

Introduction

1. This note has been prepared by Alder King Planning (AK Planning) on behalf of the Borough Council of King's Lynn and West Norfolk (the Council).
2. AK Planning is a leading public sector town centre and policy advisor that specialises in the preparation of local plan evidence base documents, in particular retail and town centre studies. As part of these studies we have advised Council's on numerous policy matters including retail impact policy thresholds.
3. We understand that the Inspectors currently examining the Council's Local Plan have queried the retail impact policy threshold relating to the Hardwick Road retail area of Kings Lynn set out in emerging Policy LP08. For ease of reference an extract of the policy setting out details of the thresholds is provided below:

3. The Council will strongly resist proposals for out of centre retail uses that either individually or cumulatively would undermine the attractiveness and viability of the town centres. Retail impact assessments will be required for individual schemes having a gross floorspace greater than 2,500 square metres, although in the case of the Hardwick area in King's Lynn (where there is already a significant accumulation of out of town centre retailing) greater weight will be attached to the cumulative impact of new development on the town centre. New retail uses in this area will not be subject to a floorspace threshold and will only be approved where they meet the sequential test set out in the NPPF and will not individually or cumulatively undermine the viability of the town centre.

4. Specifically, we understand that the Inspectors have asked the Council to:

“Review the nil threshold for impacts tests on new retail floorspace at Hardwick Road area of King's Lynn and prepare note for Inspectors to consider.”

5. This note reviews the proposed nil threshold for the impact test and advises whether, in our opinion, it is appropriate.

National Planning Policy Guidance: Town Centres and Retail (NPPG)

6. The NPPG sets out that the impact test only applies to proposals exceeding 2,500sq m gross of floorspace unless a different locally appropriate threshold is set by the local planning authority, as is the case for Policy LP08(3), which proposes a zero threshold for the Hardwick Road retail area, but the national 2,500sq m threshold elsewhere. It identifies that in setting a locally appropriate threshold it will be important to consider the:
- Scale of proposals relative to town centre;
 - The existing viability and vitality of the town centre;
 - Cumulative effects of recent developments;
 - Likely effects of development on any town centre strategy;
 - Whether the town centre is vulnerable; and
 - Impact on any other planned investment.
7. We consider these matters, where evidence is available, below and review/advise, whether in our professional opinion, the proposed nil threshold for the impact test is appropriate.

Scale of Retail Floorspace at Hardwick Road

8. Hardwick Road provides a large out-of-centre retail destination in the south eastern part of Kings Lynn. It comprises over 57,000sq m gross retail floorspace and includes some 35 retailers. The main operators include:
- Campbells Meadow Retail Park - Halfords, The Gym, Dreams, Pets at Home, Easy Bathrooms & Tiles, Wren Kitchens, Pets at Home, McDonald's (circa 5,100sq m gross floorspace);
 - Hardwick Retail Park - The Range, Jollyes, Curry's, Subway, Costa, Boots, Argos, Pizza Hut, The Food Warehouse, Hobbycraft (circa 10,700sq m gross floorspace)
 - Pierpoint Retail Park (Next, Tapi DFS, B&M, Poundland, KFC, Dominos (circa 6,100sq m gross floorspace);
 - Tesco Extra and Dobbies Garden Centre (circa 17,700sq m gross);
 - Sainsbury's store (circa 11,600sq m gross); and
 - a large B&Q DIY store (circa 5,900sq m gross))

9. In comparison to Kings Lynn Town Centre, the latest Experian Goad Plan survey of the centre (August 2022) identifies that the town centre provides a total of circa 49,200sq m gross retail/service floorspace (excluding financial and business services but including other leisure uses such as hotels/cinema's/nightclubs).
10. Accordingly, the level of retail floorspace at Hardwick Road is greater than the retail and service (retail and leisure service) floorspace provided within Kings Lynn Town Centre. In addition to the quantum of retail floorspace provided, the Hardwick Road retail area also has very good accessibility by vehicle off the A47 and A149 together with free parking. By comparison, parking provision in/ around the town centre is limited and not free, with many car parks being short-stay only. Furthermore, passing traffic (especially from the east and south; A10, A47, A149/ A148) would need to pass Hardwick Road in order to access the town centre.

Observations on the Vitality and Viability of Kings Lynn Town Centre

11. Our observations on the vitality and viability of Kings Lynn Town Centre are informed by town centre land use data provided by retail data provider Experian. The latest data for the town centre is from August 2022. In order to understand how the town centre has changed in recent years we have compared this data with historic data provided by Experian from 2015. As part of this commission we have not been asked to undertake a full vitality and viability health check assessment of Kings Lynn Town Centre.
12. Based on its current offering we consider that the town centre is characterised by mid-market and value oriented retailers. This is in part reflected by the presence of retailers such as Poundstretcher, Poundland, B&M, Wilko and Primark a good number of charity shops (12) which is above the UK average.
13. The number of national multiple retailers in the town centre has decreased from 143 to 108 since 2015. Notable national retailers that have closed stores include Next (which relocated to Hardwick Road), Debenhams (who went into administration) and Topshop/Topman and Burton (who also went into administration). In the period since 2015, the notable national retailer that has opened a store in the town centre is H&M.

14. The overall number of retail and service units in the town centre has decreased from 348 units to 335 with total retail and service floorspace also decreasing from 86,465sq m gross to 79,868sq m gross. This is in part reflective of the national trend albeit a near 10% reduction in floorspace is considered to be reasonably large reduction. Notwithstanding this, the diversity of uses in the town centre is considered to be reasonable given its size and role.
15. The comparison goods retailer sector has seen the largest decrease within the centre with a reduction in 33 units (from 158 to 125 units) and a reduction in 7,720sq m gross (from 42,698 to 34,978sq m gross) since 2015.
16. Vacancies have increased from 46 to 53 units with floorspace increasing from 10,015sq m to 14,697sq m gross. A notable vacancy is the former Debenhams store, High Street which has been vacant for nearly 3 years. The current proportion of units vacant in the town centre is comparable to the UK average of 14% with the proportion of vacant floorspace being higher than the UK average (16% compared to 14%).
17. In terms of the town centres' environmental quality, overall we consider it to be reasonably good with little evidence of graffiti. Whilst vacant units do not contribute to its environmental quality the majority of shop fronts are generally well maintained. The town centre area is mostly pedestrianized, which boosts the overall character and quality of the area.
18. Overall, based on our observations and a review of Experian retail data, we consider that the vitality and viability of King's Lynn Town Centre is mixed. Whilst the town centre generally provides a pleasant shopping environment and provides a reasonable diversity of uses, its retail offering is contracting with a number of important national multiple retailers closing and vacancies increasing.

Cumulative Effects of Recent Developments

19. We are not aware of any recent (last 5 years) relevant retail developments or unimplemented planning permissions in the Hardwick Road retail area that would need to be considered in appraising potential cumulative effects on King's Lynn Town Centre.

20. It is considered relevant to highlight the potential effect of the continued Rise in Internet Shopping in the future as this is likely to have an effect on King's Lynn Town Centre. Experian in their latest Retail Planner Briefing Note identify that there has been a marked increase in online shopping since the Covid-19 crisis, which has further accelerated the already strong growth trend seen over the past decade. Internet sales' share in total retail surpassed 19% in 2019 before increasing to around 28% in 2020 against less than 5% in 2008. The value of internet sales in 2021 is estimated at £121.7bn at current prices. Experian expect internet market share to continue to grow strongly in the mid-term, hitting around 30% in 2025. The pace of e-commerce growth is anticipated to moderate over the longer term, reaching 36.5% of total retail sales by 2040.

Impact on Planned Investment and Potential Effects on Town Centre Strategy

21. The Borough Council's Corporate Business Plan 2021-2023 has set a priority objective, to: "Develop our town centres and the rural offering; recognised as great places to live, visit and invest into". This would be achieved through mechanisms such as the Town Investment Plan. The Corporate Business Plan highlights the importance the Borough Council places upon bolstering the town centres, particularly King's Lynn.
22. Significant investment is planned in Kings Lynn Town Centre as part of the Council's Town Deal Programme. King's Lynn was one of 101 towns in England to benefit from the Ministry of Housing, Communities and Local Government funding. The funding received totals £25m.
23. The King's Lynn Town Deal Board was set up to develop the King's Lynn Town Investment Plan. The Investment Plan sets out the vision for King's Lynn and identifies the potential schemes and projects that seek to improve the town/town centre (www.visionkingslynn.co.uk/). Investment projects include:
- the refurbishment of the Guildhall;
 - development of multi-user community hub;
 - riverfront regeneration;
 - active and clean air transport connectivity improvements; and
 - town centre public realm improvements.

24. The Investment Plan and its projects are aimed at strengthening the town centre and local economy and helping secure the town's future as a place of choice to live, work and visit.
25. Whilst, there is acknowledgement in the Investment Plan, that there is a need to bring other uses into the town centre to help the re-occupation/re-purpose vacant units, retail is very likely to remain the primary use and reasons why people visit the town centre. We consider that the retention (and where possible the enhancement) of the town centre's retail use is important in not only the successful delivery of the investment but also the success and value of the investment after it is delivered.
26. The Council's latest strategy for the town centre is set out in the King's Lynn Town Centre Action Plan (2014). Whilst the document is nearly a decade old, far pre-dating the economic impacts of the Covid-19 pandemic and Brexit. Town centre strategies have evolved to accommodate changing consumer behaviour and needs we understand from discussions with planning officers that the 6 key themes set out in the Town Centre Action Plan are still recognised by the Council as important in the overall future strategy of the town centre. These themes are:
 1. High quality public realm & spaces
 2. Maximise Historic assets
 3. Diversify the town centre offer
 4. A town that is easily accessible
 5. A place for people to live, work and socialise
 6. Events and promotion
27. Again, we consider, in delivering initiatives under each of the town centre strategy themes, it will be important to retain (and where possible enhance) the town centre's retail use/offer. This should be achieved through effective application of any available policy tools, including development plan policies.

Vulnerability of Town Centre to Potential Further Retail Planning Applications at Hardwick Road

28. It is considered, based on the available evidence, that King's Lynn Town Centre is potentially vulnerable to further retail planning applications at Hardwick Road:
- Hardwick Road is now a major, easily accessible, and competing shopping destination to Kings Lynn Town Centre;
 - the quantum and scale of retail floorspace at Hardwick Road is now larger than that provided in the town centre;
 - the town centre's retail offer has contracted in recent years with a town centre retailer (Next) having relocated from the town centre to Hardwick Road; and
 - the vacancy levels in the town centre have increased with a number of major national retailers closing stores.
29. Further retail floorspace will add to the critical mass of Hardwick Road as a one stop/shop destination further increasing its attraction and potentially drawing additional shoppers away from, and adversely impacting, the vitality and viability of the town centre.

Overall Conclusions/Advice on Retail Impact Threshold

30. Having regard to our foregoing assessment and having regard to the current health, performance, unit and floorspace composition of King's Lynn Town Centre; anchor stores; increasing competition from the internet; the scale of existing retail floorspace at Hardwick Road and availability of units in the town centre, it is our professional opinion that the proposed nil impact threshold set out at Policy LP08 is too low and should be revised/increased to 500sq m gross.
31. In our opinion, and in part based on our experience with appraising retail planning applications for Council's across the Country, it is unlikely that proposals less than 500sq m gross floorspace could lead to a 'significant adverse' impact and merit the refusal of an application for town centre uses in accordance with the provisions of paragraph 90 of the NPPF. Notwithstanding this, when determining a planning application all impacts are material considerations and so officers may find the submission of a retail impact assessment helpful, even when a retail proposal is below the proposed 500sq m gross threshold, in considering the overall planning balance.

32. The threshold should not only apply to new floorspace, but also to changes of use and variations of planning condition to remove or amend restrictions on how units operate in practice. In considering proposals for variations of condition, the threshold should apply to the whole of the unit in question, rather than just the quantity of floorspace subject to the condition. To avoid any confusion in the application of the impact threshold in Policy LP08 we would advise this is clarified in the supporting text to the policy.