

**Town Centre  
Planning  
-  
*Need Versus  
Impact ?***

**DLP BRIEFING NOTE 2**

Prepared by  
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## Town Centre Planning

A new draft PPS6 (Planning for Town Centres) has been published. Intended to refine town centre planning policy, it incorporates a number of measures heralded for some time and, as recommended in the Barker Review sees the deletion of the “need test” - although a need assessment is still relevant to strategic planning.

The most significant changes are to development control with more emphasis on:

- "town centre first"
- encouraging competition and consumer choice
- improving economic performance and building prosperous communities (PPS4 - Planning for Sustainable Economic Development - is referred to throughout)
- use of market information and economic data, including land
- values and price signals
- responding to climate change
- addressing matters of crime, security and the terrorism threats.

An impact assessment is required for any proposal for a town centre use of over 2500 square metres in an edge/out-of-centre location, unless it is in accordance with an up-to-date development plan. Smaller proposals may also need an assessment, depending on their scale.

Both positive and negative impacts are to be assessed in respect of vitality and viability, taking into account the cumulative effect of other recent or permitted development.

The key town centre impacts to assess are:

- impact on the development plan strategy and proposals
- impact on existing, committed and planned public and private
- investment in the relevant centres
- whether the scale of the proposal is appropriate in relation to the
- centre, its role catchment
- impact on town centre trade/turnover, taking account of anticipated expenditure
- extent to which the proposal would promote or undermine the vitality and viability of the town centre, including consumer choice and retail diversity

Significant adverse impact in relation to any of these matters will normally lead to a refusal unless there are significant wider economic, social and environmental benefits that would outweigh the negative impact.

In addition, proposals which fail to secure high quality design or sustainability objectives are unlikely to be acceptable, even if other benefits are forthcoming. Wider impacts to be assessed include:

- impact on allocated sites being developed
- accessibility by a range of modes
- benefits for deprived areas and social inclusion
- effect on employment
- the "claw back" of trade leakage to other centres outside the catchment
- extent to which the proposal will promote or undermine regeneration within years following implementation
- the efficient use of land, especially previously developed land

Need is to be subsumed in the "impact test" (but lives on in the development plan process). Applicants have to still demonstrate compliance with the need assessment in particular that there is no significant negative impact on the trade/turnover of a centre and a claw-back of trade leakage. By removing need as a primary justification for development, the government is clearly hoping that its "town centre first" policy can no longer be subverted.

Although the revisions to PPS6 do not expressly set out a competition test the Statement refers to the identity of the occupier as being not normally material to a planning decision, but suggests that local planning authorities can create the right conditions to encourage diversity.

The government has now reported on the consultation process and the following is a summary of the main points arising from that:

- strong support for the continuation of the 'town centre first' policy, and agreement that the proposed changes would support town centre investment
- support for the positive approach to planning at the local level but concerns regarding a potentially weakened regional role in respect of town centre policy
- broad support for the new impact test in terms of the criteria proposed, the flexibility in its application and its robustness as a means of assessing the impact of development
- significant support for consumer choice and retail diversity as considerations when assessing proposals, provided that they do not undermine town centres or small shops
- a need for a stronger policy approach to small shops, independent retailers and small businesses
- the absence of practice guidance setting out how the policy should be interpreted makes it difficult to comment on policy proposals.

Guidance is crucial to the effective and consistent implementation of the proposed changes

- significant capacity, resource and skills issues arising from the proposed changes and
- concerns over the quality of data available to support the development of robust evidence bases

If you would be interested in DLP Planning submitting comments on your behalf in respect of the Joint Core Strategy review then please do not hesitate to contact us.

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