m. for retail impact assessments. The only representation relating to the proposed threshold figure on the GBLP was received from Waitrose (Rep 23/3) which considered the figure should be reduced still further to 300 sq.m. The Council considers that reducing the threshold figure to 300 sq.m. would be generally unduly restrictive. The threshold proposed by the Council is already significantly below the 2,500 sq.m. national threshold. The Council's preferred approach will provide significant levels of protection to the Borough's centres from proposals which could have an unacceptable impact on them.
- 2.14 Furthermore, whilst paragraph 11.68 of the GBLP identifies the threshold for requiring an retail impact assessment is 1,000 sq.m. the GBLP recognises there may instances where it would be appropriate to require an impact assessment at a lower threshold; this is set out in paragraph 11.69 of the GBLP. This is the case at Daedalus where local evidence provided by the Gosport Retail Study – Partial Update, 2011 (pages 24-29) (Submission Library document LP/E10/6) concluded that a small convenience store of only 200 sq.m. (net) to serve the needs of the residential and employment users at

² Figures taken from Table 9: Existing Floorspace, Appendix 1, GRCS 2014 Submission Library document LP/E10/0 and Appendix 2: Gosport Borough Floorspace Schedules Town Centres: Retail, Leisure and Office Study Appendices (September 2007) Submission Library document LP/E10/3.

Daedalus is unlikely to have an an adverse affect on the vitality and viability of Lee-on-the-Solent District Centre.

- 2.15 In order to provide further clarity on this point, the Borough Council would like to propose a further minor modification to paragraph 11.69 in the following way:

Paragraph 11.69 amend 3rd sentence to read:

... it was considered that a convenience store of just over 200 sq. m. net floorspace at Daedalus ~~would~~ could have an impact on the Lee-on-the-Solent District Centre.

- 2.16 This proposed change of wording is supported by the evidence set out in paragraphs 3.68 of document LP/E10/6 and paragraph 6.54 of the Gosport Retail Capacity Study 2014 (LP/E10/0).

Conclusion

- 3.1 As part of the Council's retail planning strategy, it is considered that on the basis of the most up to date evidence available to the Council at this time, that establishing a locally set threshold is an appropriate approach. A locally set threshold will help to protect existing centres from inappropriate levels of development which could undermine their vitality and viability. However the threshold still allows for a degree of consumer choice, competition and thereby helping to contribute towards reducing the level of consumer expenditure out of the Borough.
- 3.2 The Council considers that reducing the threshold from 1,000 sq.m. to 300 sq.m. as proposed by Waitrose Ltd. (Representation 23/3) would be unduly restrictive. Paragraph 11.69 provides further flexibility by recognising that: 'In some instances where local evidence has been produced it will be appropriate to require an impact at a lower threshold...'.
- 3.3 Furthermore, the 1,000 sq.m. threshold for a retail impact assessment as proposed by the Council already represents a significant reduction of 1,500 sq.m. from the NPPF figure of 2,500 sq.m. It is considered setting a local threshold reflects the findings of best available evidence to the Council and reflects the local circumstances of the Borough. The Council is not proposing to change the threshold figure of 1,000 sq.m. for retail impact assessments as worded in paragraph 11.68 of the GBLP.