

# **Warrington Local Plan Examination**

## **Matters Statements**

### **MATTER 10 - RETAIL, LEISURE AND THE TOWN CENTRE**

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**August 2022**



## MATTER 10 – RETAIL, LEISURE AND THE TOWN CENTRE

### Issue

**Whether the Local Plan is justified, effective and consistent with national policy in relation to the approach to retail, leisure and the Town Centre.**

(NB. Examination Library reference numbers are provided in brackets after each document referred to in the Matters Statement)

### Relevant policies DEV5 and TC1

### Questions

#### ***Meeting retail and leisure needs (DEV5)***

1. **What is the evidence base for determining the provisions of Policy DEV5 in setting out the hierarchy of centres providing for the range of shops, services and facilities across the Borough? Are the provisions of this policy justified and will they be effective across the plan period?**
  - 1.1 The evidence for determining the provisions of Policy DEV5 is provided within the Retail and Leisure Study Update 2021 (RL1). Warrington has a clearly defined hierarchy of centres providing a range of shops, services and facilities across the Borough. Warrington Town Centre is the main hub for retail, transport and service uses serving the Borough as a whole and wider sub-region. The Borough has a large number of other centres which perform an important role in providing a range of facilities and employment opportunities within walking and cycling distance of where people live and work. These are defined as District Centres, Neighbourhood Centres and Local Centres.
  - 1.2 National policy continues to promote the importance of vital and viable centres. The policy approach set out in DEV5 is to direct new retail and leisure development into the Borough's defined centres. Such development should be of an appropriate size and scale to support the centre.
  - 1.3 Warrington's centres and the shops and services within them will continue to face considerable competition as people choose to do more of their shopping in large superstores or order goods and services online. Policy DEV5 therefore seeks to ensure that centres at all levels in the hierarchy provide and retain a range of shops, services and facilities and to provide a high quality of environment to enable them to compete more effectively.
  - 1.4 The Council considers that this approach is robust, reflecting current evidence and national policy requirements. It will be effective across the Plan Period, subject to any significant changes which would lead to a review of the Plan and policy approach. This is consistent with Paragraph 004 of the Town Centres and Retail PPG

that recognises there is uncertainty in forecasting long-term retail trends and consumer behaviour in establishing the role, function and hierarchy of town centres.

- 2. Does the hierarchy of centres reflect the requirement to make clear the range of uses permitted in town centres/primary shopping areas as part of a positive strategy for each centre?**
  - 2.1 Yes, subject to clarification of the nature and role of each type of centre in the hierarchy, as detailed in the response to question 3 and question 19 below.
- 3. Does the strategy clearly define the roles of each level of the hierarchy, for example the difference between local centres, neighbourhood centres and neighbourhood hubs?**
  - 3.1 The Council accepts that the supporting text to the policy should provide a description as to the role of each type of centre within the hierarchy. The proposed modification is set out under question 19 below. The text already provides clarification on the nature and role of neighbourhood hubs at paragraph 4.3.19.
- 4. Given the limited provision of local centres/neighbourhood hubs in south Warrington, and the extent of housing and employment development envisaged in this area, will the Local Plan adequately provide for necessary services and facilities?**
  - 4.1 The Council recognises that the provision of local centres and neighbourhood hubs in South Warrington is currently limited. Indeed one of the key considerations in assessing options for where growth should be accommodated in the Borough to meet demand over the Plan Period was the ability of the South East Urban Extension to provide for the necessary services and facilities needed. Policy MD2 sets out a requirement for a range of social infrastructure including a new leisure facility and local shops and community facilities of an appropriate scale. Whilst the detail of such provision will be worked up through a Development Framework for the allocation, the policy sets out key parameters and it is envisaged that there will be approximately three local centres and a neighbourhood hub. This infrastructure is proportionate to the scale of the proposed development itself but will also help to improve such infrastructure for existing residents in South Warrington.
  - 4.2 The Council is confident that the Local Plan will adequately provide for the necessary services and facilities and that Policy DEV5 and allocation policies for the main development areas seek to achieve this.
- 5. Are the requirements of Policy DEV5 points 5 to 7 consistent with the NPPF paragraphs 87-91?**
  - 5.1 Yes, the Council considers that DEV5 points 5 to 7 are consistent with the relevant paragraphs of the NPPF. Part 5 of Policy DEV5 requires that where retail or leisure uses are proposed outside of a town centre or an existing centre (i.e. a defined

centre as worded in the policy) then a sequential test should be applied to demonstrate that no suitable sites are available within the centre or in edge of centre locations. This is consistent with paragraph 87 of NPPF.

- 5.2 Part 6 of Policy DEV5 requires that the impact of any out of centre development is assessed as required in paragraph 90 of NPPF.
- 5.3 Part 7 sets a locally established threshold for assessing applications for retail, leisure and office development in out of centre locations.
- 5.4 The Policy is consistent with the NPPF which states that planning policies should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
- 5.5 The Council does however consider that parts 5 to 7 could be combined into a single part with sub parts to provide clarity on the approach to out of centre development. The modification for this is shown in question 19.
- 6. **Is the threshold set at Policy DEV5 point 7 for impact assessments being required for proposals over 500m<sup>2</sup> justified?**
  - 6.1 The Council has retained the existing threshold from the 2014 Local Plan given the pressures of out of town retail in Warrington and its successful application in the period since the adoption of the 2014 Plan.
- 7. **Are the provisions of Policy DEV5 point 8 consistent with national policy? How does this align with the requirements of Policy INF4, particularly in relation to cultural facilities?**
  - 7.1 National policy also encourages Local Planning Authorities to plan positively for the retention and integration of community facilities such as local shops, meeting places, public houses and places of worship and other local services to enhance the sustainability of communities and residential environments. Many, but not all, of these facilities are located in designated centres. They are particularly important in ensuring the vitality of the Borough's outlying settlements.
  - 7.2 Policy DEV5 seeks to ensure that local shops, facilities and services are protected, principally by ensuring that consideration is afforded to avoiding the loss of those which are proven viable or those which if lost would adversely impact the availability of services to any given community. The Policy also seeks to take forward the successful approach to avoiding overconcentration of hot food takeaways, which is set out in detail in the Council's Hot Food Takeaway SPD (SPD5).
  - 7.3 The Council considers that the provisions of Policy DEV5, part 8, align with and reinforce the requirements set out under Policy INF4, in particular relating to the provision of cultural facilities. Part 8a of Policy DEV5 seeks to avoid the loss of viable cultural facilities in order to support the health and wellbeing of local communities,

whilst Policy INF4 seeks to support the development of new cultural and wider community facilities. Both policies emphasise the importance of having adequate and accessible community facilities for both the wellbeing of residents and the creation of sustainable communities.

**8. In relation to the provisions of Policy DEV5 point 8b., does the Council's Hot Food Takeaway SPD 2014 reflect the PPG on healthier food environments?**

- 8.1 Yes, despite being adopted in 2014, the Council considers that the SPD does reflect the PPG on healthier food environments which states that local planning authorities can have a role in improving health and supporting opportunities for communities to access a wide range of healthier food choices. The SPD remains very relevant in addressing some of the key challenges the Borough is facing and presents local based evidence as to why the proliferation of takeaways requires some control – namely the increase in obesity in Warrington and the increased exposure to hot food takeaways in more deprived parts of the Borough.

***Role of Town Centre (TC1)***

**9. What is the role and status of Warrington's economic growth and regeneration strategy – Warrington Means Business (6.1.6)? Is this sufficiently clear?**

- 9.1 The Warrington Means Business Strategy (EC7) is an adopted Council Strategy, originally published in 2013 it has subsequently been revised in 2017 and 2020. Warrington Mean Business reflects the vision and priorities for economic growth and regeneration in the Borough including transport connectivity, sustainable development in key locations, business support and expansion, skills and training, ICT development, developing partnerships and developing a greener economy.

- 9.2 Warrington Means Business provides a context for the Local Plan and the Local Transport Plan 4 but does not have any formal planning status itself. Warrington Means Business's vision for economic growth and regeneration is embedded in the draft Local Plan. Policy TC1 reflects Warrington Means Business in emphasising the importance of the regeneration of the Town Centre and sets out how regeneration and development of key opportunities should positively support the Town Centre's future.

**10. What is the relationship between Policy TC1 and the provisions of the Warrington Town Centre SPD?**

- 10.1 TC1 sets out the main principles for development in the town, the Town Centre SPD (SPD1) then provides more detailed guidance for developers to meet the policy requirements. The Town Centre SPD was adopted based on the current Local Plan Core Strategy 2014, which sets out overarching guidance for the location and level of development; and the economic development aims of the Council to 2027. However, the Council considers that the SPD remains in line with the objectives of the Local Plan and in particular with Policy TC1.

- 10.2 The SPD also reflects the need to ensure that development proposals in the Town Centre meet changing national design guidance and recent changes to the NPPF on town centre viability and uses; promoting healthy and safe communities; sustainable transport and achieving well designed places. The SPD incorporated changing ambitions at a national and local level and this approach has subsequently been incorporated into the Policy TC1 which has strengthened the design and regeneration approach for the Town Centre. The policy also gives practical guidance to those wishing to develop in the Town Centre and how they can positively engage with the Council when discussing their development proposals.
- 11. Given the requirement at Policy TC1 point 5. to comply with the requirements of the Town Centre SPD, will the policy be effective and consistent with national policy relating to SPD?**
- 11.1 The SPD is entirely consistent with national guidance. The SPD follows the National Design Guide which sets out a place making approach. The approach to design is set out in the NPFF at paragraph 130 (a) to (f) and these principles are reflected in the SPD.
- 11.2 Equally the SPD where it deals with such issues such as sustainable transport at town scale; the identified masterplan areas at neighbourhood scale; promoting active frontage and social interaction at urban block scale; and carbon targets at the dwelling scale, has a direct link to chapters in the NPPF that give guidance on promoting healthy and safe communities'; 'Promoting sustainable transport'; and 'Ensuring the vitality of town centres'. Policy TC1 is therefore entirely appropriate in referring to the requirements of the SPD which is effective and consistent with the NPPF.
- 12. Is the approach to key development sites in the Town Centre sufficiently clear and detailed?**
- 12.1 The policy sets out the overall approach to development and regeneration of the Town Centre. It supports the role of the Town Centre, as per the guidance provided at paragraph 86 of chapter 7 of the NPPF. It takes a positive approach to its growth, management and adaption through the identification of zones where different opportunities for the provision of traditional town centre uses, together with new and diversified uses, can be brought in to support the Town Centre's viability and vitality.
- 12.2 If the Policy was more detailed, for example in the allocation of specific uses on sites, it would be contrary to point (a) of paragraph 86 of the NPPF. The Town Centre in this instance would not be able to maintain the ability to diversify and respond to rapid changes in retail and leisure or consider suitable mixes of uses (including housing) on sites as they come forward.

- 13. Is the potential for housing development in the Town Centre realistic and supported by robust evidence?**
- 13.1 The Council is confident that its assumptions about the development potential and capacity of sites in the Town Centre are robust. The Council has refined its density assumptions for the Town Centre following the conclusion of the Regulation 19 consultation in the update of its Strategic Housing Land Availability Assessment (SHLAA).
- 13.2 In response to representations on the UPSVLP (2021), questioning the viability of higher density town centre residential schemes, the Council produced an addendum to its Local Plan Viability Assessment (V1) which provides additional detail to demonstrate the viability of different types and sizes of development across the Borough, including those in the Town Centre and Inner Warrington. The Council is therefore confident that Town Centre residential developments will come forward.
- 14. How will a balance between regeneration to create a vibrant hub and residential amenity for multi-generational living be achieved?**
- 14.1 The Policy sets out the framework for the regeneration of the Town Centre and its uses. It also references the need to comply with guidance in the Town Centre SPD (SPD1). The SPD in its neighbourhood scale, urban block scale and dwelling scale gives detailed guidance on how to design for vibrancy in the Town Centre and gives consideration as to how design can support, protect and enhance residential amenity. For example, it provides: guidance in respect of servicing of both residential and other uses; identification of the need for amenity space for residents; guidance on how public and private amenity space can work together in residential blocks; and details on how to manage air quality, odour and noise.
- 14.2 The Council is confident that the requirements of the Policy, combined with the more detailed design guidance set out in the SPD, will result in a residential environment that will be attractive for both younger and people.
- 15. Do the parameters for taller buildings (TC1 point 6.) need to be defined?**
- 15.1 It is not considered necessary to clarify the parameters for taller buildings in the Policy. The Policy lays out the design led approach that is then expanded on within the SPD which gives guidance on all design matters that need to be considered for tall buildings in the Town Centre. This includes consideration of: roofscapes; existing building heights; the importance of human scale; the need for animating ground floor uses; and the importance of respecting historic context. The SPD also indicates heights that would be acceptable in certain locations.
- 16. Is the viability assessment of town centre sites up to date and robust?**
- 16.1 Yes, the Local Plan Viability Assessment (August 2021) (V2) provides a detailed assessment of a range of Town Centre typology sites. As stated in the response to

question 13, the Council subsequently produced an Addendum to the Viability Assessment (V2) which considers Town Centre sites in more detail. This includes up to date consideration of building costs and sales values.

**17. Could viability issues mean that the qualitative requirements for new accommodation in the Town Centre may not be met?**

- 17.1 The Local Plan Viability Assessment 2021 (V2) takes into account the qualitative design requirements of the Policy and the SPD in respect of build costs of individual developments.
- 17.2 Where there are viability challenges then the Plan has sufficient flexibility to enable the Council to prioritise planning obligations where necessary.
- 17.3 It should be noted that the Town Centre is a priority for Council investment and it is considered that a combination of both private and public sector investment will create a high quality residential environment.

**18. In seeking to improve the Town Centre's environment, does Policy TC1 give sufficient support to safety/security matters?**

- 18.1 The Council considers the Policy as currently written gives sufficient support to safety/security matters.
- 18.2 More detailed consideration of issues relating to security is provided in Policy DC6 – Quality of Place. Point 5 of Policy DC6 sets out the need to consider security issues including the principles that need to be followed.
- 18.3 Guidance within the Town Centre SPD (SPD1) also focuses on safety and security through good design. Preventative measures are seen as essential if the Town Centre is to become a 'good' place to live. At paragraph 5.15 the SPD also references the need to undertake pre-application discussions with Cheshire Police's Designing out Crime Officer.

***Main modifications***

**19. Are any main modifications to the above policies necessary for soundness?**

- 19.1 In order to provide clarification on the role of different types of centres in the retail hierarchy, the Council is proposing the additional supporting text to Policy DEV5 after paragraph 4.3.6:

**Warrington Town Centre is the principal retail and service destination in the Borough. The town centre serves the whole of the Borough and surrounding area, provides the main hub of retail and service uses in the Borough and is clearly the highest order centre in the administrative area. Warrington town centre is supported by the three district centres of Birchwood, Stockton Heath and**

**Westbrook. Although each of the district centres has its own characteristics, each centre performs an important role in serving the day to day needs of their location catchment. It is considered that the district centres are well distributed in order to serve the needs of the Borough's population.**

**The Town and District Centres are supported by a network of Neighbourhood centres and local centres. Neighbourhood Centres are smaller than district centre but still contain a variety of uses to meet the day to day retail and leisure needs of the neighbourhoods they service. Local Centres are the smallest in the hierarchy and often based on a parade of shops.**

- 19.2 The Council considers that parts 5 to 7 of Policy DEV5 could be combined into a single part with sub parts to provide clarity on the approach to out of centre development:

**5. Where retail or leisure uses are proposed outside of a defined centre, the applicant will be required to:**

- a. demonstrate that no suitable sites are available within the centre or in edge of centre locations through applying a sequential approach.**
- b. Where there are no suitable, available or viable sites within a defined centre, the proposal must demonstrate that there are no significant adverse impact on that centre(s).**
- c. Proposals for retail, leisure and office uses over 500 square metres gross will need to provide justification in the form of an impact test proportionate to the scale of the proposal.**