

## **7. TOWN CENTRES AND SHOPPING**

### GENERAL COMMENT ON TOWN CENTRE POLICY

**Objections** 163/271, 258/401, 309/506, 528/873-5, 552/975

#### **Issues**

- (a) Whether the plan should include a more explicit retail hierarchy for the District.
- (b) Whether the plan reflects the sequential approach for retail development.
- (c) Should there be a reference to the use of local paving materials?
- (d) Whether the main shopping area of Chipping Norton, as defined on the Inset Map, should be extended.
- (e) Should the plan contain a commitment to consult with residents about the pedestrianisation of Witney town centre?

#### **Conclusions**

7.1 Issues (a) and (b) These issues highlight the concerns of a number of objectors (309/506, 528/873-875) at the first deposit stage that there was not a clear retail hierarchy set down in the plan and that this makes the Council’s policy towards the development of new retail space ambiguous. In particular the sequential approach towards the location of new retail development is undermined by the lack of a coherent hierarchy of town centres.

7.2 The Council stated in response to these concerns that there was no need to set down the sequential approach since it was already explained in Policy TC4 of the Oxfordshire Structure Plan, which forms part of the development plan for the District. While I acknowledge that there is little to be gained from repeating Structure Plan policy, I consider there is a need to interpret that policy at the district level through the local plan. I do not consider it is appropriate to quote Policy TC4 directly from the Structure Plan in the local plan. As a general rule of thumb direct references to other development plan policies and planning guidance in local plans should be kept to a minimum. Any revision of that guidance or plan policy during the lifetime of the plan would weaken the local plan policies and result in an out of date plan. At the time of writing the Oxfordshire Structure Plan is being reviewed and as such the reference to Policy TC4 will soon be incorrect.

#### ***Retail Hierarchy***

7.3 The local plan should provide clarity for developers about when it will be necessary for them to establish “need”. To achieve this, the plan should be clear about the role of the District’s town and local centres. The supporting text in paragraph 2.10(a), which was added at the second deposit stage, goes some way to establish a hierarchy of centres in the District.

7.4 PPS6 (March 2005) states in paragraph 1.6 that local authorities should, develop a hierarchy and network of centres. Paragraph 2.44 states that all appropriate town centre options should have been thoroughly assessed before less central sites are considered for key town centre uses.

7.5 SP Policy TC2 identifies Witney as a primary location for major new shopping development and this should be clearly identified in the supporting text. While the plan’s basic hierarchy is set out in paragraph 2.10(a), the plan would benefit from this information being set out more clearly in a table. Witney should be identified as the principal town centre in the District, separate in role and function to Carterton and Chipping Norton. The remaining centres should be identified according to the sequential pattern set down in paragraph 2.10 (a). I recommend accordingly.

7.6 In order for the sequential approach to work more effectively the Council needs to develop a more comprehensive hierarchy of centres in the District, from town centres to district, local and village centres based upon a robust evidence base. Annex A in PPS6 sets down the different type of centres and their typical characteristics. The development of a comprehensive retail hierarchy will require the Council to undertake a detailed retail study of the District which will identify the major service centres and the role and function of the wider network of centres in the District. This will take time to produce and I consider that this would lead to an unacceptable delay in adopting this plan; as such I strongly advise that the Council address this issue in a forthcoming DPD, as part of the LDF process.

### ***Sequential Approach***

7.7 As the objectors have stated there is no policy in the plan which directs new retail development to the District’s town centres. PPS6, paragraph 2.44 states that a sequential approach should be applied in selecting appropriate sites for allocation within the centres. Paragraph 3.13 also states that the sequential approach to site selection should be applied to all development proposals for sites that are not in an existing centre, nor allocated in an up to date development plan. PPS6 goes further than previous guidance and states in paragraph 2.42 that local authorities should consider setting an indicative upper limit for the scale of development likely to be permissible in the different types of centre. As with the development of a retail hierarchy, the Council will have to base these indicative limits upon a robust analysis of each centre. This is something which should be carried out in conjunction with the Council’s LDF preparation.

7.8 In accordance with the McNulty Ministerial Statement, PPS 6, in defining the sequential approach, moved away from distinguishing between town, district and local centres, referring instead only to town centres, edge of centre, out of centre and out of town sites in that order. A new policy should therefore distinguish the centres that are considered to be appropriate locations for new retail development, from locations where a needs test will be required. In the context of West Oxfordshire this would be edge of centre locations, local centres, village centres, out of centre and out of town locations. The new sequential approach policy should replace Policies SH1 and SH2 which fail to direct retail growth in the way envisaged in PPS6. The new policy should also set down the circumstances in which development outside of the town centres will be permitted. I recommend accordingly.

7.9 Issue (c) I agree with the Council that detailed matters such as suitable paving materials are not appropriate for inclusion in this plan. PPG12, paragraph 3.1 states that lengthy over detailed plans should be avoided. No modification is required in response to this issue (163/271).

7.10 Issue (d) I would agree that the primary shopping frontage in Chipping Norton should be extended but not to the extent suggested by the objector. (258/401) Having regard to the advice in paragraph 2.17 of PPS7, I consider that the premises on the western side of West Street between the junctions of High Street and Cattlemarket should be designated as a primary frontage. In my view, the remaining streets suggested by the Chipping Norton Society are secondary frontages.

7.11 Although not a matter raised by an objector I note that, unlike Witney, Woodstock and Carterton, the town centre of Chipping Norton is not defined on the inset map. Even if the recommendations below are not accepted it seems to me that it is necessary to set out the boundaries of the town centres mentioned in the first paragraph of Policy SH3 on inset maps.

7.12 Issue (e) Witney Town Council (552/975) are referring to procedural matters which are not appropriate for inclusion as policies in this land use plan. However, I note that paragraph 4.15 of the supporting text to Witney Proposal 12 states that the Council will consult with the public as and when detailed proposals for traffic management schemes in the central area come forward.

## **RECOMMENDATIONS**

7.13 **R7.1 Redraft paragraph 2.10(a) in the form of a table, identifying Witney as the District’s principal town centre as follows;**

### **West Oxfordshire Retail Hierarchy**

- (a) Principal Town Centre – Witney**
- (b) Primary Town Centres – Carterton, Chipping Norton**
- (c) Secondary Centres – Woodstock, Burford**
- (d) Local and village centres.**

**For the purposes of national planning guidance centres in categories (a) to (c) are “town centres”.**

7.14 **R7.2 Delete Policies SH1 and SH2, including all references to Structure Plan Policy TC4, and replace them with the following sequential approach policy:**

### **Policy SH1A – New Retail Development**

**Proposals for retail development, other than to meet purely local needs, and for other central area uses such as offices and leisure uses, will be located according to the following sequence:**

- (1) within the town centres**
- (2) on the edge of the town centres**

- (3) in out of centre locations that are, or can be made, readily accessible by a choice of means of transport.**

**Proposals for retail uses in locations other than (1) will only be permitted where:**

- i) a need for the development has been established;**
- ii) the sequential approach has been followed and there are no suitable sites available in a higher order centre;**
- iii) the development would not harm the vitality and viability of any nearby town centre either directly or cumulatively;**
- iv) the development proposed is appropriate in nature and scale to the location;**
- v) the proposal accords with other policies in the plan with regard to traffic impact, amenity and environment.**

**Consequential changes should be made to the supporting text in paragraphs 2.1 to 2.13.**

## **POLICY SH2 – NEW DEVELOPMENTS IN TOWN AND LOCAL CENTRES**

### **Amendment No. 149**

**Objection** 309/3117, 529/878

#### **Issue**

- (a) Does Policy SH2 incorporate the main principles of the sequential approach?

#### **Conclusions**

7.15 I have recommended that Policies SH1 and SH2 are deleted in favour of a criteria based sequential approach policy, including criteria that will need to be satisfied for proposals outside of town centres (SH1A). I have also advised that the Council carry out a detailed retail assessment of the District’s centres in order to identify an evidence based retail hierarchy. These changes satisfy the related objections and no further modification is required.

#### **RECOMMENDATION**

- 7.16 R7.3 Make no further modification to Policy SH2 in response to these objections.**

POLICY SH3 – CHANGES OF USE IN TOWN CENTRES

**Objection** 643/3554, 529/879 & 880

**Issue**

- (a) Whether the policy acknowledges the contribution that community services make to the viability and vitality of town centres.
- (b) Whether Policy SH3 and its supporting text in paragraph 2.13 are contrary to the sequential approach.

**Conclusions**

7.17 Issue (a) - In response to the objection from Capitec (on behalf of the NHS) (3554) policies TLC1 and TLC 12 deal with the development of new and the change of use of community services respectively. The Council changed Policy SH3 at the second deposit stage to make it more flexible with regard to non retail uses. Criterion (b) of the policy allows the change of use of town centre premises to uses other than retail where it would benefit the overall function of the town centre and it would not result in a loss of a permanent dwelling in Burford and Woodstock central policy areas. I consider that the changes made to the policy at the second deposit stage overcome this objection.

7.18 Issue (b) - Policy SH3 and the supporting text in paragraph 2.13 has been deleted and replaced by text which refers only to change of use, rather than placing a general embargo on any retail development outside of the central areas. New policy as proposed in my recommendation R7.2, control new retail development in accordance with the PPS6 sequential approach. This satisfies the objection from Wm Morrison Supermarkets plc (879 & 880).

**RECOMMENDATION**

7.19 **R7.4 Make no modification to Policy SH3 or its supporting text.**

POLICY SH5 – RETENTION OF LOCAL SHOPS AND/OR POST OFFICES

**Objection** 558/1064

**Issue**

- (a) Whether the policy should encourage the concept of a combined village pub/shop/bank/post office.

**Conclusions**

7.20 I agree with the Council that it is not possible for the policy to encourage shops, post offices and pubs to merge their operations. These decisions are purely commercial and beyond the remit of the Council and this plan. However, I support the reference in paragraph 3.6 of the supporting text which draws attention to the

possibility of retaining village services through combined operations. This additional text provides useful information for readers of the plan and goes some way to satisfy the objection.

## **RECOMMENDATION**

### **7.21 R7.5 Make no modification to Policy SH5.**

## **POLICY SH6 – RETAIL USES ON EMPLOYMENT SITES**

**Objections** 528/876, 529/882

### **Issues**

- (a) Should the change of use of land on employment sites be dealt with under in the employment chapter?
- (b) Whether the policy is inflexible and may block the use of a sequentially acceptable site.

### **Conclusions**

7.22 The sequential approach, as I have recommended in new Policy SH1A, provides a locational policy for new retail development. The loss of employment sites to other uses is a separate matter that is dealt with in Policy E6 of the Employment Chapter. Criterion (a) of Policy SH6 is superfluous since planning permission would not be required for ancillary uses. Criteria (b) and (c) repeat the sequential approach set out in the above mention recommended policies (SH1A and SH2A). I am satisfied that Policy E6 in conjunction with the sequential approach policies I have recommended provide a comprehensive and appropriate policy approach for considering proposals for retail development on employment sites. Policy SH6 and its supporting text should therefore be deleted from the plan.

## **RECOMMENDATION**

### **7.23 R7.6 Delete Policy SH6 and its supporting text from the plan.**

## **POLICY SH7 – FARM SHOPS**

**Objection** 558/1065

### **Issue**

- (a) Whether the policy is too restrictive and may prevent farm diversification.

### **Conclusions**

7.24 PPS7, paragraph 30 sets out the latest guidance with regard to farm diversification. It states that while development plans should be supportive of well-

conceived schemes the enterprise must be consistent in their scale with their rural location and contribute towards sustainable objectives. The guidance goes on to state that planning authorities must have regard to the amenity of nearby residents and other rural businesses that may be affected by new types of on-farm development. While I acknowledge that farm diversification should be encouraged, it is clear that care needs to be taken to ensure that farm diversification schemes are run responsibly and do not detract from the rural character and landscape in which they are located. The restrictions imposed by Policy SH7 in relation to the scale and nature of proposed operations are consistent with the concerns expressed in PPS7.

## **RECOMMENDATION**

**7.25 R7.7 Make no modification to Policy SH7.**

---

*This page is intentionally blank*