

Hertsmere Local Development Framework

Development Plan Document

Revised Core Strategy

Matter 4 Statement

Town Centres

(Policies CS26, CS27, Table 16, paragraph 8.5)

Hearing: 2nd May 2012

April 2012



Issues

1. **Is the RCS based on a systematic, coherent analysis of the needs of the borough's town centres for protection and enhancement, especially in terms of their retail function? Does the RCS set out a positive vision for the centres?**
 - 1.1 The Retail Topic Paper (CD/80; CD/80A) was written in 2009 in response to similar questions raised through the consultation period for the Core Strategy in 2008. The Paper responds to the evidence base requirements regarding retail needs assessments. It looks at adjoining local authorities assessments to justify the Council's decision not to allocate any major retail sites or undertake its own full retail needs or capacity assessment. It is thought that this action would have resulted in a duplication of evidence.
 - 1.2 At the time the Topic Paper was produced, the 2006 guidance from DCLG¹ advocated the benefits of cross boundary working and information sharing between authorities. Retail markets operate at scales which do not relate well to authority areas, and all the retail assessments undertaken for neighbouring authorities cover areas of Hertsmere Borough.
 - 1.3 Hertsmere is characterised by town centres relative to the size of the town in which they are situated. Each settlement, even those 'service villages' in the Green Belt have a level of retail provision, which primarily serves for day to day and convenience shopping. The Town Centres and Shopping Report undertaken in 2008 (CD/79), and with the contribution of a residents and businesses surveys, identified that Borehamwood is the main focus for comparison retail in the Borough. Retail investment in Borehamwood over the last 10-15 years in large format units are considered to have been to the detriment of the main high street, with low footfall counts and high vacancy rates.
 - 1.4 The conclusions of the Topic Paper identify that the proximity to regional, sub-regional and capital centres affects yield rates and expenditure. This in turn has had a negative impact on vacancy rates and footfall in town and district centres. The proposed policy in the RCS is supported by the East of England RSS approach which seeks to maintain a polycentric structure of settlements and town centres. In this respect it was not found that there would be sufficient justification to promote the allocation of additional comparison retail floor space in direct competition with Watford and St Albans.

¹ Making Timely Progress and the Integration of Policy, Spatial Plans in Practice: Supporting the Reform of Local Planning, December 2006

- 1.5 Further, it was also concluded that any present and future expenditure surplus is expected to be accommodated within the boundaries of existing town and district centres. There will however, be a review of the town and district centre boundaries, as well as a definition of boundaries of key neighbourhood centres, and other retail provision.
- 1.6 This analysis of the needs of the Boroughs town and district centres is considered to be systematic and coherent, which has been relative to the retail hierarchy in relation to centres in adjoining Boroughs.
- 1.7 The polycentric approach to the town and district centres in Hertsmere, together with the principle that the vitality and viability of town centres should be promoted above edge or out of centre sites is consistent with paragraph 76 of the NPPF.
- 1.8 The Council has used the recommendations of the Town Centre Health Checks (CD/79) and the Retail Topic Paper (CD/80; CD/80A) to promote a positive vision for town and district centres, and other retail provision as appropriate. The RCS advocates a town centre first policy, where it is not anticipated that there is a need for significant new retail floor space in the Borough. This approach will focus development towards existing centres, and where areas may require enhancement or redevelopment.
- 1.9 It is noted in Policy CS27 on Strengthening Town Centres that primary and secondary frontages within town and district centres will be identified through the Site Allocation process, and appropriate thresholds for those frontages detailed in Development Management policies. These policies will seek to be positive and promote competitive town centre environment, in compliance with the NPPF. It is recognised that the evening economy requires a balanced approach, to ensure that vitality and viability is retained in centres. The balance, in particular, is needed between changes of use to A3, A4 and A5 use classes, taking account of the aims for a safer environment in the Community Strategy (CD/29), and management of safety measures as identified in the Hertsmere Crime and Disorder Reduction Partnership Plan (CD/47).
- 1.10 As part of the wider strategy, the Council has previously considered a Local Development Order to widen the use of permitted development for specific changes of use in Borehamwood, as the main town centre in Hertsmere. Work was undertaken to look at the scope for greater flexibility for other appropriate uses that would retain or enhance the high streets vitality and viability. This may now be considered again by the Planning Portfolio Holder and Planning Committee in light of the Portas Review, which advised on a flexible approach to use classes and changes to the parking situation in town centres to facilitate greater levels of footfall. The Council is currently reviewing the Parking Management Strategy, which

follows last year's review of parking charges, which retained free town centre parking for the first 30 minutes and significantly lower charges beyond that, compared to other nearby centres after that. Paragraph 40 of the NPPF notes that the quality of parking in town centres is important, and authorities should seek to improve provision, with appropriate levels of parking charges and proportionate enforcement.

- 1.11 Further to the wider strategy, the Council works with the Highway Authority to deliver highway and environmental improvements to high streets. This is done through the Local Transport Plan (CD/63) and individual centres' Urban Transport Plans². The Council has also led on the preparation of a Streetscape Manual for improving the street scene in Hertsmere centres. All retail centres in Hertsmere are predominantly structured along main highway routes, so the collaboration with other authorities is seen as an on-going mechanism for delivering positive changes to town centres.
- 1.12 These initiatives could be further clarified in relation to town centres and shopping through the supporting text of the RCS if required.
- 2. Is there a clearly defined town centre hierarchy (Policy CS26 and Table 16)? Does paragraph 8.5 seek to impose a needs test? Is it justified not to require a sequential assessment for retail development up to 2,500sq metres outside a town centre? Is it clear in what circumstances an impact assessment will be required?**
- 2.1 The town and district centre hierarchy is defined in the table 'Hierarchy of Shopping Centres' (page 89) in the Hertsmere Local Plan 2003 (CD/24). Table 16 of the RCS uses the hierarchy from the Local Plan, and represents the scale of these centres with floor space proportions for various use classes. The Council considers that Table 16 provides the basis for not altering the hierarchy of main town and district centres from the Local Plan, where the role of each of the town and district centres has not changed significantly since the plan was adopted in 2003. The evidence for this can be seen in the Town Centre and Shopping Report 2008 (CD/79).
- 2.2 For the future purposes of the RCS it should be noted that both Elstree village and Shenley have been termed 'service villages' in terms of retail provision. Shenley was previously identified as having a number of 'individual shops' and a local parade. This village experienced significant housing growth in the 1990s, and now Andrew Close as part of the development is more greatly recognised for local convenience retail provision, compared to the number of 'individual shops' along London Road. This is supported by Policy CS28 of the RCS.

² Potters Bar Urban Transport Plan; and Elstree and Borehamwood Urban Transport Plan

- 2.3 Elstree village was previously recognised as a 'neighbourhood parade'. The Local Plan also identified a number of other significant neighbouring retail parades which were all within suburban areas. Elstree village is now recognised for the role it has in the context of the village, which provides local convenience retail provision for residents in the village. This is seen by the Council as providing a sustainable form of retail provision with some other services at a local level in the setting of a village. It should be noted that the reference to 'service village' also relates to role the villages will play in accommodating a small proportion of housing growth over the course of the RCS.
- 2.4 Due to the nature of retail provision in the Borough it remains the intention for the smaller centres to be the subject of detailed assessments to inform the Site Allocations DPD. This would relate to neighbourhood centres, local parades, individual shops and redevelopment opportunities as defined in the Hertsmere Local Plan 2003. It should be noted that a number of the neighbourhood parades have been included for representation on the key diagram (page 33 of the RCS), but the key diagram is indicative, and the hierarchy of retail provision will be re-assessed and defined through Site Allocations DPD.
- 2.5 It is noted that Appendix 5 of the RCS (Schedule of Core Strategy policies) states that Policy T6 of the Local Plan would be replaced by RCS Policy CS27. This is not the case, where the hierarchy will be defined in subsequent DPDs, and Policy T6 and CS27 should complement one another (see Matter 7.2 for all amendments to Appendix 5).
- 2.6 Paragraph 8.3 seeks a sequential test for development of more than 2,500 sq.m proposed for edge or out of centre development; and paragraph 8.5 seeks to impose a needs test for retail development of more than 2,500 sq.m in any location (both also in Policy CS26). At the time of writing these requirements were to be in compliance with PPS4. The RCS had previously been amended on the publication of PPS4, which had superseded PPS6.
- 2.7 The Council considers that Policy CS26 of the RCS is clear on when both sequential or needs test is required for retail development, where the boundaries of town and district centres in the proposals map of the Hertsmere Local Plan 2003 are saved.
- 2.8 The NPPF requires that the sequential test is undertaken for any proposed 'main town centres uses' that would be outside of an existing town centre regardless of their size. The NPPF identifies main town centre uses in the NPPF (Glossary: page 53) as:

- *Retail development* (including warehouse clubs and factory outlet centres);
- *Leisure, entertainment facilities, the more intensive sport and recreation uses* (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls);
- *Offices*; and
- *Arts, culture and tourism development* (including theatres, museums, galleries and concert halls, hotels and conference facilities).

2.9 Retail development is considered to be covered by Policy CS26 in requiring a sequential and/or needs tests. For other main town centre uses, the policy also states that:

“Development within the designated town, district or neighbourhood centres of Borehamwood, Potters Bar, Bushey and Radlett will be permitted provided that it maintains their primary retail function and *wider role as a focus for business, leisure, cultural and other appropriate town centre uses* (as defined within PPS4).”

2.10 The appropriate town centre uses as stated in PPS4 (paragraph 7) have been carried through for use in the NPPF, and are the same. Policy CS26 can be updated to reflect the change in national planning policy as follows:

“Development within the designated town, district or neighbourhood centres of Borehamwood, Potters Bar, Bushey and Radlett will be permitted provided that it maintains their primary retail function and wider role as a focus for business, leisure, cultural and other main town centre uses (as defined within ~~PPS4~~the NPPF).”

2.11 Policy CS23 of the RCS also uses a sequential approach to major non-retail development over 2,500 sq.m. For proposed offices, Policy CS10 of the RCS states that major, new office development should be limited to the Elstree Way Employment Area. This is due to the scale of proposed development, and the accessibility and suitability of all Employment Areas in the Borough. The threshold for new development originated from PPS4, and is now also consistent with the NPPF (paragraph 26).

2.12 In terms of arts, culture and tourism development, Policy CS17 requires all community uses to be located in places to achieve fair access, in line with the Community Strategy (CD/29). Applications for new community uses would be assessed against their impact on local infrastructure, services and resources. This approach implies that such facilities should only be located in the most accessible locations, without undue impact on highway and other infrastructure. The town and district centres in Hertsmere have resulted in being the most accessible locations by road and public

transport. Policy CS17 also includes reference to the required level of consultation with community service providers to address gaps in provision.

- 2.13 The Council observes that the difference in consistency between the RCS and the NPPF is that Policy CS26 stipulates a floor space standard, in addition to the requirement for the sequential approach. In defining the floor space requirements for the sequential and the needs test, the Council did not want to be overly onerous on developers when proposing new development. The Council is aware of these national planning policy changes and accepts there may be a need to change the text to be consistent with the requirements of national planning policy. The changes may result in alterations to Policy CS26 as detailed in Appendix M4.1.

Appendices Content Page

Appendix M4.A Proposed minor amendments to Revised Core Strategy Policy
CS26

Appendix M4.A

Policy CS26

“Development within the designated town, district or neighbourhood centres of Borehamwood, Potters Bar, Bushey and Radlett will be permitted provided that it maintains their primary retail function and wider role as a focus for business, leisure, cultural and other appropriate town centre uses (as defined within ~~PPS4~~**the NPPE**). Retail activity elsewhere should be focused within local centres and parades, which will be expected to retain a core of local shopping facilities and accommodate any new retail development, commensurate to their position within the town, district and neighbourhood centre hierarchy. Proposals to create ~~in excess of 2,500 sq m of new retail floorspace that is outside of an existing town centre will be subject to the sequential test~~ **significant new floorspace outside of an existing town, district or neighbourhood centre will be subject to the sequential test.**

Proposals to create in excess of 2,500 sq m of new retail floorspace will be subject to the [significant adverse] impact assessment to enable the impact on existing shopping centres to be considered.”