

Ipswich Borough Council Local Plan Review 2018 – 2036

Response to Matter 5 – Retail Development and Centres

Issue: Has the ILPR been positively prepared and is it justified, effective and consistent with national policy in respect of its strategy and policies for retail and other town centre development in Ipswich for the period 2018-2036?

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69. Does the ILPR make adequate provision to meet the future retail floorspace needs of Ipswich in the period up to 2036? Would the proposed site allocations for retail development in Policy SP10 of the SAP meet those needs?

Paragraph 85(d) of the NPPF states that planning policies should allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead.

The Retail Position Update Statement (2019) (CDL D7¹) identified that after commitments there is a need for at least 26,500sq m net retail floorspace up to 2036. Figure 3.2 of the Update Statement illustrates the different requirements at varying year intervals over the ILPR period:

Figure 3.2: Summary of Comparison Goods Floorspace Need in Ipswich Borough (sq m net) (after commitments/planning permissions)

Year	2017 Retail Study		2019 Update		Difference	
	Min	Max	Min	Max	Min	Max
2026	9,600	17,600	4,100	7,600	-5,500	-10,000
2029	Not Tested	Not Tested	9,900	18,200	-	-
2031	20,800	38,100	14,300	26,200	-6,500	-11,900
2036	34,800	63,700	26,500	48,700	-8,300	-15,000

Source: Table 16c of Appendix B
 List of commitments provided at Appendix B (Table 16d).
 Assumes constant market share of Study Area expenditure claimed by facilities in Ipswich Borough
 Table 16c of Appendix K, October 2017 Retail Study
 2015 Prices

The ILPR allocations provide for over 10,000sq m net of retail floorspace through Policy SP10 of the SAP and would not meet the need to 2036.

However, it is critical to note that Paragraph 85(d) of the NPPF states that planning policies should allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead.

As allowed for under national policy, the ILPR retail allocations look at the ten-year interval (2029). The ILPR provision of over 10,000sqm would therefore meet this need, in accordance with national policy.

70. Does Policy SP10 provide a clear indication of how a decision maker should react to a development proposal for retail uses on the allocated sites? Does Policy SP10 or its reasoned justification need to be modified to reflect the changes to the UCO which came into effect on 1 September 2020?

¹ https://www.ipswich.gov.uk/sites/www.ipswich.gov.uk/files/ipswich_retail_position_update_statement_-_02-08-19.pdf

The policy clearly indicates that the principle of retail uses on these sites is acceptable. It is read in conjunction with Policy SP1 (The Protection of Allocated Sites) which applies across the SAP. Policy SP1 makes it clear that sites will be safeguarded for the use(s) for which they have been allocated and provides the rationale for when alternative uses may be acceptable. Therefore, it is considered to be clear how a decision maker should react to a development proposal for retail uses on the allocated sites.

Policy SP10 does not require amendment to reflect the changes to the UCO. National policy in the NPPF still requires the ILPR to provide sufficient land to meet identified retail needs. As this policy relates to new retail developments, conditions could be applied to these new developments to ensure that the retail needs of the ILPR are met.

71. Do the Plan's policies for retail and town centre development offer sufficient flexibility to respond to future changes to the retail and service sector in Ipswich which may result from the economic effects of the COVID-19 pandemic? Are any modifications required to address this?

Policy DM27, which is the predominant policy covering retail and town centre development, has been prepared to provide a greater degree of flexibility for non-retail uses compared to the equivalent adopted policy.

In the event of significant change to retail and town centre development, the policy allows for flexibility provided that the change is demonstrated to be beneficial. Given the importance of retaining the retail function of the town centre, this approach strikes the appropriate balance in the event that necessary re-purposing arises from the COVID pandemic.

Policy DM31 details land-uses that would be acceptable within the town centre (but outside of the CSA), which are broad in terms of their nature, and allows for flexibility dependant on market demand. The IP-One AAP insert map clearly identifies the town centre and where there are allocations.

72. As the Plan will supersede the previous Site Allocations Plan on adoption, should references such as 'New site...' and the 'Central Shopping Area is amended ...' be removed?

It is agreed that for clarity these two references from Policy SP10 of the SADPD could be removed. This is reflected in the 'Suggested Modifications' table (5.1) of this Statement.

73. Are Policies DM27 for Central Shopping Area and DM30 for District and Local Centres positively prepared, justified, effective and consistent with national policy? In particular:

a. Are they sufficiently flexible in allowing for residential uses in town and district centres, including where there is a reduced need for retail floorspace and other commercial town centre uses?

Policy DM27 allows for appropriate flexibility. The policy encourages residential use above ground-floor units which is more appropriate than at ground-floor. Any change of use of ground-floor units to residential will need to provide an acceptable living environment for

future occupants. Criterion d) of Policy DM30 allows for residential uses at ground-floor level provided that adequate marketing has been first undertaken.

b. Should Use Classes C1 and D2 be included as uses which would be acceptable in the Primary Shopping Zones?

Criterion A does allow for C1 and D2 uses in Primary Shopping Zones. The examples referred to as ‘complementary uses’ are not a definitive list and were deliberately worded to allow the decision-maker to apply a degree of flexibility in terms of non-retail uses where they do not exceed 30% of the uses in the zone.

c. Do they need to be modified to reflect the changes to the UCO which came into effect on 1 September 2020?

Yes, the Council is open to modifying Policies DM27 and DM30 and/or their reasoned justification as appropriate to reflect the changes to the UCO.

74. Is Policy DM32 justified and consistent with national policy in respect of the ‘scale’ of retail proposals outside defined centres? In order to be effective and consistent with national policy, should the policy refer to the sequential approach? What is the justification for thresholds of 200sqm for application of the sequential test and 200sqm and 525sqm for retail impact assessment?

Paragraph 89 of the NPPF states that when assessing applications for retail development outside town centres, an impact assessment should be required for developments over a proportionate, locally set floorspace threshold. This should include “an assessment of the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme)” (criterion b). Furthermore, in relation to the sequential test, the National Planning Practice Guidance (Paragraph 011) states that scope for flexibility in the format and/or scale of the proposal should be taken into account. Paragraph 011 of the guidance also states that when considering what a reasonable period is for the purposes of NPPF Paragraph 86, the scale and complexity of the proposed scheme should be taken into account. It is therefore justified and consistent with national policy to include the scale of retail proposals.

Paragraph 86 of the NPPF states that local planning authorities should apply a sequential test to planning application for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. It is therefore effective and consistent with national policy for criterion b of Policy DM32 to refer to the sequential approach.

The justification for the 525sqm floorspace threshold for requiring a retail impact assessment is based on the Retail and Commercial Leisure Study (2017) (CDL D8²) which recommended this threshold.

² https://www.ipswich.gov.uk/sites/www.ipswich.gov.uk/files/retail_leisure_study_-_volume_1_-_final_version_-_issued_06-12-17_0.pdf

The 200sqm floorspace threshold for requiring the sequential test was established through the adopted Local Plan Review (2017). This was included within the adopted equivalent policy (DM32) because Policy SP1 of the SAP of the adopted ILPR included a specific 200sqm sequential assessment requirement for new retail sites in the absence of setting a retail floorspace requirement through Policy CS14. This was found sound by the Inspector and it was accepted that in this circumstance the relevant development management Policy DM23 should mirror this requirement.

However, the emerging ILPR does now set a retail floorspace requirement through Policy CS14 and sufficient allocations are made through Policy SP10 to meet this requirement. As a result, the previous 200sqm sequential assessment requirement was not carried over into the emerging Policy SP1. There is no longer a justification for including the 200sqm sequential test threshold in the relevant development management Policy DM32. To correct this, it is proposed that this requirement is deleted through a modification (5.2) to Policy DM32 as shown in the 'Suggested Modifications' table of this Statement.

75. Is Policy DM28 consistent with national policy in guarding against the unnecessary loss of valued cultural facilities and services? Are the proposed modifications to Appendix 6 in respect of marketing requirements necessary, to ensure the policy is effective in this respect, and, as a result, would it be more or less evident how the decision maker should react to a proposal for the loss of such a facility?

NPPF Paragraph 92, criterion C, states that planning policies should guard against the unnecessary loss of valued facilities and services. Policy DM28 seeks to protect arts, cultural and tourism facilities by only considering alternative uses where it can be demonstrated that the current use is either being satisfactory relocated, is unviable (including marketing) or the new use complements the arts, culture and tourism sectors.

The proposed modifications set out in the main modifications (CDL I31³) are necessary to ensure the policy is effective. They provide additional clarity to decision makers and applicants in demonstrating the level of marketing information that should be provided to support applications. The modifications would make it more evident how the decision maker should react to a proposal for the loss of such a facility.

Conclusion

The ILPR has been positively prepared and is justified, effective and consistent with national policy in respect of its strategy and policies for retail and other town centre development for the period 2018 – 2036.

Word Count (excluding cover, headings, questions, footnotes and Suggested Modifications) = 1,214

³ https://www.ipswich.gov.uk/sites/www.ipswich.gov.uk/files/i31_-_final_draft_ilp_review_main_modifications_reg_22_08_10_20.pdf

Suggested Modifications

Modification No.	Page of Final Draft Local Plan Review	Policy/ Paragraph of Final Draft Local Plan Review	Main Modification	Reason
5.1	50 (SAP)	Policy SP10	<p>Modification to Policy SP10:</p> <p>Policy SP10 Retail Site Allocations</p> <p>Sites are allocated in the Central Shopping Area for retail development to meet the forecast need for comparison shopping floorspace to 2031 at:</p> <ul style="list-style-type: none"> a. New site— IP347 Mecca Bingo, Lloyds Avenue (650 sq m net); b. IP040 The former Civic Centre, Civic Drive ('Westgate') as part of a residential-led development (2,050 sq m net); c. IP048b west part of Mint Quarter as part of a mixed use residential development (4,800 sq m net); and d. Units in upper Princes Street (675 sq m net). <p>The former British Homes Stores, Butter Market, is safeguarded to include some future A1 retail provision.</p> <p>The Central Shopping Area is amended to extend to the south-west part way down Princes Street and contract at its western extend to exclude the former police station (site IP041) and adjacent housing.</p>	In response to question 72 of the MIQs.

			<p>Land is also allocated at the former Co-Op Depot, Boss Hall Road (315 sq m net), to meet the need for comparison shopping floorspace as part of the new Soughton Road District Centre. Development will be at an appropriate scale for a district centre in accordance with CS14.</p> <p>The allocations and the extent of the Central Shopping Area are illustrated on the policies map and the IP-One Area Inset policies map.</p>	
5.2	182	Policy DM32	<p>Modification to Policy DM32:</p> <p>Retail proposals for more than 200 sq. m net floorspace in locations outside defined centres will only be permitted if the proposal can be demonstrated to be acceptable under the terms of the National Planning Policy Framework (NPPF), particularly in terms of:</p> <ul style="list-style-type: none"> a. the appropriate scale of development; b. the sequential approach; c. avoiding significant adverse impact on existing Defined Centres, including any cumulative impact; and d. accessibility by a choice of means of transport. <p>Assessment of the retail impact of proposed development on the Central Shopping Area will only be required where the retail floorspace proposed exceeds 525 sq. m net.</p>	In response to question 74 of the MIQs.