



**Wyre Forest District**

**Site Allocations and Policies Plan**

**Examination**

**Matter 5: Retailing**

**WFDC Response**

14<sup>th</sup> January 2013

## Matter 5 - Retailing

### 1. Does the sequential approach set out in Policy SAL.GPB2 accord with the Framework?

1.1 It is considered that the approach set out in Policy SAL.GPB2 is consistent with the National Planning Policy Framework (NPPF) (SD001) and is justified and sound. Policy SAL.GPB2 provides a clear approach to retailing within the District, placing the emphasis firmly on the town centres in the first instance. The policy clearly sets out the Primary Shopping Area and the extent of the Primary and Secondary Frontages. The policy also identifies the uses considered to be acceptable within each of these designations. This is entirely consistent with the approach set out in the framework which identifies that:

*“Local planning authorities should:*

- *Define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations”.*

1.2 One of the representations received on this policy identified that the sequential test provided for by this policy should be re-worded to include a reference to sites that are allocated for retail development as being appropriate for inclusion in the sequential test. Whilst this comment is generally agreed with there are no proposals for large scale retail development outside of the identified Primary Shopping Areas. Therefore, as the first location in the sequential test refers to locations within the Primary Shopping Area, it is considered that this covers this specific point and therefore does not require further policy amendment. This approach is considered to be consistent with the NPPF. Furthermore, should planning applications be submitted for edge-of-centre or out of centre sites then the policy provides a clear and consistent framework to consider these on their merits. This is consistent with Paragraph 24 of the NPPF which refers specifically to considering planning applications, rather than when allocating sites.

- 1.3 Some of the other representations received in regard to this policy requested a widening of the uses allowed within the various designations. However, the Council is of the opinion that sufficient flexibility has been provided for through the uses identified in the policy, and considers this to be a sound and effective approach.
- 1.4 Finally, there were some concerns raised regarding the distance to be used in determining whether a proposal was edge of centre and that the 300 metres specified in the policy was too great. However, this distance is in direct conformity with the NPPF and the definition provided within the Glossary. It is therefore considered wholly appropriate for this to be reflected in the Site Allocations and Policies Plan.

**2. Is the retail floorspace threshold of 250 sq m referred to in a number of policies appropriate and justified?**

- 2.1 The threshold of 250sqm identified in the plan is considered to be appropriate and justified. The figure provides a clear approach to small scale retailing within the District and has remained the figure identified through the Adopted Local Plan of 2004 (SD005).
- 2.2 The Inspector's Report from the 2004 Local Plan considered the issue in relation to the Council's approach to setting a local defined floorspace threshold at 250 sqm. The Inspector's report identified that the 250sqm threshold provided a practical way of reflecting the need to apply a sequential approach within a local context, whilst providing a degree of flexibility for small scale retail proposals. This had regard to the nature and size of the main shopping centres of Kidderminster and Stourport.
- 2.3 It is considered that the conclusions drawn by the Inspector still remain relevant to addressing this issue now. This is because although national policy has changed in terms of format, there has remained a constant message in terms of retail policy with regard to the sequential test and the requirement for a locally set threshold to be provided. This approach remains in the NPPF and specifically paragraph 26 which requires for development to provide an impact assessment if the *development is over a proportionate, locally set floorspace threshold*".

- 2.4 Notwithstanding this viewpoint, the Council has fully considered representations made on this particular point and is prepared to consider the proposed increase of this threshold to 280sqm net, as identified by representation number SALPP121.
- 2.5 This proposed increase would allow for an approach consistent with a nationally defined definition of a 'smaller store,' as provided for by the Sunday Trading Act, 1994, which restricts the opening times of larger stores. Those larger stores are considered to be stores of 280 sqm net or greater and therefore, by definition, anything falling under this threshold is defined as a smaller store. The proposed change may help to improve the effectiveness of the plan and provide certainty and consistency for developers. It is proposed that the relatively small scale increase of the locally set threshold to bring it in line with a national approach would help to improve the soundness of the plan. It is therefore proposed to include this change within the main modifications of the plan (SALMOD18).