



Practical Implications of New Town Centre Policy

**‘Planning for Prosperity?’
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- 9 Strong Retail and Leisure Planning Team
- Public and Private Sector
- Advised on over 10msqft of retail & leisure floorspace in the last 2 years
- Previous Review on the Effectiveness of PPS6
- Linked with representations / comment on emerging draft
- Engaged in both Town Centre & Out of Centre

The Practical Implications of New Town Centre Policy

- Briefly review changes proffered in the draft PPS6
- Review implications:
 1. For Plan Making
 2. For Development Control

PPS6 (2005) update of PPG6

- Shift of emphasis
 - PPG6: Development Control
 - PPS6: Enabling Development
- 10 Years of 'Town Centres First'
- '*Positive & Proactive*' Plan Led system to accommodate growth
- But still only 40% Retail within Town Centres / Edge of Town Centres
- Only 30% within Town Centres

The Government's Main Objectives

- A Plan-led approach to sustain and enhance the vitality and viability of centres
- Focus retail and other development at locations accessible by means of transport other than the car
- Promote competition to ensure a wide range of shops, services and facilities for people to enjoy.
- Raise productivity growth in the UK through an efficient, competitive & innovative retail sector and maximising job opportunities for all

- New Partial Review of PPS6 July 2008
- Greater 'sophistication'
- Away from 'Tick box' procedure of current approach
- Supplemental guidance on the application of key tests also to be released: the long awaited 'Daughter Papers'
- Promote devolution & empowerment of LPAs
- Review suggested finalised around March 2009
... nothing to date.

But:

- Merger of PPS4/PPS6 confirmed 25th March 2009
- Now single document '*Planning for Prosperity*'
- To include PPS6 / PPS4 & elements of PPS7 & PPG13

... another draft? – Almost certainly.

... soon? – Probably.

... with 'how-to' / daughter guidance? – Yes.

Changes to PPS6 ...

‘... it is not about revisiting the fundamentals of the policy’

‘... about improving the effectiveness of our policies ...’

‘... refining the framework ...’

‘... offering greater guidance and clarity ...’

1. Need:

- quantitative Need
- easy to apply
- an anorak’s dream
- but unintended consequences

2. Scale

- rarely applied in decision making

3. Sequential Test

- been a key gateway for 10+ years

4. Impact

- qualitatively and quantitatively based
- but rarely scientific
- focus on ‘procedure’ not necessarily ‘outcome’

5. Accessibility

- usually left to the Transport Assessment

1. Plan Making

- Need
- Sequential Assessment
- Enhanced Impact Assessment

2. Development Control

- Sequential Assessment
- Enhanced Impact Assessment

Para 3.19: The Enhanced Impact Test

Considers **POSITIVE** and **NEGATIVE** 'impact' judged against:

- Development plan
- Proposed public / private investment
- Proposed scale of the development
- Trade of existing town centre operators
- Vitality and viability

If '**Significant adverse impact**' shown then '**normally**' a refusal BUT if '**some impact**' outweighed by wider economic social and environmental benefits eg:

- Promotion of Development Plan policies
- Accessibility
- Benefit deprived areas
- Employment
- Promotion of physical regeneration

... then Local Planning Authorities should consider proposals favourably

... and also

1. Sustainability
2. Design

Has a broader focus but potentially complex.

- Emphasis on economic, social and environmental
- Identification of Key Impacts: where these are negative and 'significant' will 'normally' justify refusal eg Development Plan, Investment & Vitality and Viability.
- But where 'some' but not 'significant' impact allows wider impacts to be considered eg employment / regeneration
- +ve and –ve factors 'in the balance'

Implications for Plan Making:

- Requires LPA's to define priorities in plan making
- Assess 'need'
- Test options to meet 'need'
- ... Or face the consequences?

1. Assess 'need'

- Not just 'expenditure capacity'
- Social
- Diversity

2. Decide on Priorities

- Sustainable
- Economic
- Social

3. Allocate Sites & assess their impacts

- 'Town centre first' not necessarily 'town centre only'
- Impact to be assessed on same basis as development control

4. Prepare for scrutiny!

- PPS12: evidence base
- Robust Retail Assessment
- Evidence of 'Option Testing'
- Paper-trail of considering alternative strategies
- Including Sustainability Testing?
- Including Social Impact Testing?
- Including Viability testing?

For Development Control

1. Need to 'scope' proposed 'impact assessment'

- Like an EIA?
- Determine those issues to be included
- Scope 'out' not 'in'!

2. Agree priorities

- Should be 'plan led' linked with Council's Retail Study
- Agree +ve and -ve factors
- Economic
- Sustainability
- Social

3. Agree definitions

- Significant adverse impact?
- Acceptable Impact?
- Weight of wider economic, social and environmental benefits?

4. Agree key indices

- Assessment date
- Turnover
- Population
- Expenditure
- Efficiency

5. 'Agree to disagree'?

Business as usual?

- Re-emphasis of 'plan led'
- Re-emphasis of 'positive planning'
 - Or face the consequences?
- Re-emphasis of 'town centres first'
- 'Need' remains in Plan Making
 - But also 'buried' in Development Control!

But some fundamental changes:

- Planning evidence base now fundamental
 - Be prepared for scrutiny!
- Sequential replaces need as ‘gateway’
- New enhanced ‘impact assessment’
 - But potentially complicated! (Para 3.19 draft PPS6)
 - Needs careful scoping similar to EIA

Greater sophistication on 'impact' welcomed

BUT:

- Guidance in daughter paper interpreting para 3.19 critical
- Otherwise clarification of interpretation:
 - **through appeal decisions considered by the SoS**
 - **via the Courts challenging those decisions!**
- Danger if we get wrong is 'Planning by appeal'
- Hardly devolutionary!



QUESTIONS