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## Council response to representations made during the hearing sessions relating to EC5 – Location of Retail and Commercial Leisure Development

### 1) Introduction

The Council has prepared this statement at the request of the Inspector, responding to issues that were raised during the public hearing sessions. This statement relates to Policy EC5 and in particular the proposal to control the mix of town centre uses within defined Primary Shopping Frontages.

The Council considers that the Core Strategy is sound as submitted. However, it has suggested a number of minor modifications to the submission document which can be considered by the Inspector. These changes are designed to improve the clarity and consistency of the plan. These minor modifications are listed in Schedules of Minor Modifications [I3, I3i and I3ii]. The Council considers that none of these minor modifications, either individually or cumulatively affect the overall thrust of the plan's objectives or policies. They include minor editorial corrections, points of clarification, or are changes responding to points made by representors to improve the descriptive text relating to settlements.

**In addition** to the schedule of minor modifications, the Inspector has requested that the Council respond, without prejudice to its position that the Core Strategy is sound, to a number of further changes proposed by representors during the hearing sessions. Any changes resulting from these representations are not included in the Schedule of Minor Modifications at this stage.

This statement sets out the representors proposed change followed the Council's response to the representor's proposed change. The HM reference refers to an additional schedule of modifications, this set arising from changes proposed at the hearings.

### 2 a) Representors suggested modifications

At the hearing session Mr N Morgan suggested an alternative approach to controlling the mix of uses within Primary Shopping Frontages. Mr Morgan was concerned that the proposed policy, which seeks to ensure that no more than 30% of defined frontages in town centres is used for non A1 uses, is unduly restrictive and could result in higher vacancy rates in some locations. Furthermore, he considered that if any control is to be exercised, the policy should relate to floor areas and not building frontages as proposed. The following text (*italics*) was submitted by Mr Morgan as alternative wording for policy EC5.

*Within Primary Retail Frontages as defined on the Proposals Map, proposals that would result in more than 30% of the retail floorspace occupied in conjunction with the defined frontage being used for non A1 Uses will not be permitted.*

## **2 c) Council's response**

The Council considers that the policy should relate to 'frontages' not to floor space as suggested by Mr Morgan. Most of the defined Primary Retail Frontages include one or more retail units with comparatively large floor areas. In these cases, if the policy related to floor areas, it would be possible for a Primary frontage to incorporate a very small number of A1 shops with large floor areas and a very large number of non A1 uses with individual and collectively small floor areas. Such a scenario could comply with the suggested amended policy based on floorspace but would undermine the objective of the original policy to provide for mixed use Primary Shopping Frontages incorporating a high proportion of A1 uses.

Furthermore, the Councils approach, whilst primarily concerned with the *use* of buildings and how this use contributes to maintaining vitality and viability, is also concerned with *appearance* and how appearance, including the maintenance of shop display windows contributes to attractive, vibrant and healthy town centres. Changes in the appearance of the town centre are best managed by a policy which relates to frontages rather than floor space.

Finally, the Council considers that it is important to consider the practical application of any policy. Any policy which is based on floor space would be very difficult to implement.

Consequently, on reflection, the Council considers that its submitted policy is sound and does not support the proposed modification.

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