

4. TOWN CENTRES & SHOPPING

Background

4.1 Planning Policy Statement 6: Planning for Town Centres (PPS6) sets out the Government's latest policy guidance on planning in town centres, including for retail development. The key objective of the guidance is to promote the vitality and viability of town centres by:-

- planning for the growth and development of existing centres
- promoting and enhancing existing centres, by focusing development in such centres and encouraging a wide range of services in a good environment accessible to all.

4.2 PPS6 also emphasises the importance of:-

- enhancing consumer choice by making provision for a range of shopping, leisure and local services, which allow genuine choice to meet the needs of the entire community, and particularly socially-excluded groups;
- supporting efficient, competitive and innovative retail, leisure, tourism and other sectors, with improving productivity; and
- improving accessibility, ensuring that existing or new development is, or will be, accessible and well served by a choice of means of transport.

4.3 The Regional Spatial Strategy for the East Midlands (RSS8) provides policy guidance on the role of town centres for shopping and other services within the region. This guidance was prepared shortly before PPS6 was published. However, it reinforces the national guidance in PPS6, emphasising the role of development plans in helping to protect and sustain the role of town centres as the principle location for shopping, as well as for community and civic facilities and for cultural, entertainment and leisure facilities.

4.4 Strategic guidance in relation to the role of market towns as key locations for shopping and other activities is also set out in a range of documents produced by the East Midlands Development Agency (emda). In particular, the 'East Midlands Market Towns – A Template For Change' recognises the key role of market towns in supporting sustainable communities and the surrounding rural economy. The Borough Council has already been successful in obtaining funding from the Countryside Agency, under the Market Towns Initiative, to undertake 'Health Checks' for Belper and Heanor town centres. It is hoped that this can be rolled out to the other town centres in the future.

4.5 The adopted Derby and Derbyshire Joint Structure Plan reinforces national and regional policy guidance on town centres and shopping development, setting out policies on the basis of a sequential approach to the location of development. It also identifies Alfreton, Belper, Heanor, Ripley and Langley Mill as town centres, where new shopping development should be concentrated.

4.6 The Borough Council's Strategic Objective of 'Thriving Economy & Employment' includes a priority to regenerate the market towns of Alfreton, Belper, Heanor and Ripley.

4.7 The Economic and Tourism Development Strategy for Amber Valley refers to the need to promote the vitality and viability of each of the four market towns within the Borough, recognising the positive role of town centres in helping to achieve regeneration and a more sustainable pattern of development and land use.

Issues And Policies

Development In Town Centres

4.8 It is proposed to define boundaries for Alfreton, Belper, Heanor and Ripley town centres and to steer new shopping and other development appropriate to a town centre towards these locations. All development proposals within the town centres as defined will be considered in terms of their impact on the vitality and viability of that centre. This reflects the sequential approach in PPS6.

4.9 Although the Joint Structure Plan defines Langley Mill as a town centre, it does not have the same range of shopping and other facilities as the Borough's other town centres and it would be more appropriate to consider development proposals in this location against policies relating to local centres (see policies TC6-7).

4.10 Other than development within Alfreton town centre (policy TC4), it is not proposed to identify specific sites for new shopping or other forms of development within the town centres. A more flexible approach is considered to be appropriate, providing a clear policy framework within which any proposals can be assessed, against a range of criteria.

4.11 The Borough Council has undertaken 'Healthchecks' for Belper and Heanor town centres, which have considered a range of environmental, economic, social and transport issues which may impact on future development potential, both in the short and long term. These healthchecks are part of an initiative, supported by the Countryside Agency and the East Midlands Development Agency (emda) to identify the strengths and weaknesses of towns, including in relation to their role in serving surrounding rural communities. From the information collated, key projects have been identified and set out in action plans. The action plans do not contain detailed development proposals for specific sites, but such proposals may emerge as the action plans are brought forward and these can then be considered against the policy criteria.

4.12 It is hoped that healthchecks can also be carried out in relation to both Alfreton and Ripley in the future. Any specific development proposals which emerge from this process can then also be considered against the policy criteria.

TC1 Within the Borough's town centres, as shown on the Proposals Map, planning permission for Shops (A1) and other development appropriate within a town centre (Financial and Professional Services (A2), Restaurants and Cafes (A3), Drinking Establishments (A4), Hot Food Take Aways (A5), Hotels (C1), Residential Institutions (C2), Non-Residential Institutions (D1), Assembly and Leisure (D2) and Sui Generis) will be granted, where the proposals:-

- a) will sustain or enhance the vitality and viability of the town centre**
- b) can be satisfactorily accessed by both private and public transport**

Where appropriate, planning applications will need to be supported by a retail impact assessment and/or a transport assessment

In the case of vacant office and retail floorspace at upper floor level, conversion to residential use will also be permitted

In the case of proposals within defined primary shopping frontages, which would result in the loss of an existing retail use at ground floor level, the criteria in policy TC2 will also need to be satisfied

Primary Shopping Frontages

4.13 PPS6 advises that consideration should be given to the designation of primary frontages within town centres, where there is a need to distinguish between different parts of the centre to reflect their relative importance.

4.14 It is proposed to introduce primary shopping frontages in Alfreton, Belper and Ripley, based on existing pedestrian priority areas, where the emphasis will be on retaining a high proportion of shops, in order to maintain the role of these frontages as the principal location for shopping in each town. It is not realistic to identify a primary shopping frontage in Heanor town centre at the present time, as the impact of recently completed development on shopping patterns in the town needs to be carefully examined.

4.15 Development proposals for the change of use of existing retail units (use class A1) to other uses appropriate within a town centre will need to be carefully considered, in terms of their potential impact on the vitality and viability of the town centre.

TC2 Within the primary shopping frontages of Alfreton, Belper and Ripley, as shown on the Proposals Map, the change of use of existing ground floor Shops (A1) to other uses appropriate within a town centre (Financial and Professional Services (A2), Restaurants and Cafes (A3), Drinking Establishments (A4), Hot Food Take Aways (A5), Hotels (C1), Residential Institutions (C2), Non-Residential Institutions (D1), Assembly and Leisure (D2) and Sui Generis,) will only be permitted where the proposals would not undermine the primary role of the frontage as the principal shopping location within the town centre

The Borough Council will impose conditions on planning permissions, where necessary, to secure the provision of window display facilities

Development In Edge Of Centre Locations

4.16 In accordance with the sequential approach to the location of development as set out in, PPS6, development proposals on the edge of the Borough's town centres will only be acceptable, where it can be demonstrated that the proposals cannot be accommodated within either the adjoining centre, or within any other town centres in the locality, and where a range of detailed criteria can also be satisfied. There is a need to ensure that any proposals are well linked to the adjacent town centre. For shopping purposes, this will mean proposals being within easy walking distance (i.e. up to 300 metres) of the primary shopping area, whilst for other uses such as offices, locations will need to be easily accessible on foot to public transport links.

TC3 Development proposals for Shops (A1) and other development appropriate within a town centre (Financial and Professional Services (A2), Restaurants and Cafes (A3), Drinking Establishments (A4), Hot Food Take Aways (A5), Hotels (C1), Residential Institutions (C2), Non-Residential Institutions (D1), Assembly and Leisure (D2) and Sui Generis) will be permitted in locations on the edge of existing centres where:-

- a) there is a proven need for the development**
- b) it can be demonstrated that no suitable site exists within the town centre**
- c) the site is within easy walking distance of the primary shopping area of the adjacent town centre**
- d) the development is compatible in scale and character with the adjacent centre**
- e) the development, either individually or cumulatively, would not undermine the vitality and viability of the centre, or any other nearby centre, as a whole**

- f) **the development will be easily accessible by a choice of means of transport and will not add to the overall number and length of car trips**
- g) **the site is not allocated in the Plan for any other use**

Potential Development Opportunity

4.17 Within Alfreton town centre, it is proposed to identify an area of land for redevelopment, to the north of Hall Street.

4.18 Following the granting of planning permission for a new foodstore to the south of Hall Street, there is a need to ensure that any development between the proposed foodstore and the heart of the town centre is of a form and scale which maximises the potential to integrate existing and proposed shopping and other key uses within the town centre.

TC4 Land to the north of Hall Street, Alfreton is identified as a potential development opportunity, as shown on the Proposals Map, Appropriate uses would be those usually found within a town centre, including Shops (A1), (Financial and Professional Services (A2), Restaurants and Cafes (A3), Drinking Establishments (A4), Hot Food Take Aways (A5), Hotels (C1), Non-Residential Institutions (D1), Assembly and Leisure (D2) and Sui Generis)

Proposals would need to have regard to any detailed requirements set out in an approved development brief

Development In Out Of Centre Locations

4.19 In accordance with the sequential approach set out in, PPS6, development proposals in out of centre locations within the Borough will only be acceptable, where it can be demonstrated that the proposals cannot be accommodated either within or on the edge of any town centres within the locality, and where a range of detailed criteria can also be satisfied.

TC5 Planning permission for Shops (A1) and other development appropriate within a town centre (Financial and Professional Services (A2), Restaurants and Cafes (A3), Drinking Establishments (A4), Hot Food Take Aways (A5), Hotels (C1), Residential Institutions (C2), Non-Residential Institutions (D1), Assembly and Leisure (D2) and Sui Generis) will only be granted in out of centre locations, where the proposals satisfy all the following criteria:-

- a) there is a proven need for the development that cannot be accommodated within or on the edge of any town centre in the locality**
- b) the development, either individually or cumulatively, taking into account recently completed developments and outstanding permissions, would not materially harm the vitality and viability of existing town centres or local centres**
- c) the development will be easily accessible by a choice of means of transport**

Local Shopping Facilities

4.20 Amber Valley is served by a variety of local shopping facilities, including within local centres at Langley Mill, Codnor, Duffield and Somercotes, as well as smaller parades of shops and individual units. Further development of these facilities will help to maintain a range of local shopping opportunities, providing such facilities are not of a scale and type which could undermine the vitality and viability of either the town centres or other local centres.

4.21 There may be pressure for the change of use of existing local shops to other uses, particularly in rural settlements. Where it can be demonstrated that such facilities provide an important service to the local community, any proposals for change of use should be resisted.

TC6 Planning permission will be granted for shopping development in local centres, consistent with the scale and function of the centre, providing that the proposals, either individually or cumulatively, having regard to recently completed developments and outstanding permissions, would not materially harm the vitality and viability of existing town centres or other local centres

TC7 Planning permission will only be granted for the change of use of existing retail units, providing the proposals would not lead to an unacceptable loss of essential local shopping facilities. The Borough Council will require clear evidence that every possible effort has been made to maintain retail use, including offering units for sale or rent at a reasonable fixed price on the open market.

Restaurants and Cafes (A3), Drinking Establishments (A4) and Hot Food Take Aways (A5)

4.22 Proposals within use Classes A3-5, including Restaurants and Cafes (A3), Drinking Establishments (A4) and Hot Food Take Aways (A5), can have a particular impact on the environment, especially within residential areas. It is therefore essential that all such proposals can be provided without any adverse environmental impact.

4.23 It should also be recognised that such proposals may raise issues in relation to community safety (see policy LS2).

TC8 Planning permission will be granted for proposals for Restaurants and Cafes (A3), Drinking Establishments (A4), and Hot Food Take Aways (A5), providing the proposals:-

- a) **satisfy the criteria in policies TC1-3, 5 and 9, where appropriate**
- b) **will not adversely affect the amenity of nearby residents, particularly by light, litter, noise, odours and traffic disturbance**

The Borough Council may impose conditions on planning permissions, either to limit the hours of opening, or to require the installation of efficient ventilation systems and/or sound insulation, in order to protect residential amenity.

Quality And Design Of Development Within Or On The Edge Of Town Centres

4.24 It is essential that new development whether on the edge or within the town centre, is designed to maintain or enhance the vitality and viability of the existing town centres. The Borough Council will therefore ensure that development is of a high quality design and well linked to existing centres.

4.25 Where they are considered necessary as a result of the scale or nature of the development, the Borough Council will seek the provision of or financial contributions towards a range of appropriate measures to support town centre management and other facilities.

TC9 Where development proposals for shopping or other development within or on the edge of town centres and referred to in policies TC1 and TC3, would have an adverse impact on the town centre, the Borough Council will impose conditions on planning permissions or, where necessary, will negotiate Section 106 Agreements with developers to:-

- a) ensure that the proposals are compatible with the principles of community safety and crime prevention, including through the provision and operation of, or financial contributions towards the provision and operation of CCTV security systems
- b) improve the range of other facilities necessary and appropriate to a town centre location, such as recycling points and public toilets where such facilities are not included in the development proposals
- c) secure improved accessibility to the town centre by improvements to the public transport facilities
- d) secure the use and management of car parking provided in conjunction with superstores, supermarkets or other large-scale development, in a way which is compatible with the use and management of public car parking facilities within the town centre
- e) secure the provision of or improvements to rear servicing arrangements, where appropriate to the circumstances of the proposed development