



Mr Richard Canovan
Communities and Local Government
Planning for Business Team
Zone 1/J3
Eland House
Bressenden Place
London, SW1E 5DU

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Dear Richard,

BCSC response to 'Consultation paper on a new Planning Policy Statement 4: Planning for Prosperous Economies' and accompanying Good Practice Guide

BCSC represents businesses operating in the retail property sector, our mission being to promote industry best practice and advance the professional aims of the retail property industry. Our membership is a broad church of nearly 3,000 property professionals including owners, developers, retailers, surveyors, architects and public sector managers.

We welcome the new Planning Policy Statement (PPS) 4: Planning for Prosperous Places and the accompanying Good Practice Guide. Specifically we endorse the intention of Government to make the current 'town centres first' policy more effective, and we support a plan-led approach to encouraging the right business in the right place, including through assessing need, identifying locations for growth and encouraging development in town centres. We agree that more emphasis should be put on making sure that viable town centre sites are used before less central sites (the sequential approach). We also support the firm application of an impact assessment so that any significant adverse effect on one or more types of impact should be a basis for refusal of out-of-centre schemes that are not in line with the local development plan.

However, we do also have some concerns about the new policy. Given the Government's commitment to making the 'town centres first' policy more effective in delivering vital and viable town centres we recommend that the new policy statement should:

- recognise explicitly that cities and towns, especially their centres, are the key drivers for the local, sub-regional, regional and national economy;
- endorse the Government's strong 'town centres first' policy, which seeks to focus town centre uses – shops, offices, leisure and entertainment, arts, culture and tourism – in existing centres;
- present a vision of where and how growth should be accommodated; and
- provide definitive guidance for effective 'pro-active plan making' and 'development management'.

We consider that the new PPS and its Guidance needs:

- a new opening section which presents a much clearer and stronger vision that will inspire confidence to invest in town centre developments. The vision should clearly present where new development should happen, recognising that city and town centres are the key drivers of prosperous economies and prosperous places. We are of the opinion that consolidation of the four policy documents has diluted the 'town centres first' focus;

- to be more accessible and user friendly. The PPS should be easier to read not only by planners, lawyers and consultants, but also by councillors, developers and local residents. Therefore there is a need for a linking narrative which helps readers understand better what the policy is trying to achieve in direct language. This will make the document easier to read while providing robust planning policy guidance for all key stakeholders;
- to be clear so that all readers are able to understand how it should work and what they need to do;
- to be more effective in delivering the intended outcome which in our opinion must be an increasing share of new development in town and city centres. In particular we believe there needs to be a focus on measuring the effectiveness of the new policy statement by committing to provide the data essential to both planning and managing development, and to measure the results;
- further explanation either through the policy or guidance document of the application of proportionality, either explicitly or through the use of examples; and
- to provide clarification on the role and status of the guidance document.

Despite the Government's public commitment to a 'town centre first' policy the current policy performance has not improved markedly since 2000 and only about 40% of new retail floorspace has been in town centres. Our industry has been a critical partner in delivering this level of new retail floorspace with a number of large city and town centre shopping centre developments delivered over the last ten years.

We therefore urge the Government to commit to raising performance by setting a target to increase the proportion of new retail floorspace in town centres. We believe this target should be ambitious. Our initial feeling is that it should be to raise the proportion of new retail floorspace in town centres to 50% by 2020. This will require greatly improved information for retail planning using Government data sources, both for planning and monitoring performance.

We consider that, although the draft PPS captures the policy content of PPS6, it needs further improvements to present the Government's vision for city and town centres, including smaller towns, district and local centres. This will inspire councils, developers and local communities to ultimately improve the performance of the policy in securing a higher percentage of new retail floorspace in town centres.

We have expanded on our position in our formal response below, and have included our response to the Good Practice Guide at Annex A. We would very much welcome the opportunity to discuss these comments with you further.

Yours sincerely,



Edward Cooke
Executive Director, BCSC

Cc. Rt Hon Rosie Winterton MP, Ian Lucas MP, Dr Phyllis Starkey MP

BCSC DETAILED COMMENTS

This new document should provide a statement of where and how economic development should be encouraged in England – it is trying to encourage the right business in the right place. As referred to above we believe it needs to:

- recognise explicitly that cities and towns, especially their centres, are the key drivers for the local, sub-regional, regional and national economy;
- endorse the Government's strong 'town centres first' policy, which seeks to focus town centre uses – shops, offices, leisure and entertainment, arts, culture and tourism – in existing centres;
- present a vision of where and how growth should be accommodated; and
- provide definitive guidance for effective 'pro-active plan making' and 'development management'.

Recommendation: At present the economic rationale for focusing economic development in town and city centres is not included in the main body of the text, but in 'Part 1: Introduction' which will not be in the final text. The 'Introduction' section needs to be expanded to present a much stronger rationale for the preferred spatial distribution of development.

The current document does not yet achieve these key characteristics:

1. **Visionary:** The vision is not explicit and the spatial focus is diluted by general, aspatial objectives – since this is a planning policy statement the Government's objectives should be expressed in planning terms. Focusing development on town and city centres is the best means to achieving many of the objectives. The spatial development strategy needs to be clearer.

Recommendation: The document needs to paint the picture and inspire the stakeholders to deliver the right business in the right place.

2. **Accessibility and user friendliness:** The introduction does not set the scene/vision strongly enough: the policy sections are very dense, policy-rich reads, but without any continuity or narrative to guide the reader it will effectively limit the readership to a specialised group of planners, lawyers and consultants. It should communicate with all key stakeholders.

Recommendation: From the vision and objectives in the 'Introduction', the reader needs to be led through the document by having a narrative at the beginning of each section, signposting what the section is trying to do and where it is going.

3. **Clarity:** As a PPS, the document needs to be both clearly expressed, while being legally robust. This is a challenge, especially when so much investment is involved, but the policy must be understood by all the key stakeholders.

Recommendation: The clarity of the message – the purpose as well as the policy – needs to be clear and unambiguous. The document should be aimed at a wider audience, be readable, and the technical sections need to be clear about their purpose, so all stakeholders fully understand what the policy is trying to achieve.

4. **Effective in delivering intended outcomes:** There is concern about the effectiveness of the current policy and how the new policy will work, following the proposed demise of the need test and the increased reliance on assessing impact. BCSC welcomes the intention to strengthen sequential testing and to reject out-of-centre schemes which fail key impact tests.

Recommendation: If the intention is to ensure that the ‘town centres first’ policy delivers an increase in the proportion of new floorspace that is in town centres, then the policy must be explicit about how the sequential approach will be operated as a ‘gateway’ – proposals that fail will not need to be tested any further – and that failure on any of the key impact tests will also mean that applications or appeals will fail. The Government should set a target for improving performance.

Part 1: INTRODUCTION

BCSC is concerned that this will not appear in the final version. There are some very important messages in this part of the document, which, if it is dropped, should be captured and retained for the revised document, especially the importance of:

- the planning system providing investors with confidence by providing certainty about where they will be encouraged to invest and the assurance that the policy will be applied consistently;
- city and town centres as key economic drivers of the local, regional and national economy;
- basing policy on an understanding of the needs of business;
- town and city centres as key economic drivers and the focus of community life; and
- planning positively for growth and change.

Part 2:

This needs a strong vision at the front with a strong town centres first message. The sections on ‘Plan-making Policies’ and ‘Decision-making Policies’ need:

- a general introduction;
- a one paragraph special introduction of their own; and
- each policy needs a few lines of explanation.

This is essential to introduce them and provide continuity/a narrative to help the audience understand the document and widen the readership.

1. INTRODUCTION

This needs to present the vision – promoting the right business in the right place, with a strong emphasis on town centres as the preferred location. This could be set out at the beginning (i.e. para 3).

The Government's Objectives for Prosperous Communities

This section needs to be restructured to differentiate between general and spatial objectives and a much greater emphasis/higher ranking given to town centres.

This would involve para 6 sectioned into two separate paragraphs as:

- **general objectives** – sustainable economic growth, productivity growth and building prosperous communities, with additional objectives to:
 - “promote the right business in the right place, especially in town centres”;
 - build prosperous communities;
 - deliver more sustainable patterns of development;
 - promote high-quality and inclusive design; and
 - improve accessibility.
- **spatial planning objectives** – the key objective is focusing development in town centres, through which many, if not all, of the other objectives are achieved – improved economic performance, more sustainable patterns of development and improved accessibility.

Promoting the vitality and viability of town centres should then be the primary spatial policy objective, followed by a separate paragraph on the other objectives that the Government wants to achieve.

It is not clear, however, what the reference to “other centres” means – does this mean promoting places that are not town centres?

BCSC considers that this section should leave the reader with a strong town centres first message. At present this message is buried where it needs to stand out as the main message.

2. PLAN-MAKING POLICIES

This needs an introduction which describes:

- plan-led approach (c.f. paras 2.1 – 2.3 of PPS6);
- the plan-making process; and
- how policies EC1 to EC12 contribute to getting the right development in the right place.

It should also flag up the role of the Good Practice Guidance.

3. DECISION-MAKING POLICIES

This needs an introduction which describes:

- the approach to business uses in different areas; and
- the approach to the assessment of town centre uses outside town centres, with developers of such schemes needing to demonstrate that there are no more central sites that could have been developed and, if they succeed in this, demonstrating that such proposals will not have any significantly adverse effect on existing centres.

SPECIFIC COMMENTS ON THE POLICIES

EC.1: Using the evidence to plan effectively

BCSC welcomes the emphasis on an evidence-based approach to plan and policy making, but particularly the need for this to be proportionate to the scale of the issue.

Recommendation: There is a major need for the Government to provide data, especially floorspace data, at national, regional, sub-regional, local authority and centre level for plan-making, decision-making and for monitoring. The Government has the data and should now, in consultation with the retail planning industry, release data annually at each of these levels to assist plan-making and decision-making, but, more importantly, to monitor policy performance at all levels.

EC1.1 This reference to flexibility could refer to land and buildings.

EC1.2: Regional evidence base

- 3: When considering the need for additional floorspace, there is a need, especially for offices, to take into consideration changing employee densities (sqm/employee) and for retail, the changing sales densities (sales/sqm) due to changes in productivity – this should be covered in the Good Practice Guide (see also EC1.4(4c) and EC1.5 (1)).
- 5: Locations of deprivation are essentially local areas and should be dealt with at the local, not regional level.

EC1.3: Local evidence base

- 2: The use of employment land reviews to identify sites for town centre uses should be explicitly mentioned, as this is perhaps more specialised and may require a fuller assessment in preparation for sequential testing.

The policy should be more explicit about the evidence needed of the suitability, availability and viability of possible sites in or close to town centres to inform the sequential test (see EC1.3 (2) and (4)).

EC1.5: Need for new office floorspace (see EC1.2(3) above)

PLAN-MAKING AT REGIONAL LEVEL

EC2: Regional planning for prosperous economies

EC2.1(4) This is essentially about agglomeration benefits of clusters of specialised businesses and complementary uses – this could be expressed more positively.

Line 3: Change “compatible” to “complementary”.

- EC2.2(1)** Might floorspace targets be more appropriate?
- EC2.2(4)** Distribution, consolidation and break-bulk – there will increasingly be a need to plan positively for these facilities to supply retailers in regional level and in major cities. Regional strategies will need to identify broad locations for such facilities.
- EC3: Regional planning for town centres**
- This section needs an explanation/rationale for the focus on town centres.
- EC3.1(4)** Most of the examples given are not strategy of a regional or even sub-regional scale.
- EC3.1(6)** Is this in the correct place? Is it about regional plan-making and/or local development frameworks?

PLAN-MAKING AT LOCAL LEVEL

EC4: Local planning approach to economic development

It should be made clear that this policy only applies to uses which are not town centre uses, for which choosing a town centre location is a requirement and not a lower priority than re-using previously-developed land.

There is a strong need to plan more positively and proactively for distribution, especially retail distribution, including consolidation/break-bulk facilities for larger towns and cities.

- EC4.1** The reference to rural areas in the introduction is a misleading diversion and should be a footnote.
- EC4.1(3)** The types of sites that need to be safeguarded/allocated in the local development documents need to be specified to encourage local planning authorities to plan positively for them. They may include distribution/consolidation centres, railway sidings, river/canalside wharves, etc.
- EC4.1(5)** Line 3: Change “compatible” to “complementary”.
- EC4.1(7)** The tests for sieving existing allocated employment sites are not just, need and reasonable prospect of take-up within the plan period, but also sustainability – is this a sustainable location for the proposed use? This is particularly the case where out-of-centre sites have been allocated for offices, leisure, tourism and shopping.
- EC4.2(1)** This policy must be realistic in the number, scale and location of sites. This year’s fashion is tomorrow’s albatross. Relying unduly on inward investment may be equally unrealistic. What is needed is a robust and responsive strategy.
- EC4.2(5)** Strongly support the need to identify, protect and promote key distribution networks, although this needs unpacking. The retail sector needs several types of distribution

centres – regional distribution centres for delivery directly to the firm’s retail outlets, such as supermarkets, and consolidation/break-bulk distribution centres which allow final delivery to be made by appropriately sized, more environmentally-friendly vehicles. Both types of distribution facilities require a proactive approach to allocating sites.

EC5: Local planning approach to town centres

BCSC strongly supports the policy in this section, but considers that additional policies are needed to:

- promote and strengthen district and local centres to ensure that they maintain a full range of day-to-day shops and services (a new policy after EC5.1(1)(4)); and
- identify the need for additional comparison and convenience shopping floorspace for each 5-year phase of the local development framework.

EC5.1(1) The local development framework will define the network and hierarchy of all types of centres, not just the lower-order centres, albeit that the higher-order centres will be those ascribed that status in the regional spatial strategy.

However, the local development framework needs to designate and support district and local centres, which they should be seeking to promote and strengthen to ensure that they can properly play the role assigned to them.

EC5.1(7) Welcome the concept of thresholds for edge- and out-of-centre developments that would require an impact assessment.

EC5.1(8) Strongly welcome early assessment of possible town centre sites and proactive approach to allocating sites for town centres uses – a much more proactive approach is needed to identifying (and promoting a realistic mix of uses on) the more central sites.

EC5.1(9) What are “flexible town centre policies”? This is cryptic and could be misconstrued and/or abused. Flexibility in terms of being able to respond to unexpected availability of town centre or even edge of centre sites. Changes to the designated town centre networks and hierarchies can be handled through the review of the development plan. It is not clear what flexibility would be required that cannot be handled by plan review, which can be handled much more quickly than the first round local development frameworks.

EC6: Local planning approach to planning for consumer choice and promoting competition for town centre development

Is this also meant to be about competitive town centres, where choice increases competitiveness? This issue needs to be better articulated.

Should this section include policies for diversifying the evening economy? (See EC8)

EC6.1(2) This needs to cover strengthening district and local centres to more effectively perform their role of meeting the day-to-day needs of their local community.

EC7: Site selection and land assembly for town centre uses

EC7.1(6) The list of “other considerations” need some qualification as there is a tendency to over-claim and double count the benefits, such as:

- use of previously-developed sites – this can be disregarded - all town centre or edge-of-centre sites and even out-of-centre sites are likely to share this characteristic – location is the key means of discriminating between proposals. Reuse of previously-developed land in the wrong place is hardly likely to sway a decision. Delete this criterion.
- employment opportunities – any increase in employment would accrue wherever a development is built – again if there is a choice of location the more central one should prevail. There is a need to standardise how this is measured and to be critical about claims that are made.
- increased investment in the area – similarly to employment better located development should be the first priority.

Given that it is suggested that these factors “may be material to the choice of appropriate locations for development”, there needs to be better evidence about whether these are key factors in choosing the appropriate location for development. This policy is likely to be exploited to try to justify out-of-centre development. BCSC considers that the introductory wording to this part of the policy should be revised or heavily qualified to ensure that these matters are unlikely to outweigh the other more important factors to be considered.

EC7.2 Scale

BCSC welcomes the positive guidance in this policy to plan for large-scale developments in the town or city centre, or, failing that, on the edge of the centre.

EC7.3 Sequential approach to site selection

BCSC strongly welcomes the clarity of the guidance (except where stated otherwise), and welcomes the emphasis of a plan-led approach to bringing forward sites.

EC7.3(1) This gives very clear guidance to local planning authorities for selecting town centre sites, except for stage c) where the sites are unlikely to be “close to the centre and have a high likelihood of forming links with the centre”. This phrase should be deleted.

EC7.3(2) The “needs of deprived areas” needs to be clarified – it should be for the type of retail being offered.

EC7.3(3) The need to cater for a range of business models needs to be qualified – business models may need to be adjusted, such as to be multi-storey and to put some of the parking under the store, rather than insist on single-storey buildings surrounded by large car parks.

EC7.4 Assessing impact

BCSC considers that it is essential that the same tests that will be applied to unplanned sites are applied to those brought forward through the development plan.

EC7.4(4) The level of detail of any impact assessment needs to be proportional to the scale of the development. Scale is the most important factor.

EC7.5 Accessibility

This needs more unpacking, especially to define relative accessibility of edge-of-centre sites, and in all cases recognising whether the relative accessibility in terms of frequency of services, whether services would go into or to the entrance of the site.

EC8: Managing the evening and night-time economy in town centres

The need for additional leisure and entertainment facilities should be assessed as part of the plan-making process, as well as the capacity and suitability of town centres to accommodate it. Suitable areas should be identified as well as supporting infrastructure and management arrangements.

EC8.1(2) Line 2: After “based on” add “an assessment of the need for additional facilities,”

EC10 Car parking for non-residential development

This section does not recognise the need to tailor the policy to places, especially the particular circumstances in town centres, where:

- there is a need for a town centre parking strategy (c.f. PPG6);
- major town centre retail developments can provide short-term car parking for the town centre as a whole, not just for the development. In such circumstances, car parking standards can be more generous than out-of-centre retail and leisure developments; and
- car parking provision in out-of-centre locations should avoid encouraging car use.

This section should provide a positive policy framework for Policy EC17 – at present it is too vague.

EC11: Monitoring

Regional planning bodies and local planning authorities should monitor the performance of their policies in terms of:

- the location of new town centre uses (retail, leisure and entertainment, offices, etc) in terms of the proportion of new floorspace within town centres, in edge-of-centre and out-of-centre locations (at regional, sub-regional and local levels)

DECISION-MAKING POLICIES

EC12: Planning applications for economic development

EC12.3(1) “consider such proposals”.

EC12.3(2) Line 2: change “demonstrable” to “significant” harm – demonstrable is a 1980s concept.

EC12.3(3) Change “other than for town centre” to “such”.

EC13: Village and local centre shops and services

The order should be changed to “Local centres and village shops and services” – this is the only reference to the lowest order centres. Leading with villages and frequent reference to “rural” might mean that planners in urban areas will fail to spot that this is for them.

This policy should be in the plan-making section

The policy fails to grasp the big picture – local centres are the basic building blocks for sustainable communities, in both urban and rural areas. The availability of a wide range of services to meet day-to-day needs is essential to ensure sustainability and secure social inclusion objectives, especially in deprived urban areas and in rural areas.

LDFs should have a strategy for local centres to ensure that they are strengthened and the range of day-to-day facilities maintained and increased, using a range of the Council’s powers, not just planning. (See PPS6, paras 2.55-59, especially 2.57-58, as well as 2.60-64).

The range of local services that need protection and may need intervention by the local authority to maintain and enhance them using their non-planning powers (e.g. well being powers), and not just in rural areas, include pharmacies, GP surgeries, ATMs, community facilities/ halls, etc.

The range of basic services for local centres in urban and rural areas could include:

- food or convenience store
- newsagent

- pharmacy
- post office
- bank
- off licence
- takeaway, café or restaurant
- pub
- hairdressers

This list – or a longer one – could be part of the health checks for local centres.

All references to “village” and “rural” could be deleted – the issues apply equally to local centres in urban areas.

EC15: Local development frameworks: tourism in rural areas

It is important to support the provision of tourism and visitor facilities in urban areas, especially in town centres. The policy needs broadening to cover tourism facilities in urban and rural areas or there should be a separate policy for urban areas.

EC17: Application of car parking standards for non-residential development

There is a need for clearer guidance on out-of-centre developments to avoid high levels of car dependence for access. Any proposals for further expansion of out-of-centre developments should seek to increase significantly the non-car share of customers and limit any further car parking provision.

EC18: Supporting evidence for planning applications for main town centre uses

Town centre uses in out-of-centre locations that are not in accord with the development plan and where the development plan has not made provision for sites and expressly seeks to discourage such out-of-centre uses, should perhaps be refused. The first ‘gateway’ should be the development plan.

If the development plan has made provision for additional development in more central locations, offering the developer the chance to prove that they could not find a more central site, after having demonstrated flexibility with regard to format, design and parking, is unnecessary.

There are issues about whether the applicant is best placed to provide some of the evidence on impact. It is quite likely that the local planning authority may have to commission its own assessments.

EC18.2 The scale of development that is “significant” will depend on the scale and role of the centre, although the qualification that it “would substantially increase the attraction of the centre” does help describe the circumstances.

EC18.5 Does this policy apply to offices, tourist and cultural attractions?

EC19: The consideration of sequential assessments for planning applications for town centre uses

BCSC strongly supports the Government's town centres first policy and recognises that the sequential approach to site selection is essential to seek compliance with the policy. Demonstrating that all more central options have been thoroughly assessed is critical to securing an increase in the proportion of new retail floorspace being built in town centres.

BCSC understands that the sequential approach will be a 'gateway' test – if a proposal fails this test, there will be no need to go any further with the assessment. Hopefully this will authority has reviewed all potential sites in the plan-preparation process or in the regular land reviews.

Since the assessment of sites will be crucial for both applicant and local planning authority, the importance of this test will need to be more clearly expressed in the final version of the PPS.

EC20: The impact assessment for planning applications for town centre uses not in accordance with the development plan

BCSC supports the use of an impact assessment framework, which should enable decision makers to identify those impacts which are most significant.

Given that for many indicators the local planning authority is trying to assess the likely impact, reference to 'the impact' is too definite. The test, according to the courts, is the likelihood of causing harm rather than a precise measurement. This qualification is needed in EC20.1(b), (c), (f) and (g). (Compare existing PPS6 para 3.22 and para 3.19(f) of the previous proposed changes, the policy should ask for evidence of the effect that the proposal is likely to have.)

BCSC strongly supports the proposal that failure on one or more of the criteria in policy EC20.1(3) should result in failure of the proposal, and only if the proposal passes these tests should the wider considerations in EC20.1(4) come into play. If this is the intended method of operation, this needs to be made explicit. (See E21.1(2))

There needs to be a cross reference to the Good Practice Guide at this point.

EC20.1(1) There is an issue about whether the applicant is best placed to undertake some of the assessments.

EC21: The consideration of planning applications for the development of town centre uses not in a centre nor allocated in an up-to-date development plan

BCSC strongly supports the approach to assessment set out in this policy, as this should ensure, when combined with a firmly applied sequential approach, that the town centres first policy is more effective than it has been to date.

EC22: The consideration of applications for extensions to existing town centre developments in edge-of-centre and out-of-centre locations

BCSC strongly supports the same tests being applied to all additional floorspace not in town centres, whether it is a new freestanding development, an extension or a mezzanine floor.

The title should make clear that the policy relates to:

- ‘town centre uses’ rather than ‘developments’ as the latter would suggest that the development is in the town centre; and
- ‘additional floorspace’ rather than ‘extensions’, which includes not only extensions but also mezzanine floors.

This would require amendments to the title and EC22.1, although it is reflected in EC22.2.

EC24: The effective use of conditions for town centre uses

This repeats what is in paras 3.31 and 3.32 of PPS6.

CONSULTATION QUESTIONS

1. **Do you support the consolidation and streamlining of national planning policy on economic development into a single policy statement? What do you think are the costs and benefits?**

BCSC is concerned that consolidation and streamlining, as in this draft, would have unintended major disadvantages, namely:

- **Consolidation: loss or dilution of a strong spatial vision**, as it introduces non-spatial objectives as the primary objectives before providing a clear spatial/locational objective – promoting the vitality and viability of town centres. A clear vision is essential for capturing the reader; and
- **Streamlining: loss of vision, narrative and continuity, with a focus on ‘shrink-wrapped’ policies, makes this a difficult read.** With a stronger vision and the introduction of short linking narratives at the beginning of each section and sometimes for groups of policies (e.g. the assessment of proposals), this could become a much more readable document. At present its lack of user-friendliness would limit its readership to planning consultants and planning lawyers – it should be able to explain the policy to much wider readership, including planning officers, members of the local planning authority and the general public.

BCSC considers that both these problems can be overcome by taking out paragraphs 1-5 and putting them in an annex and starting with a strong spatial planning vision, with a strong emphasis on locating development in town centres, while making clear that it covers the whole range of centres from city centres to local centres and villages.

At present the cost is the loss of vision and loss of an audience. There is no point in having a strong vision and policy, such as town centres first, if the document fails to convey it and if the document is not accessible, then consolidation and streamlining will prove counterproductive.

BCSC strongly urges making the document have a clear vision and sufficient narrative to help it reach a wider audience than just planning consultants and lawyers.

- 2. Does the draft Statement include all that you understand to be policy from draft PPS4, PPG5, PPS6 and PPS7? If not, please be specific about what paragraphs in any of these documents you feel should be included in this document? Please can you explain why this should be the case?**

BCSC considers that the document contains most of what we would expect to find, although more is probably needed about planning for centres at the lower end of the hierarchy, such as medium-sized and smaller towns, district and local centres and villages. Policy EC5 may need to be expanded.

BCSC considers that the policy needs a target for the proportion of new retail floorspace in town centres. There has only been a figure at national level for the proportion of new retail floorspace in town centres since 2005. If the Government is serious about improving the effectiveness of the town centres first policy there must be an annual monitoring of performance at national, regional and local levels. As with the target for the use of previously-developed land, there should be:

- a national target – such as 50% of all newly-completed retail floorspace should be in town centres by 2020; and
- a regional target for each region in the regional spatial strategy, informed by past performance and the availability of town centre sites.

- 3. Other than where specifically highlighted, the process of streamlining policy text previously in draft PPS4, PPS6 and PPS7 to focus on policy rather than guidance is not intended to result in a change in policy. Are there any policies which you think have changed in this process? Please tell us what you think has changed and provide alternative wording that addresses your concerns.**

No – the main changes are presentation and clarification of how the policy should operate, such as by making clear that the assessment of non-conforming proposals should be done in three stages:

- the sequential testing; and if that is passed then
- assessment on the main impacts; and only then should there be
- assessment against wider impacts.

BCSC welcomes greater clarity in the assessment requirements which should lead to greater effectiveness in achieving a higher proportion of new development in town centres.

- 4. Does the structure of the draft Statement make it easier to understand what is required at the different stages in the planning process? Are there any improvements you would like to see made?**

No – because of the lack of a clear vision and narrative – it would not require much, just an introduction to each section and, perhaps, for each group of policies within the section. See answer to question 1 above.

5. **Do you think that the restructuring of the impact test from the consultation draft of PPS6 achieves the right balance and is it robust enough to thoroughly test the positive and negative impacts of development outside town centres?**

Yes – BCSC strongly supports the restructured impact test which will enable developers to assess their chances of getting planning consent for out-of-centre proposals.

6. **Should more be done to give priority in forward planning and development management to strategically important sectors, such as those that support a move to a low carbon economy, and if so, what should this be?**

It is not clear what constitutes “strategically-important sectors” and why they should be given priority and what form this would be given. The concept of ‘clusters’ or developing specialisations is not developed. BCSC does not have a view on what these might be, but considers the city and town centres should be seen as drivers of economic change and innovation, and seedbeds for new entrants in a range of sectors.

7. **Is the approach to the determination of planning applications set out in policy EC21 proportionate?**

Yes – but it should not give the impression that for schemes below 2,500 sqm, or whatever threshold is proposed in a LDF, that no impact assessment is required. The Guidance needs to indicate what is needed for developments, including extensions and mezzanines, below the threshold, such as petrol station shops outside centres will still need to be assessed – the Guidance should attempt a matrix which indicates what a proportionate assessment would comprise.

8. **Do you think that the requirement for regional spatial strategies to set targets for each district in their area should be imposed? Please give reasons for your view.**

If the regional spatial strategy is to make strategic choices about which centres in the hierarchy should accommodate major growth (EC3.1) and which centres should change their role and function, growth will need to be apportioned between districts. This apportionment should be agreed through the regional spatial strategy rather than ‘imposed’, to ensure that bids for major change are agreed at this level rather than promoted through major applications.

9. **Do you agree the policies do enough to protect small or rural shops and services, including public houses? If no, please explain what changes you would like to see.**

No – the role of local centres, whether in urban or rural areas is not well developed.

As a spatial planning document, the PPS needs to present a vision of how to promote, as well as protect smaller centres in both urban and rural areas, using the local authority’s full range of powers, not just planning. At present, the plan-making section (policies EC1-CC11), only deals with local centres in rural areas (EC9) and existing centres in decline (EC5(5)).

To plan positively for smaller centres there is a need to identify the range of essential services – see our comments on policy EC13, although these suggest more attention to local centres at

the plan-making stage. This should include planning for the distribution of such essential services - including post offices, pharmacies, public houses, petrol-filling stations, etc.

When it comes to managing development, these decisions should be informed by the local planning authority's strategy for local centres. Securing the range of local services will depend on a more proactive approach using the full range of the local authority's powers and partnership working.

10. In response to Matthew Taylor, we have altered the approach to issues such as farm diversification. What do you consider the pros and cons of this approach?

BCSC has no views on this matter.

11. Do you think that the proposals in this draft PPS will have a differential impact, either positive or negative, on people, because of their gender, race or disability? If so how in your view should we respond? We particularly welcome views of organisations and individuals with specific expertise in these areas.

This question is too narrowly conceived in terms of discrimination rather than social inclusion. Inclusion issues relate to overcoming differentials in access to shops, jobs, leisure, culture, etc. A town centres first approach should help ensure access to locations well served by public transport, such as town centres, but requires a clear vision about the distribution of opportunities at the local level, ensuring that:

- local centres provide a sufficient range of facilities to meet people's day-to-day needs within walking distance;
- district centres provide wide range of facilities, including small and medium-sized supermarkets; and
- medium-sized towns centres provide a wide enough range to enable those without access to a car to get access to comparison shopping.

ANNEX A

BCSC response to Draft Practice Guide on Need, Impact and the Sequential Approach

This statement is made on behalf of BCSC (British Council of Shopping Centres). It responds to the good practice guide on need, impact and the sequential approach published concurrently with the consultation paper on a new Planning Policy Statement 4: '*Planning for Prosperous Economies*'. It should be read in conjunction with BCSC's response to the draft PPS4 consultation issued alongside this paper.

BCSC welcomes the opportunity to respond to the consultation paper on a new Planning Policy Statement 4 and to comment on the practice guidance released which is aimed at supporting implementation of the revised PPS.

Overall support for the guidance

We are particularly pleased at the recognition of retail as an important contributor to the economy in terms of both employment and contribution to GDP.

Retail accounts for 8% of GDP and employs 2.9m people. However, retail represents more than this, in that:

- a well integrated retail development brings economic and social benefits through creating vitality and viability, a place to dwell and a space to interact
- shopping centres are often located where there is a range of convenient transport modes and can provide choice and convenience through offering wide range of services
- town centre retail developments which make efficient use of land, particularly where they are integrated with other uses, can reduce the need to travel and enable multi-purpose trips
- the inclusion of ground floor retail in commercial and residential development creates active frontages and security.

We consider the draft consultation PPS4 provides a positive context for planning for economic development including retail uses.

Specifically, in taking due account of the 'town centres first' policy set out in the sequential approach which the draft PPS4 maintains and which BCSC support, the contribution of retail in creating both employment amenity and vitality can be considerable.

Against this overall support BCSC nevertheless consider there are a number of areas where the draft document can be strengthened or clarified, and this is set out in our response on the consultation draft. In addition to this, BCSC consider that there are areas where the practice guide on need, impact and the sequential approach similarly can be improved. These are set out below. For the sake of completeness, BCSC also respond specifically to the questions set out on the practice guide.



We would welcome further dialogue with the Department for Communities and Local Government (DCLG) and their advisors as the consultation draft PPS4 and practice guide evolve further.

Key points of representation on the Practice Guide

BCSC welcomes effective scoping of the information required to support development

BCSC welcomes a positive response for developers, stakeholders and others involved in the development of new town centre uses to scope fully with the relevant planning authority the information and documents required to support an application. Such scoping, needs to be done in a clear and transparent way within a reasonable time limit.

The guidance helpfully sets out at para 7.7 the key elements of the scoping exercise for 'impact'. However, there would be added benefit, in our view, of extending this scoping list to the application of the sequential assessment and (where required) 'need'.

This overall 'scope matrix' could be included in an appendix and form the basis of discussions between a local planning authority and the applicant. BCSC consider this will provide certainty and transparency in what is expected as part of a scoping exercise and this could be improved on further through the guidance recommending an appropriate timescale within which an authority should respond. BCSC would suggest a reasonable timescale for assessment and to allow internal consultation should be no more than 21 days.

Moreover, BCSC suggests that the scoping matrix, which may comprise a list or series of questions set out in the appendix, could be further cross referenced to the 'How to' boxes set out between para's 7.29-7.54 of the guide. This would provide, in combination therefore a robust and comprehensive matrix for the assessment of the impact of the development in both positive and negative terms.

In turn, this would help judge the planning application against the requirements of EC20 and EC21 effectively and transparently.

BCSC would be happy to discuss this in greater detail and assist in the formulation of a 'global checklist' for the scope and how the requirements may change according to the proportionality of evidence submitted with a planning application depending on its location and scale (see below).

BCSC welcomes retail planning judgements based on both positive and negative effects

BCSC welcomes the inclusion both within the draft consultation PPS4 and the supportive guidance, of the requirement to weigh positive and negative effects of a proposal.

This is an important issue which will act as a key differentiator (when adopted) against the existing guidance which tends to focus only on the negative effects or impact of a development and is to be welcomed.

However, the guidance does not in our view go far enough in illustrating what such positive and negative impacts can comprise. There is good use, in our view, of examples of development which have resulted in positive outcomes, and this could be developed further by looking at schemes where there were less positive outcomes or explain where impact was shown to be sufficiently adverse to warrant refusal.

In this way, BCSC consider the guidance could help further formulate and guide what may be taken to comprise 'acceptable' adverse impact and where significant adverse impact has occurred. Clearly the interpretation of both of these definitions will be critical to the assessment and application of EC20 and EC21. As such, further illustration would be beneficial in helping guide authorities, developers and other key stakeholders in the assessment of the appropriateness of positive and negative effects and the weight to be applied in each instance. This in turn may cut down on its interpretation through appeals and the judgements of the courts.

BCSC seeks clarification on the role of the guidance document

The role of the guidance is BCSC consider an important issue. Indeed, BCSC consider that the present PPS6 is deficient partly because the promised 'daughter papers' on need, the sequential approach and impact were sadly not released. BCSC is therefore pleased that the Government has taken the proactive stance of issuing the guidance in the form of a 'living draft', concurrently with the consultation draft PPS4.

However, there appears to be mixed messages on the role and weight ascribed to this guidance and whether or not it is a statement of Government policy as;

- there is little reference in the draft consultation PPS4 to the guidance – indeed, reference appears to be largely limited to a single reference in a foot note
- the guidance does not appear concurrently with the consultation draft PPS4 on the DCLG's website for comment
- there appears to be no formal consultation on the guidance; and
- the guidance throughout notes that it is to be taken as '*guidance only*' and is not a statement of Policy;

However, in contrast, the guidance is noted as something which is 'a material consideration'.

Clearly the guidance is published for comment as a living draft rather than formal consultation. Moreover, the guidance explicitly proffers just that: guidance which may or may not be taken into account as part of the plan-making or development management roles which a local planning authority undertakes. Indeed, the guidance notes that the approaches suggested are not exclusive to the methodology applied or to be taken as a prescriptive approach.

We therefore suggest, if the guidance is to be caveated in such terms, then it should not be seen as material in the determination of planning applications and approaches, which may be employed in the gathering of evidence for plan-making or development management and that it is published to aide interpretation only.

Conversely, if it is the intention of the DCLG to employ the guidance as a material consideration in the plan-making and determination of key town centre uses, then the guidance itself and language used, needs to be adjusted accordingly and there should be far greater cross referral to the guidance in the consultation of PPS4 itself.



BCSC would welcome an active dialogue with the DCLG on this issue, which potentially has very important ramifications, both for how the document is used and how the policy set out in PPS4 is applied in practice.

BCSC suggests there is a need to emphasise that the guidance is not prescriptive

Aligned with the above, there is a need throughout the document to re-affirm that the guidance provided is just guidance and not prescription. While most approaches to demonstrating the key tests set out for retail and other town centre uses will in the most cases follow a similar route it is correct to assert that there should be no one single approach which should be applied in assessing the appropriate for plan-making and development management.

There is only brief reference to this effect at the beginning of the guidance document and at the risk of repetition, there should be reminders of this when examining some of the 'How to' approaches in order to re-affirm this message.

BCSC suggests the greater use of checklists

Overall BCSC considers there is a good use of checklists in the guidance.

However, BCSC feels that this can be further enhanced, particularly in respect of the application of key policy tests (need, impact and sequential assessments) for the plan-making and development management roles of the Local Planning Authority.

This is set out further specifically in our response to Question 1 and Question 5 (below).

BCSC proposed that there is a need for greater narrative

Our main representation on the consultation draft PPS4 sets out what we consider to be an important issue in the use of PPS4 which extends beyond the use of it as a technical document to assists planners, lawyers and consultant in the interpretation of government policy.

Indeed, the guidance should be of interest to all involved in the town centre agenda, be they operators, stakeholders, elected Members or even the general public who wish to be informed of the Government's principal policy and approach to town centres. The document should therefore contain non-technical language and explore the principles behind the application of policy.

Our representations on the consultation draft advise we consider there is a need to develop supportive narrative in the consultation draft. Elements of this could also be imported into the guidance and (vice versa) some of the excellent examples listed in the guidance could be imported into PPS4 alongside the narrative suggested, to illustrate the success of the Government's town centres first approach over the last decade.

The re-affirmation of the Government's reasoned response for including the key tests and the success of the previous 10 years worth of town centre first planning should in our view be expressed as a priority so that not only those involved in the development of retail and other town centre uses can recognise the benefits of policy, but also other readers of the guidance and final version of PPS4 understand the rationale behind the approach adopted.

We consider this can be facilitated fairly easily without the need to over-extend the length of PPS4 or the guidance paper unreasonably.

BCSC considers there is a need to further explain ‘proportionality’

The consultation draft and the guidance both refer to the application of proportionality in assessing developments, both through plan-making and development management.

This concept needs further assessment/guidance on what is expected according to the scale of the proposals and how this will further proportionally change depending on whether the development is within, on the edge of or out of the defined town centre area.

This is a matter which should be further rehearsed in the guidance in our view and could be illustrated through examples or a matrix which sets out the relative level of proportionality based on floorspace and location. Again, BCSC would be happy to have additional dialogue on this issue as the draft consultation and guidance further evolve.

BCSC suggests additional guidance is needed on the extent to which impacts are to be assessed in town centres

Aligned with the above point on the application of proportionality, it is not clear the extent to which town centre development which may not be in accordance with an up to date development plan, needs to justify itself under an assessment of impact.

If proportionality is applied equally, without due regard to location, then theoretically a large town centre scheme which will no doubt enhance the vitality and viability of a centre, albeit at the cost of enhanced competition to other centres and potential impact on secondary and smaller centres, will need to submit equal, if not more evidence than a smaller scale edge of centre or out of centre development.

This clearly should not be the case: while BCSC accept that town centre development may have planning challenges, particularly where these exist in historic or constrained environments, the base principles of assessing impact should not be on par with the demonstration of acceptability at edge of centre or out of centre locations.

One would presume that planning officers and other decision makers would adopt a pragmatic approach in the scoping of the impact assessment, however, this does not appear to be significantly rehearsed in the guidance or the consultation draft.

We consider that clarification on this issue is needed which we consider to be a necessary caveat, in that those advancing town centre proposals proportionately should not be expected to apply the same level of detail as edge of centre or out of centre development. Indeed, proportionately, these less sustainable options should be charged with producing far more forensic and complex assessments.

To describe further the level of detail required to support the demonstration of viability of town centres

An important element which BCSC considers is not sufficiently well rehearsed in the guidance is the extent to which town centre proposals should have to demonstrate ‘viability’. This is linked with our comments on ‘proportionality’, set out above.

This is aligned with comments made in the draft consultation that, while the focus can and should remain on town centres first, flexibility is urged; particularly as part of positive plan-making, in order to respond to changing economic forces.



This opens a very real danger that edge of or out of centre developments may be sought to achieve a quick-fix to meet identified capacity set out in the plan, which may otherwise have been taken up over the medium term by a town centre scheme which may be subject to claims that this is no longer viable. In such circumstances it should fall to the developer promoting the edge of centre site to demonstrate robustly that the town centre scheme is not viable (nor likely to be so in the foreseeable future), rather than the town centre stakeholder demonstrating that their scheme remains viable.

Similarly, Local Planning Authorities, through positive plan-making are being urged to adopt realistic but flexible plan policies to respond to changing economic circumstances. However, such plans must also be realistic and deliverable. There is thus again the danger that the plan-makers themselves will have to judge schemes in terms of their viability and have to examine the opportunities to meet the need elsewhere if such viability cannot be demonstrated or is considered marginal. In many cases BCSC would suggest this is beyond the capability of many authorities. Moreover, the application of such flexibility could result in concern for those responsible for promoting a long term town centre investment.

The guidance therefore needs to make very clear the extent to which town centre schemes should be demonstrated to be viable, and the timescales within which proposals need to be assessed before they are discounted. To do otherwise will threaten the confidence in key town centre investments and benefit those who would rather risk short term speculation on more easily assembled sites at edge of or out of centre locations in favour of complex town centre assembly and long term sustainable renaissance.

Summary

In addition to the above, further representations are set out below in response to those specific questions raised by the DCLG on the guidance.

BCSC wish to continue an active dialogue with the Government on the issues raised by the comments set out in the paper on the guidance and those set out in the representations submitted concurrently on the draft consultation PPS4.

In the meantime, if there are any comments or queries or points of clarification, then please do not hesitate to contact the undersigned.

Response to specific questions raised by the DCLG on the guidance

1: Does the structure of the guidance clearly differentiate between plan-making and development management?

No.

The practice guide contains some highly relevant and very useful material on the assessment of 'need', 'sequential' and 'impact'. In the main, this is dealt with jointly for both plan-making and development management.

It is true to say that the majority of the key tests fall to be assessed on 'both sides of the coin' namely (positive) plan-making and (control) development management and so the approach of the guidance is not incorrect in dealing with these on a topic basis, rather than setting out, as the previous PPS6 did, separate sections for plan-making and development control.

While there may be a case for further extending what is a significant document already to differentiate, in turn, between the approach to the adopted in plan-making/development control this could result in what we agree may be considered potentially unnecessary repetition.

However, there is a need, in our view, to provide additional differentiation across the topics to reflect the differences between plan-making and development management. This may be achieved through the use of a flow diagram/check list on the relative approaches and weights to be adopted when, in turn, positively planning to accommodate growth and assessing development proposals.

By way of illustrating this, separate checklists could be developed for assessing the key criteria/questions to be answered as part of assessing the impact of development under the relevant paragraphs of the consultation draft PPS4 (EC20/EC21). This could then be used both as part of the scoping exercise for pre-application development consultation and as a framework for determination of any eventual planning application submitted.

In conclusion therefore, while BCSC considers the approach of the guidance is correct in setting out the key tests for both plan-making and development management together (and we see no benefit in repetition of these through examining each test separately), we feel that additional differentiation of what are essentially the two sides of the same coin could be enhanced through the use of flow diagrams/checklists.

2: Does the guidance clearly differentiate between the roles and responsibilities of the regional and local levels?

Generally yes.

The role and scope of assessment is clearly set out in Section 3 of the good practice guide. However, BCSC considers that there may be benefit in clarifying paragraph 3.3 which, whilst noting that the regional level assessment is intended to be strategic in nature, offers little in the way of additional guidance on whether or not this should be advised 'top down' or 'bottom up' from existing retail assessments which may have been conducted at a local level.

Generally it may also be difficult to apply a sense of proportionality to regional studies throughout the draft consultation and the practice guide. Planning authorities, property developers and key stakeholders are all urged to adopt a sense of proportionality according to the level and scale of retail envisaged. If this is followed to its literal conclusion, the level of detail required to inform strategic decisions on the location of retail and other main town centre development which would affect potentially tens of thousands (or even millions) of consumers, should be backed by a significant evidence base which is largely impractical. BCSC is therefore pleased at the recognition in para 3.7 of the guide but such assessments should not go into an inappropriate level of detail and should focus on a clearly defined set of key issues.

3: Does the guidance explain clearly how ‘need’ should be considered in plan-making?

Yes.

We consider Section 4 sets out clearly and concisely the approach which should be adopted in assessment of both quantitative and qualitative need to meet the identified requirement of a catchment and we welcome the recognition that the interaction between quantitative and qualitative needs are closely related, notably in respect of retail development.

Clearly the response to need set out in the guidance, and particularly quantitative need, is reliant on either maintaining the status quo (‘constant market share’) or positively planning to redirect growth to, for example, regenerate town centres which have been deprived of investment to realise more sustainable patterns of development and reverse the trend of polarisation witnessed in the last two decades. However, such balance will need to be carefully judged as such determination on ‘winners and losers’ will have both positive and negative effects. Is it therefore vital, in our view, that it is made very clear that, in assessing retail need in order to enable both positive and proactive planning where this does not result in a constant market share approach that the result impact assessment needs to be weighed and considered carefully as part of the formulation of development plans.

Moreover the potential negative practical outcomes in applying what could be only theoretical pragmatism in deliberately seeking to direct investment away from constant market shares need to be weighed carefully in the balance before any change to the direction of investment is suggested. We note that there is some reference to this at para 4.7. However, our view is that this needs to be made clear throughout the whole of section 4.

4: Does the guidance explain clearly how the sequential approach should apply to plan-making and development management?

No.

Our main representations on the consultation draft identify the need for clarity on the role of the sequential assessment as a key gateway, particularly for development control purposes. Through discussions and stakeholder meetings with the DCLG on both the consultation draft and the supporting guidance it appears the intention is for the sequential approach to have such gateway status. However this issue requires further clarity.

Our concern in this matter is twofold.

- Firstly: if the sequential assessment is not a gateway then the Government's message of town centres first is diluted. It is pertinent to note, even after ten years, that only 40% of all new retail development is achieved within town centres and any movement or perceived movement away from the strong rhetoric set out in PPS6 and its predecessor document PPG6, is likely to diminish significantly, confidence in key town centre investment decisions.
- Secondly, if the sequential assessment is not seen as a gateway then there is a danger that it becomes part of the wider considerations expressed in the impact assessment and thus a judgement which could be balanced or offset by other positive impacts arising from the proposal which may not be sited within a town centre.

By way of illustrating this, if the sequential assessment was seen only as part of the wider considerations of impact, then it may be possible to demonstrate that an edge of centre site, with good connectivity into a town centre would have less, not more impact than a town centre scheme which may replace secondary retail frontages and diminish diversity, albeit adding quantitatively to retail floorspace to the advantage to shoppers, residents and the town centre. Clearly this would be a nonsensical position, and against the very tenet of the sequential assessment.

Therefore this principle needs to be clarified through the consultation draft and the practice guide. It is our firm view that the sequential assessment should be the gateway in the application of policy.

5: Does the guidance explain sufficiently how impact should be considered in terms of plan-making and development management?

Generally, yes.

We have outlined some general concern on the application of policy EC20/EC21 which provides the context for the new impact assessment and, particularly, the use of 'significant adverse impact' which is likely to be fatal to a scheme and 'adverse impact' which may not be significant and may be outweighed by (significant) wider economic, social and environmental benefits (or indeed '*other material considerations*').

While clearly policy is made by the Government it is, in the main, left to decision makers and in some case the Courts to interpret and thus the guidance on the application of the impact assessment is critical in our view.

We accept such assessments are inevitably subjective and involve judgements (para 7.41) and it is for the decision maker to determine what constitutes an adverse level of impact sufficient for it to be deemed unacceptable as it is to weigh positive and negative effects on those key impacts. Thus the 'How to' boxes included in section 7 which set out the basis on which key considerations should be reviewed we consider fundamental to the interpretation of the approach. BCSC would welcome further development of these not only for impact but throughout some of the other key policy tests outlined in the guide.

It is considered that these boxes provide a far better basis on which to consider the evaluation of impact than the figure set out in 8.1 which appears to ascribe a weight of impact according to the key tests. Despite the fact that this includes the sequential approach (which we consider should stand aside as fundamental gateway) this impact matrix, if it is to be of any real value, needs to distinguish further the definitions of 'fundamental', 'high importance' and 'varied' for it to be of any real use in the application of determining planning applications. If this is not possible, then we consider this table of little use and it would be far better to link the weighting of each of the elements comprising the assessment of impact to the 'How to' tables set out in section 7.

That said, the approach which will be required to be adopted to support both positive plan-making and development management through the application of the impact assessment will be a hugely complex one and, taking this into account, the advice and information set out in Section 7 does well in seeking to interpret what is a complex series of considerations.

6: Do the case studies adequately exemplify the points made? Should other case studies be considered to illustrate particular points?

The guidance includes a number of major City Centre schemes, Princesshay, Exeter, Cabot Circus, Bristol and Birmingham Bullring. In addition to this BCSC considers that some mention should be made to Liverpool One, given it is widely recognised as being a scheme of significant quality which has reconnected areas of Liverpool City Centre and which is likely to offer the opportunity of regeneration beyond its boundaries. Similarly High Cross in Leicester is a worthy example, particularly given the training initiatives which have been targeted to help and assist underserved communities back into employment.

Elsewhere, BCSC feels that there would be benefit in rehearsing other examples, notably those smaller schemes which may be anchored by food as well as non-food retail to demonstrate that the town centre agenda has been successfully applied below the major city and metropolitan centres.

BCSC would welcome the opportunity to further engage with the DCLG on these examples which may include examples such as Kenilworth, Rugby, Hull, Petersfield and High Wycombe.

7: Does the guidance provide sufficient advice on town centre uses other than retail and leisure?

Generally Yes.

Clearly the drivers of town centre development include predominantly, but not solely retail development. Offices, service uses and residential development all make a valuable contribution to the vitality and viability of a centre.

Generally, the guidance only covers retail development (which by definition under the use class order to include A1-A5 uses) and leisure. While BCSC accepts residential development falls under a separate statement of Government policy PPS3 there appears to be little in the way of the approach to assess this and other town centre uses.

Notably, we consider there is little guidance proffered on the approach to be taken for office based uses. Clearly as a town centre use (as defined in the extant PPS6) it will fall under the same regime for consideration as retail and leisure uses. However, there appears little in the way of guidance on the appropriate assessment of B1(a) office provision save for the suggestion that its need should be assessed on a qualitative rather than quantitative basis. This does not appear to be at one with quantitative approach recommended in the assessment of employment land and we consider this requires some redress which can be easily incorporated in section 4 of the guidance.

8: Is any further clarification needed on the definition/terminology, in particular regarding the question raised by the NRPF on the definition of net sales area, set out in Appendix A?

BCSC does not wish to comment in detail on this matter and note that food and non-food retailers adopt separate definitions for calculation of net retail floorspace. However, BCSC does consider that there would be benefits in adopting a consistent approach in the guidance documents to the calculation of food and non-food operators albeit we accept separate definitions across each may result in these being defined separately.