

# **NORTH WEST LEICESTERSHIRE DRAFT LOCAL PLAN**

## **BACKGROUND PAPER 10**

**Policy Ec9 – Town and Local Centres: Hierarchy and Management of  
Development**

**Policy Ec10 - Town and Local Centres: Thresholds for Impact  
Assessments**

**Policy Ec11 - Town and Local Centres: Primary Shopping Areas – Non-  
Shopping Uses**

**Policy Ec12 - Town and Local Centres: Primary Shopping Areas – Hot  
Food Takeaway Balance**

**Policy Ec13 – Primary and Secondary Frontages**

**Policy Ec14 – Local Centres**

## **1 INTRODUCTION**

- 1.1 This is one of a number of background papers which have been published to support the draft Local Plan. The purpose of these papers is to provide more information in support of the Town and Local Centre Policies Ec9 to Ec14 than can be included in the draft Local Plan document itself if it is to remain of a manageable size.

## **2 THE POLICIES**

- 2.1 These policies set out the retail hierarchy for the district, define the town and local centre boundaries, identify thresholds for impact assessments and identify the type of uses considered suitable in these centres with an emphasis on maintaining shopping as their primary function. They state:

### **Policy Ec9– Town and Local Centres: Hierarchy and Management of Development**

**(1) The Council will support retail and main town centre development in accordance with the following hierarchy of centres:**

- **Town Centres: Coalville and Ashby de la Zouch**
- **Local Centres: Castle Donington, Ibstock, Kegworth and Measham**

**Proposals for retail and other main town centre uses will be expected to be located within the town and local centres, as defined on the Policies map. Development outside of the defined town and local centres will only be permitted if it can be demonstrated that a sequential approach has been followed which favours sites in a defined centre, then edge of centre and then out-of-centre.**

**(2) Coalville is the district’s principal shopping area and to ensure it continues to fulfil this role it is the preferred location for new retail and main town centre uses. Provision will be made for an additional 7,300 sq metres (net) of retail floorspace for comparison goods.**

**(3) New retail and town centre uses development should:**

- **be of a scale appropriate to the role, function and character of the settlement and not undermine the balance of the hierarchy;**
- **conserve and enhance the character and distinctiveness of each centre in terms of design, and protect and enhance the built and historical assets of the centre, and their wider setting.**

**Policy Ec10 – Town and Local Centres: Thresholds for Impact Assessments**

For retail, leisure and office development proposed outside of the town and local centres as defined on the Policies map, an impact assessment will be required based on the following thresholds.

<u>Centre where development proposed</u>	<u>Development Threshold</u>
Coalville and Ashby de la Zouch	1,000 sqm gross
Castle Donington, Ibstock, Kegworth and Measham	500 sqm gross

**Policy Ec11 – Town and Local Centres: Primary Shopping Areas – Non-Shopping Uses**

(1) Shops (Use Class A1) will be the predominant ground floor use within the defined Primary Shopping Areas of our Town and Local Centres, as identified on the Policies map. Development for other main town centre uses within the Primary Shopping Area will be acceptable where:

- they make a positive contribution to the diversity of uses on offer;
- the proposal, along with any committed planning permission, does not undermine the shopping element within the immediate area of the site
- it would not result in a cluster of non-shop uses

(2) The residential use of the upper floors of properties within these defined Primary Shopping Area will be supported subject to parking and amenity considerations.

**Policy Ec12 – Town and Local Centres: Primary Shopping Areas – Hot Food Takeaway Balance**

(1) Hot food takeaway uses should be located within defined town or local centres or within an established parade of shops.

(2) In considering applications for a proposed hot food takeaway use, within the defined Primary Shopping Areas of our Town and Local Centres, as identified on the Policies map, regard will be had to the following factors:

- The number of existing take away establishments in the immediate area as related to the application site and their proximity to each other, in order

to avoid clusters of takeaway uses;

- Impact on the amenity of the immediate area (including smells, fumes and noise) , traffic or safety issues arising from the proposal itself or cumulatively with the existing uses in the area;
  - The potential impact upon the health of local residents where it can be demonstrated that the proposal will raise health issues.
- (3) Proposals for a hot food takeaway use should also include the provision of a litterbin on land within the premises, of which the property will be responsible for its maintenance, emptying on a regular basis and for the area adjacent to the premise to be kept clear. Where a litterbin cannot be provided within the curtilage of the premises, a commuted sum will be sought towards the provision of a litterbin within the locality.
- (4) Within the Market Street frontage of Ashby de la Zouch, Nos 67 to 89 and Nos 76 to 108, the Council will resist applications for new hot food takeaway uses over and above those in existence, or permitted, at the time of the adoption of this Local Plan.
- (5) The concentration of hot food takeaway uses within the defined local centre of Ibstock, as identified on the policies map, will not be permitted to increase above the existing number of those in existence, or permitted, at the time of the adoption of this Local Plan.

#### **Policy Ec13 – Primary and Secondary Frontages**

- (1) Within the primary frontages, as identified on the Policies map, the ground floor uses should be predominantly shop use in nature. Other complementary A Class uses will only be permitted where it can be demonstrated that the proposed use would not lead to an overconcentration of non shopping uses and it would not lead to a negative impact on the retail character and vitality and viability of the overall Primary Shopping Area. Non A-Class uses will not be permitted at ground floor level.
- (2) In secondary frontages, the Council will support a range of other main town centre uses especially where they make a positive contribution to the choice of uses on offer and not have a negative impact on the shopping function and character of the overall Primary Shopping Area.
- (3) The residential use of the upper of floors of properties within these defined primary and secondary frontages will be supported subject to parking and amenity considerations.

#### **Policy Ec14 – Local Centres**

**Planning permission will only be granted for the loss of shopping and other main town centres uses, within the defined local centre if the premises have been vacant for at least 6 months with evidence of marketing. The following factors will also be taken into account:**

- **The need to maintain an appropriate balance between main town centre and non-main town centre uses;**
- **The contribution the unit makes to the function of the centre in terms of its size and location within the centre;**
- **The nature and characteristics of the proposed use and the type and characteristics of other uses within proximity of the application site and**
- **The impact of the proposal on the shopping and service character and function of the local centre for example, would it create an active frontage, would the use bring visitors to the centre?**

**The residential use of the uppers floors of properties within these defined Local Centres will be supported subject to parking and amenity considerations.**

### **3 TOWN AND LOCAL CENTRES**

- 3.1 In defining the hierarchy of our town and village centres, their thresholds for impact assessment, their defined boundaries and appropriate types of uses, the National Planning Policy Framework (NPPF) sets out the relevant planning policy and provides advice to which it is necessary to have regard.

#### **National Planning Policy Framework**

- 3.2 The NPPF identifies that “town centres should be seen as the heart of communities” and policies “should support their viability and vitality.” It suggests that a hierarchy of centres should be defined along with the extent of town centres and primary shopping areas and that policies should set out what uses will be permitted in these locations. Local Planning Authorities should also undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites. In determining applications for main town centre uses not in an existing centre, the sequential test should be applied. These requirements were used to inform our policies.
- 3.3 The NPPF also provides various definitions relating to town centres and regard has been had to these throughout this review of our town and local centres.

- **Town Centre:** Area defined on the local authority's proposal map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping areas. Reference to town centres or centres apply to city centres, town centres, district centre and local centres but excludes small parades of shops of purely neighbourhood significance.
- **Primary Shopping Area:** Defined area where retail development is concentrated (generally comprising the primary frontages and those secondary frontages which are adjoining and closely related to the primary shopping frontage).
- **Primary and secondary frontages:** Primary frontages are likely to include a high proportion of retail uses, which may include food, drinks, clothing and household goods. Secondary frontages provide greater opportunities for a diversity of uses such as restaurants, cinemas and businesses.
- **Main town centre uses:** Retail development (including warehouse clubs and factory outlet centres), leisure, entertainment facilities, the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centre, and bingo halls); offices; and arts, culture and tourism development (including theatres, museum, galleries and concert halls, hotel and conference facilities).
- **Edge of Centre:** For retail purposes, a location that is well connected and up to 300 metres of the primary shopping area. For all the other main town centres, a location within 300m of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.

3.4 The following part of this paper provides more detail behind how we have determined these requirements. It has been divided into two sections for ease of reference. The first part, Part 3A addresses policies relating to the hierarchy of our centres and the assessment of town centre uses outside of our defined centres. These have been, in part, informed by the 2015 Retail Update Study. Part 3B addresses those policies relating to the designation of our defined town and location centre centres, and their primary shopping area designations and primary and secondary shopping frontage designations. This work has been facilitated and informed by a boundary review of our centres undertaken by council officers.

## **PART 3A: POLICIES EC9-EC10**

### **Policy Ec9 – Town and Local Centres: Hierarchy and Management of Development.**

- 3.5 The retail offer in North West Leicestershire is mainly located in the town and village centres of Coalville, Ashby de la Zouch, Castle Donington, Ibstock, Kegworth and Measham. These centres provide important shopping facilities and services, as well as provide a focal point for communities and meet the day to day needs of local residents.
- 3.6 Policy Ec9 provides the retail hierarchy for the district, based on the retail and service offer of the respective towns. Coalville, the districts principal shopping area, and Ashby de la Zouch are both identified as ‘Town Centres’. These two centres offer a greater range of retailers, restaurants and service providers, to their own communities and surrounding villages, as well as providing for day to day shopping needs. Both also have an indoor market.
- 3.7 The Districts Local Centres (Castle Donington, Ibstock, Kegworth and Measham) have a comparatively more limited range of services and are lower key in character. However the level of retail and service provision and facilities is such that day to day shopping needs are provided for.
- 3.8 Policy Ec9 also identifies Coalville as the preferred location for new retail and town centre uses. This approach would support its role as the district’s principal shopping area as well as facilitate its regeneration. The amount of new retail floorspace required for the plan period has been informed by the 2015 Retail Capacity Study and Update. This paper only provides a summary of this study and the completed study can be viewed in full on our council website.
- 3.9 The Retail Capacity Study has taken into account projections of population growth and expenditure growth, as well as non-traditional forms of shopping and has taken account of proposed retail development which has already been approved . It tested a number of scenarios in order to identify future floorspace requirements using either a static or increased expenditure retention rate. Recent retail development and commitments were also taken into account as part of the scenarios tested, including sites at:
- Hotel Street, Coalville
  - Belvoir Shopping Centre
  - New Convenience Stores at Whitwick, Thringstone, Ashby de la Zouch and Station Road, Castle Donington
- 3.10 The four scenarios, identified below, were used to identify both comparison and convenience floorspace requirements.
- *Scenario 1: A static retention forecast*

- *Scenario 2*: An increased retention rate. For comparison goods the rate was increased from 36% to 45%. For convenience goods the rate was increased from 76% to 80%.
- *Scenario 3*: Static retention forecast but with the Belvoir Shopping Centre development not implemented (other commitments implemented)
- *Scenario 4*: Increase retention rate but with the Belvoir Shopping Centre development not implemented (other commitments implemented).

**Convenience Floorspace** – For all the scenarios no quantitative requirement for additional convenience goods floorspace was identified for the period up to 2013.

**Comparison Floorspace** – The requirement for the comparison goods floor space is detailed in the table below:

	2014-16 (Sq.m net)	2016-21 (Sq.m net)	2021-26 (Sq.m net)	2026-32 (Sq.m net)	Total: 2014-31 (Sq.m net)
Scenario 1	-9756	1090	2492	3139	-3035
Scenario 2	-9756	6964	3682	4492	5383
Scenario 3	-1266	1699	3101	3748	7282
Scenario 4	-1266	7574	4292	5101	15700

*Table 1: Comparison Floorspace Requirements*

- 3.11 The Study suggests that Scenarios 1 and 2 are unlikely to materialise as there is some doubt over whether the proposed redevelopment of the Belvoir Shopping Centre will come forward. This would release capacity for additional comparison floorspace. However it is unlikely that the revised scheme at Hotel Street will deliver the step-change in shopping patterns to significantly improve the retention rate, and this would suggest that scenario 4 is unlikely to materialise.
- 3.12 The 2015 Retail Update Study therefore recommends the most realistic scenario (No.3) is that which would retain existing expenditure rates within the district. This scenario suggests there is a quantitative requirement for 7,300 sqm of additional comparison floorspace in the District in the period to 20131, although need does not arise until after 2016. The study suggests that this floorspace be located in Coalville in particular to assist in the delivery of needed quantitative and qualitative improvements. It does recommend the need for additional retail floorspace if any of



the district's other town and local centres. Therefore in light of the study outcome, Policy Ec9 of the draft Local Plan identifies a number of options for how this retail requirement could be met.

### **Policy Ec10 – Town and Local Centres: Thresholds for Impact Assessment**

- 3.13 A proposal for main town centre uses, over a specified size, and that are not in a centre, should be assessed having regard to its impact on any committed or planned investments in relevant centres, as well as its impact on town centre vitality and viability. A locally set threshold relating to the size of the proposed development can be set and be used to determine if an impact assessment is necessary. The 2012 Retail Study advised the locally set thresholds that should be used for the District's Town and Local Centres and these are set out in Policy Ec10.

### **PART 3B: POLICIES EC11-EC14**

- 3.14 The NPPF is clear that in drawing up their Local Plan, local planning authorities should define the extent of the town centres, based on a clear definition of primary and secondary frontages and the type of uses you would expect to find in these frontages. Policies should then be set to make clear which uses will be permitted in such locations
- 3.15 The 2002 adopted Local Plan defines the town centre boundaries of Coalville and Ashby de la Zouch and the local centres of Castle Donington, Ibstock, Kegworth and Measham. However their preparation dates back to the 1990s, so they have not been reviewed for over 20 years. Given the number of years that have lapsed since these designations, the guidance contained within the NPPF, as well as the rise in non-traditional forms of shopping, such as use of the internet a review of these centres is considered prudent.
- 3.16 The current adopted Local Plan also defines the local centre of Whitwick as well as neighbourhood centres at Norris Hill, Moira and Cropston Drive, Coalville. In light of the scale of these centres, being more of neighbourhood significance they are not considered to comprise a Town Centre as defined in the National Planning Policy Framework (NPPF). Therefore it was concluded that they should not form part of this review.

### **Town and Local Centre Review Methodology**

- 3.17 A survey of the existing ground floor uses (as defined by the current Use Classes Order (Appendix A)) within the currently defined centres was undertaken initially in July 2014. The Use Classes Order puts uses of land and building into various classes of land use. A map and schedule of the uses for each of the existing defined centres is provided in Appendix B – G. A record of the uses within up to 300m of the boundary (i.e. to the edge of the centre as defined by the NPPF) was also taken into account to enable an assessment of whether the town and local centre should be enlarged.

- 3.18 Using this information and the definitions in the NPPF, updated boundaries for our town and local centre were put forward. These were consulted upon (Dec 2014 – Jan 2015) and the responses received informed the proposed defined town and local centre boundaries.
- 3.19 A detailed assessment and consideration of each of the town and local centres was undertaken and this information, along with justification of our approach, is contained within Appendices H to M. These appendices also include accompanying maps showing the proposed boundary and primary shopping area for each centre, and the primary and secondary frontages for the town centres only. The Town Centres, Local Centres and the Primary Shopping Areas, and primary and secondary frontages (where appropriate) are defined on the Proposals Map.
- 3.20 Below is summary of the role and purpose of each of the policies that have been prepared following the review of our town and local centres.

**Policy Ec11 – Town and Local Centres: Primary Shopping Areas – Non-Shopping Uses**

- 3.21 The Primary Shopping Area is where shopping development is principally located. They also include those adjoining and closely related areas where a more diverse range of other main town centre uses, such as restaurants, takeaways, public houses and businesses, can be found. Policy Ec11 of the new Local Plan seeks to ensure that the predominant ground floor use within the defined Primary Shopping Area is Shopping (Use Class A1), in order to protect the vitality and viability of our centres. It is the primary shopping area where shopping uses should be concentrated, as detailed in the NPPF, and from the survey work undertaken this area has been defined for each of the town and local centres.
- 3.22 It is however recognised that other main town centres can contribute to the positive development of our centres and bring a range of benefits. Therefore the policy will support non-shop uses within our defined Primary Shopping Area provided the shopping element is not undermined.

**Policy Ec12 – Town and Local Centres: Primary Shopping Areas – Hot Food Takeaway Balance**

- 3.23 We recognise that takeaway uses can serve the needs of local communities and contribute to the variety of uses that a centre can offer, as well as provide an active frontage during the evenings. However harmful impacts can result, such as noise and disturbance to residents, anti social behaviour and parking and traffic issues. In addition, if too many of these uses occur, particularly if they are sited in close proximity to one another, the shopping function of the area can be undermined.
- 3.24 This is an issue that was addressed with the publication of a Retail Supplementary Planning Document (January 2011). The outcome of this review suggests that this issue is still relevant and policy should be put in place to prevent a harmful number of, and clustering, of take away uses within our primary shopping areas.

- 3.25 It was also observed in Ashby de la Zouch, that whilst the overall proportions of takeaway uses within the primary shopping area accounts for a comparatively small proportion of the town centre uses, there is a noticeable concentration of takeaways within the eastern end of Market Street. Within this area there are a number of takeaways within close proximity to one another as well as a number of restaurant uses that also offer takeaway facilities. It is considered that further concentration and grouping of takeaway uses in this part of the primary shopping area, could detract from its shopping function and create an inactive frontage during the day. The policy deals, therefore, with this specific potential issue in this part of Market Street, Ashby de la Zouch.
- 3.26 The survey work undertaken in Ibstock recorded a comparatively significant number of takeaways within its defined local centre and primary shopping area. Given the low key character of Ibstock and its more limited range of services and facilities, a further increase in takeaway uses would undermine the vitality and viability of this local centre. Therefore the policy deals with this specific issue in Ibstock.

#### **Policy Ec13 – Primary and Secondary Frontages**

- 3.27 The NPPF refers to the identification of primary and secondary shopping frontages and suggests the following:
- Primary frontages are those likely to include a high proportion of retail uses, which may include food, drinks, clothing and household goods.
  - Secondary frontages are those which provide greater opportunities for a diversity of uses such as restaurants, cinemas and businesses.
- 3.28 In defining these two types of frontages regard was had to the type and spread of uses that was found to occur during the survey work undertaken on our town and local centres. With respect to Coalville and Ashby de la Zouch, it was quite evident where the shopping uses are concentrated and where a greater mix of other town centre uses can be found. The mix of uses is shown on the maps for these centres contained within Appendices B and C, and was used to define the location of the defined primary and secondary frontage. A clearer and more detailed assessment of each of the frontages is provided within the appended reports for each of these two centres. The policy seeks to protect the different character and role of these two frontages, within our town centres, and the contribution they make to their vitality and viability.
- 3.29 In respect of our local centres, given their scale, and lack of any clearly defined differences across the individual centres, it is considered that the identification of primary and secondary frontages is not appropriate.

#### **Policy Ec14 – Local Centre**

- 3.30 It is recognised that our local centres have an important role to play, providing a range of services and facilities that serve and meet the day to day needs of local residents.

Generally our local centres have low vacancy levels and provide a reasonable range of services and facilities. Also their character is lower key with a number of residential premises located within their centres. Having regard to their role their defined local centre also comprises their defined Primary Shopping Area.

- 3.31 The policy seeks to protect the role of our local centres but also recognises that there may be circumstances that may allow for the loss of a main town centre use, for example, to avoid the presence of vacant units for significant periods of time, which in itself could damage such as small centres' vitality and viability.