

**FURTHER STATEMENT – DAY 13 – THURSDAY 17<sup>TH</sup> JANUARY 2007**  
**RETAIL AND TOWN CENTRES (AM AND PM SESSIONS)**

**What part of the strategy is unsound?**

1. Policy SS1, Policy SS5 and Policy EC5

**Which test of Soundness does it fail and how?**

2. The strategy is inconsistent with national planning policy (test of soundness 4b) (Test of Soundness 6 – the strategies/policies/designations in the plan are not coherent and consistent with within and between DPDs prepared by the Authority). In addition, the strategy fails to represent the most appropriate in all circumstances, having considered the relevant alternatives, and they are not founded on a robust and credible evidence base (test of soundness 7).

**The Overall Strategy, Retail Hierarchy**

3. The identification of large town centres and small town centres fails to address the point made within the Economy Topic Paper (G4) which discusses the hierarchical approach to the distribution of retail uses within the adopted Local Plan where there is a presumption that most development should take place in two towns (Fakenham and North Walsham). The topic paper at paragraph 5.30 on page 36 states that “this approach does not recognise the individual and distinct roles that these centres play ...”.
4. PPS6 at paragraph 2.9 requires local authorities to ensure “*that there is a more even distribution of town centre uses and that people’s everyday needs are met at the local level*”. A single category of town centres will allow the market to respond more effectively to identified needs. Such an approach will also allow greater flexibility and,

therefore, the potential for a more even distribution of town centre uses.

5. Identification of large town centres and small town centres runs the risk of a similar outcome to that referred to in the Economy Topic Paper i.e. retail, leisure, commercial development being encouraged in the larger town centres of Cromer, Fakenham and North Walsham at the expense of the smaller town centres that may be more in need of facilities to service their respective catchment areas.
6. Related to the identification of large and small town centres is the policy reference to the need to identify retail opportunity sites to accommodate the established comparison goods need. The towns in which these sites are to be located are Fakenham, North Walsham and Cromer only i.e. the centres currently identified as large town centres. This is at odds with the content of Paragraph 2.7.22 which identifies the distribution of the comparison goods floorspace amongst all of the towns in the District i.e. Fakenham/Wells-next-the-Sea: 4,000 m<sup>2</sup> – 6,000m<sup>2</sup> ; Cromer/Holt/Sheringham: 2,000 m<sup>2</sup> – 5,000 m<sup>2</sup>; Hoveton/North Walsham/Stalham: 2,500 m<sup>2</sup> – 4,000 m<sup>2</sup>.
7. The wording of the policy as is will strengthen the draw of these larger town centres with little encouragement for retail floorspace and leisure facilities to be developed within the remaining town centres. Retail and leisure development must be encouraged in the remaining five centres to help maintain and strengthen the vitality and viability of those centres the key objective of PPS6 (paragraph 1.3). New development improves the attractiveness of town centres encouraging more visitors.
8. In the case of Stalham the extent of the town centre boundary has been reduced to exclude the former abattoir. Given the identified need for retail floorspace within the eastern part of the District and that a town centre designation can include appropriate commercial, employment or residential development, the town centre boundary

should be reinstated so as to present the widest range of development opportunities<sup>1</sup>.

### **Catchment Areas**

9. Policy EC5 defines for the purposes of the policy, catchment areas for larger town centres as being covered by a 20 minute drive time and for smaller town centres a 10 minute drive time, excluding those areas which are closer to an adjacent town.
  
10. Use of drive times is a poor and inappropriate way of defining catchment areas. Each centre is different and serves a different catchment area. Some catchment areas are more widespread than others. In North Norfolk the extent of a town's catchment area is heavily influenced by local topography. In the case of convenience goods provision in particular, a sustainable catchment area should be identified i.e. midway points between towns whether large or small. Day to day convenience goods should be available in the town closest to where a particular resident lives. The drive time catchment areas proposed by the Council favour large town centres. There is little reason why smaller town centres should not be in a position to provide for a very vast majority of day to day convenience goods needs rather than encouraging longer unsustainable journeys to larger centres.
  
11. Keeping local people shopping locally helps develop sustainable communities and encourages a vital and viable town centre. This is central to the government's objectives as set out in paragraphs 1.3 and 1.4 of PPS6 i.e. the objective for town centres is to promote their vitality and viability through planning for the growth and development of existing centres by focussing development in such centres and encouraging a wide range of services in a good environment accessible to all. Paragraph 2.9 of PPS6 makes it very clear that "..."

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<sup>1</sup> Indeed PPS6 makes it clear that local planning authorities should "...plan for the extension of the town centre to accommodate other main town centre uses." (Paragraph 2.5). Such uses include not only retailing but leisure facilities, offices, tourism uses and housing (see paragraphs 1.8 and 1.9).

*local planning authorities should consider whether there is a need to rebalance the network of centres to ensure that it is not overly dominated by the largest centres, that there is a more even distribution of town centre uses, and that people's everyday needs are met at the local level.” Local planning authorities are especially asked to consider “whether there is a need to avoid an over-concentration of growth in the higher level centres, ...”.*

12. The Council's approach to catchment areas will fail to achieve this. Indeed, if for example the 20 minute drive time catchment for North Walsham is considered (see page 24 of the Retail and Commercial Leisure Study 2005 – Document H5, a copy of which is provided at Appendix 1 of this document). Stalham is wholly included within the catchment. Stalham does not have a catchment outside of the town itself suggesting that those living around the town should be travelling to North Walsham for their day to day needs. It is not only retail provision that these catchment areas will affect, there are a range of non retail services that should be provided within town centres including restaurants, banks, building societies, and local public facilities such as libraries. This approach to catchment areas suggests that everything will be focussed on the larger centres at the expense of facility provision in the other towns.
  
13. The evidence on which this approach to catchment areas is flawed. There is no logic in establishing catchment areas in this way. Catchment areas must be defined on a case by case basis to properly address the needs and role and function of a particular town. Blanket 10 minute and 20 minute drive time catchment areas do not take into account particular local circumstances or the spatial distribution of centres which is clearly demonstrated through consideration of the 10 and 20 minute drive times illustrated for example on pages 24, 27, 34 and 37 of document H5 (attached for convenience as appendix 1 to this statement).

14. If reference to drive time catchments is to be retained within the policy, there ought to be recognition of the need for flexibility with particular reference to the inclusion of areas that do not fall within a defined drive time, ie. in the case of Stalham, there are coastal areas that fall outside of a 10 minute drive time, but which look to Stalham for convenience goods provision and everyday needs. Similarly, in the case of Sheringham, the town falls well within Cromer's catchment, i.e. a 20 minute drive time. Suggesting that those who live closer to or in Sheringham should travel a longer distance to Cromer for convenience goods provision for example does not represent a sustainable approach to the strategy for the District.
  
15. Policy CT5 of the Submission Core Strategy seeks to encourage development that will reduce the need to travel. Paragraph 2.8.8 refers to the Spatial Strategy having being designed to “...*reduce the need to travel by car through locating larger development in larger settlements.*” Reducing the extent to which people need to travel reflects the strategic approach set out in the Norfolk Local Transport Plan (Document E12). It is not clear how the Council's approach to catchment areas will achieve this. Application of the current catchment areas would see facilities that ought to be located in Stalham for example being focussed in North Walsham. The same situation would occur in the case of Sheringham and Cromer. This approach has not addressed the vision set out in the Norfolk Local Transport Plan or Policy SS6 and its supporting text.
  
16. Sustainable catchment areas should be considered on a case by case basis determined by local road networks, topography, provision in adjoining towns and the type of facility or floorspace proposed. Failure to do so will result in not only encouraging unsustainable travel patterns but will fail to promote social inclusion a central objective of the Government's wider policy (see paragraph 1.3 of PPS6).

## **Floorspace Thresholds**

17. The reference to specific floorspace thresholds considered to be appropriate within the primary shopping area of either a large town centre or a small town centre is too prescriptive an approach. Whilst Policy EC5 does include exception criteria for proposals that do not comply with the threshold or location, when numbers are specifically referred to in policy, the policy itself can be misinterpreted or misused to prevent development coming forward.
  
18. There appears to be no evidence base to support 749 m<sup>2</sup> as an appropriate floorspace threshold in terms of what might be acceptable in primary shopping area of the currently defined small town centres. It is equally possible that the Council has little knowledge of what might arise from such a limit or whether, if the market responded with them, they would be effective in delivering the goals of sustainability and self containment identified by the Council.
  
19. With respect to the misinterpretation and misuse of floorspace thresholds, the recent Tesco proposal at Sheringham is a case in point. The thresholds detailed within emerging policy EC5 were specifically referred to by members during discussions that took place. Although the decision notice has not yet been issued, emerging policy limiting floorspace in the smaller town centres was identified by members as a reason for refusal of an application that was found by the Council's own retail consultants to be acceptable against the tests contained within PPS6. These tests are contained within policy EC5 as exception criteria and should therefore have been considered as part of the decision process. The Council officers agreed with their consultant and subsequently recommended approval. The references to floorspace thresholds should be removed as although the intention of the policy is to allow for flexibility it has been clearly demonstrated that in attempting to apply the emerging policy to a live case, there has been a failure to appropriately implement it.

20. The test of scale contained within PPS6, which should be included within Policy EC5, provides the basis on which to assess the scale of the development proposed i.e. *“is it directly related to the role and function of the centre and its catchment.”*(PPS6 paragraph 2.41).
21. PPS6 with respect to identifying the appropriate scale of development states that: *“The aim should be to locate the appropriate type and scale of development in the right type of centre, to ensure that it fits into that centre and that it complements its role and function”* (paragraph 2.41). The focus here is to ensure that the opportunities identified are directly related to the role and function of the centre and its catchment. Reference to words such as these is a more appropriate approach to identifying the scale of development that may be appropriate in a particular centre. Whilst PPS6 at paragraph 3.12 states that *“an indicative upper limit for the scale of development ... may be set out in development plan documents”* the guidance does not suggest that this must be the case. Critical to this statement and the similar statement contained within paragraph 2.42 of PPS6 is the reference to *“indicative upper limit”*. The Council’s inclusion of a figure within the policy itself is not setting an indicative upper limit, its application is prescriptive. An indicative figure cannot be included within a policy. At best, if a floorspace figure is to be referred to it should be referenced as an example within the supporting text to the policy.
22. A more appropriate and flexible approach is to make use of the words contained within paragraph 2.41 which will allow and encourage development that reflects the role and function of the centre in question rather than the use of floorspace figures that are prescriptive and do not appear to have been based on an evidence base.

### **Primary Shopping Areas and Frontages**

23. Policy SS5 identifies primary shopping areas and primary retail frontages within the central areas of the District’s towns. The inclusion of the two Tesco stores within the primary shopping area identified for

Stalham and Fakenham is welcomed. This recognises that the two stores play an anchor role to the town centres and function as part of them.

### **Retail and Commercial Leisure Development Policy EC5 – Exception Criteria**

24. The inclusion of the four tests (exception criteria) set out in PPS6 against which applications that do not comply with the scale of development permitted within the policy are required to meet is supported. However it is maintained that the prescriptive floorspace thresholds should not be included within the policy and that the test of scale should be added to the list of criteria against which any retail or commercial leisure proposals can be assessed.

### **How the Strategy can be made Sound?**

#### Policy SS5

25. The third paragraph of the policy on page 43 of document I5(i) should be amended to refer to “*town centres*” only; not to Large and Small town centres. The first paragraph on page 44 of the same document should be deleted.
26. The last paragraph on page 44 should be amended to include the remaining town centres and therefore reflect the distribution identified at the end of paragraph 2.7.22.

#### Policy EC5

27. The two tables, Retail Proposals and Commercial Leisure Proposals which impose floorspace thresholds with respect to acceptable development within large or small town centres should be deleted.
28. The text below the table on Commercial Leisure Proposals that reads: “*For proposals that do not comply with the above it is demonstrated that...*” should be deleted and replaced with: “*Proposals for Retail and Commercial Leisure development within the defined Primary Shopping*”

*Areas will be permitted where the scale is directly related to the role and function of the centre and its catchment. Where development of a scale appropriate to the role and function of the centre and its catchment cannot be accommodated within the primary shopping area it must be demonstrated that:*

- *A need exists within ..”*

**APPENDIX 1**

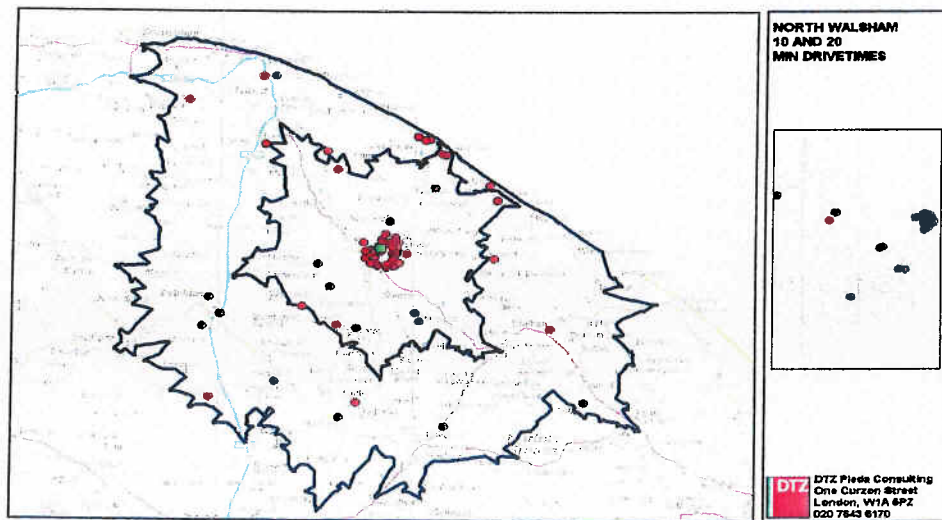
**FURTHER STATEMENT – DAY 13 – THURSDAY 17<sup>TH</sup> JANUARY 2007**

- **Retailer Requirements** – There are six recorded requirements from businesses for representation in the town.
- **Size Of Units** – There is a poor supply of larger units in the town to help meet (and generate) demand from national multiple operators. Stores such as Sainsburys, Lidl and Roys are all based in larger units, but they are located away from the Market Place.

*(ii) Centre Survey*

- **Catchment Area** – The majority of North Walsham's shoppers live within either the 10 minute (62%) or 20 minute (20%) catchment. This highlights the fact that the town primarily serves the local population and is not as significant a tourist/visitor destination as other centres in the District.

Figure 3.9: North Walsham catchment area



- **Reasons for Visit** – Work and business trips are the main reasons why people visit the town centre.
- **Eating and Drinking** – The majority of shoppers do not combine their trips with a visit to a café, restaurant or bar. This is partly due to the fact that the centre has a more limited role as a tourist/visitor destination, along with the fact that it has a limited provision of cafés and restaurants.
- **Mode of Travel** – North Walsham is attracting a good mix of visitors travelling by different modes. Although the majority of respondents (56%) travel to the centre by car, over 38% also walk to the centre.
- **Frequency of Visits** – North Walsham attracts more frequent trips than any of the other centres in North Norfolk. Over 72% of people indicated that they visit the centre once a week or more, compared with the all centre average of 56%.
- **Attractions** – People mainly visit the town centre because it is close to where they live or work. Respondents also stated that it has an attractive environment, and a good choice of shops.

Figure 3.10: Centre Rankings

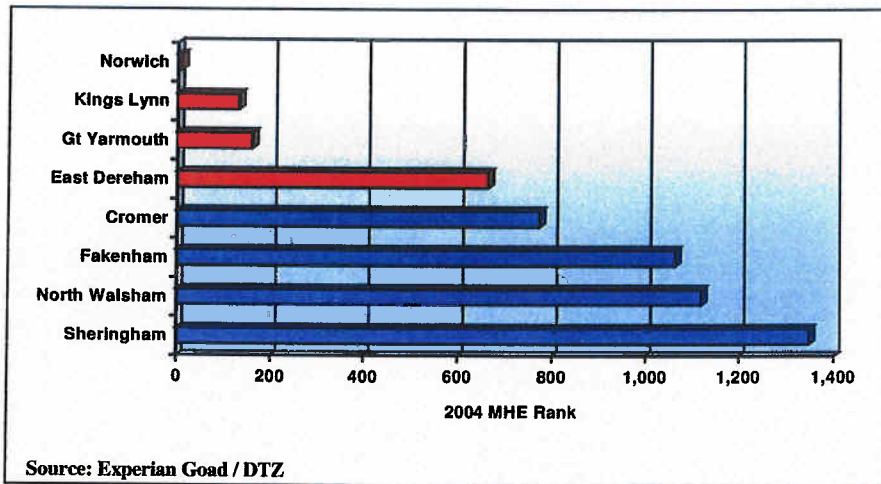


Figure 3.11: Leisure offer (% of outlets that are cinemas, clubs, etc.)

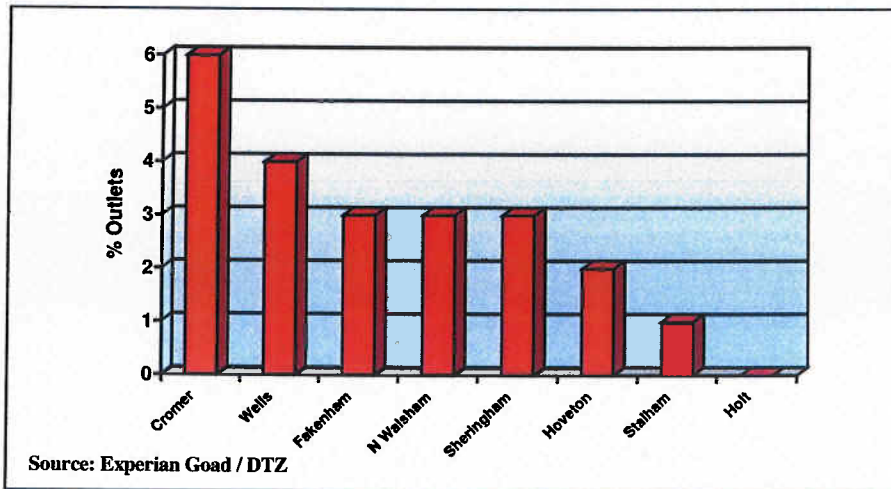
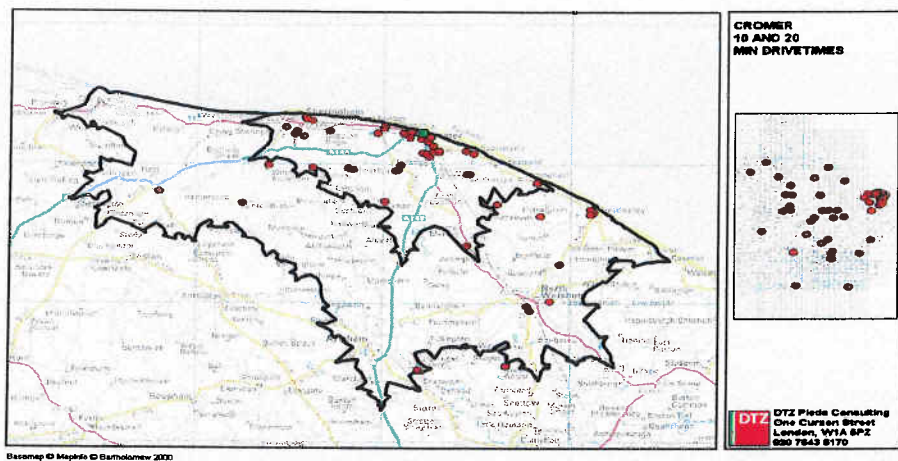


Figure 3.12: Cromer's catchment area

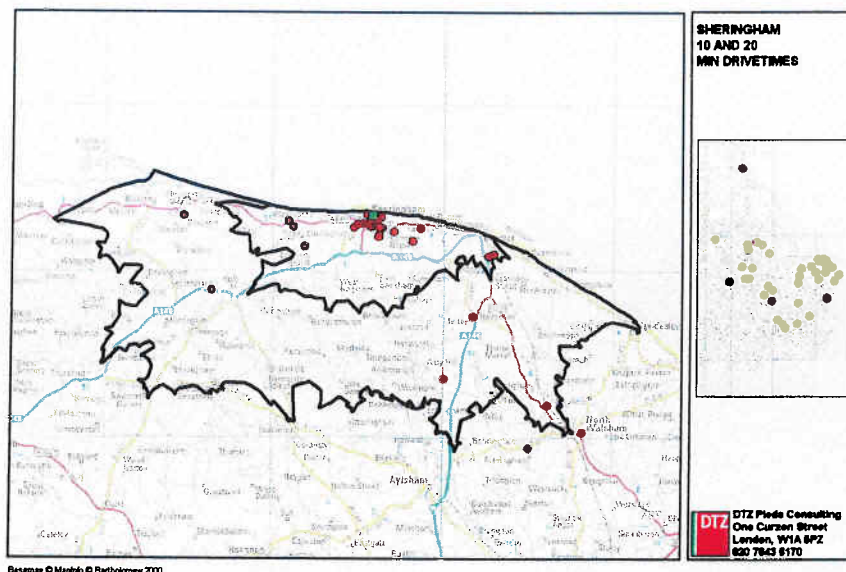


- **Cafés, restaurants and bars** – The town has an under-provision of quality eating and drinking establishments. There are several small cafés within the town centre, as well as a number of public houses and fast-food outlets. These primarily cater for daytime trips and not those going out to eat or drink in the evenings.

**(ii) Centre Survey**

- **Catchment Area** – According to the survey, Sheringham draws approximately 40% of shoppers from its 10 minute catchment, but a higher proportion (58%) live outside the 20 minutes catchment (see Figure 3.18). This reflects the centre's important role as a tourist and visitor destination.
- **Reasons to Visit** – The most popular reason for visiting Sheringham is for tourism / day trips (31% of respondents), which is higher than the 'all-centre' average of 20%. The town is also popular for food and non-food shopping.
- **Eating and Drinking** – Over 55% of respondents stated that they did not intend to stop for something to eat or drink in the centre as part of their trip. Those who were eating or drinking in the town centre generally visited its cafés and fast food outlets. This reflects the town's relatively poor choice of restaurants.
- **Mode of Travel** – Nearly 67% of respondents travel to Sheringham by car, compared with the all-centre average of 65%. A further 25% walk to the town, reflecting its appeal to the local population.
- **Frequency of Visits** – Almost 45% of people visit the centre once a week or more, compared to the all-centre average of over 56%. Some 30% of respondents also visit Sheringham once or twice a year, compared with the all-centre average of 18%. This reflects the town's wider draw of tourists and visitors.

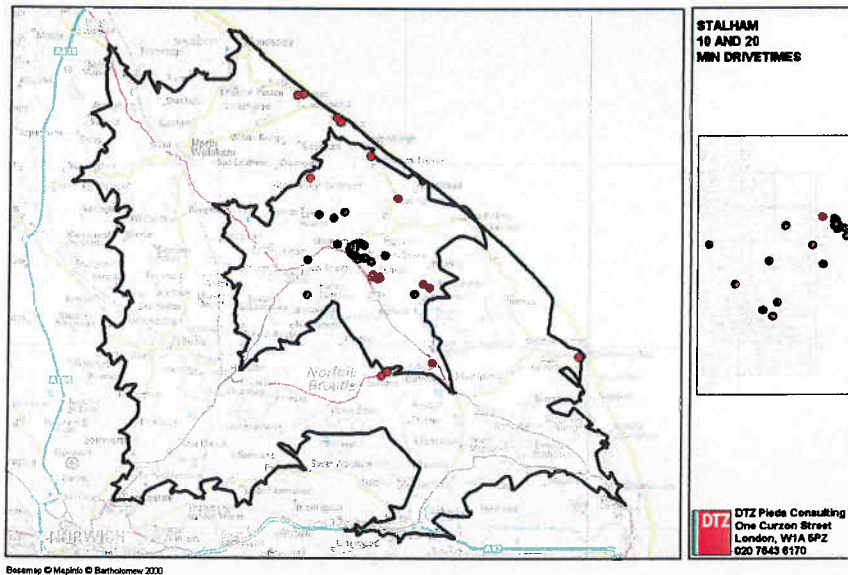
**Figure 3.18: Sheringham's catchment area**



(ii) Centre Survey

- **Catchment Area** – Stalham primarily attracts shoppers from its local area (see Figure 3.20). The survey results indicate that 71% of shoppers live within the 10 minute catchment and 11% live within the 20 minute catchment. Therefore the centre only attracts a small proportion (c.18%) of tourists and visitors.

Figure 3.20: Stalham's catchment area



- **Reasons to Visit** – The main reason for visiting the town is to undertake top-up food shopping (25% of respondents). At the time of the survey less than 2% of people were visiting the centre for their main-food shopping only. It is important to note, however, that no interviews were conducted at the new Tesco store, which is an important main 'bulk' food shopping destination. Therefore, DTZ consider that the low proportion of people indicating that the main reason for their visit was to carry out their main-food shop could indicate the relatively poor linkages between the Tesco store and the rest of the town centre. In other words, only a small proportion of those interviewed in the town centre had been, or were visiting, the Tesco store as part of their trip.
- **Eating and Drinking** – The majority of respondents (70%) stated that they did not intend to stop for something to eat or drink as part of their trip to the centre. This reflects the fact that there is an under-provision of cafés and restaurants in Stalham.
- **Mode of Travel** – Nearly 40% of respondents walk to Stalham, compared with the all-centre average of 26%. This confirms that the town primarily serves its local resident population.
- **Frequency of Visits** – Over 84% of respondents stated that they visit the town once a week or more, benchmarked against the all-centre average of 56%. This again confirms the town's role as a frequent destination for convenience shopping and service-based trips.