

## **KING'S LYNN & WEST NORFOLK LOCAL PLAN REVIEW EXAMINATION**

### **Policy LP08 Retail: Suggested Main Modifications – Outstanding issues from Day 7 (27 March 2024)**

During the Matter 3 hearing discussion on 27 March 2024 regarding AQ12, the Inspectors invited the Borough Council to put forward suggested Main Modifications to Policy LP08 Retail and/ or supporting text (section 5.2 of the submission Plan).

Necessary Main Modifications were identified, to address the following matters:

- Retail uses not requiring planning permission (2020 Use Classes Order Class E);
- Para 5.2.8 text, to clarify that Policy only applies where planning permission is required; and
- LP08 (criterion 3)/ Policies Map – need to be more specific that policy relates to solely Hardwick (King's Lynn urban area).

An addition to the Policies Map is proposed, showing the extent of the Hardwick retail area. This will be published for consultation with the Schedule of Main Modifications. Suggested Main Modifications are set out below, to address these matters.

### **Suggested Main Modification to LP08 and supporting text (section 5.2)**

## **5.2 LP08 - Retail Development Policy**

### **Introduction**

**5.2.1** Planning policies and decisions 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.

**5.2.2** Planning policies should:

- define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;
- define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;
- retain and enhance existing markets and, where appropriate, re-introduce or create new ones;
- allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over

this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;

- where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre; and
- recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

**5.2.3** This policy seeks to ensure that the Borough's town centres continue to be the hub of retail and service provision for the local population, which in turn aids investment to preserve their unique historic architecture and significant streets, spaces and marketplaces.

#### **Relevant Local and National Policies**

- National Planning Policy Framework: Ensuring the vitality of town centres
- Strategic Policy LP07: Economy

#### **Policy Approach Policy Justification**

**5.2.4** Local planning authorities should apply a sequential test to planning applications for main town centre uses ~~which are neither in an existing centre nor in accordance with an up-to-date plan~~ **in line with national policy.**

#### **Applying the sequential approach to main town centre uses**

**5.2.5** Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. **There are three defined town centres in the Borough – King's Lynn, Downham Market and Hunstanton, together with a district shopping centre at Gaywood Clock.**

**5.2.6** When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

**Additional new paragraph:**

**5.2.7 An impact assessment will be required for retail and leisure development if the proposal is over the local floorspace threshold of 2500 sqm for areas outside identified Retail Centres. In the case of the Hardwick area of King's Lynn, a threshold of 500 sqm or more will apply.**

### **Small scale/ convenience retailing**

**5.2.8** ~~This~~ The NPPF (paragraph 93) specifies that the sequential approach should not be applied to applications for small scale rural offices or other small scale rural development, although a threshold for “small scale” is not specified. However, the 2020 Use Classes Order has introduced some additional clarity, differentiating between main town centre retailing (Class E) and single freestanding convenience retail units (Class F2 – >280m2 floorspace). This distinction between main town centre retailing (Class E) and community/ convenience retailing (Class F) is reflected in Policy LP07.

**5.2.9** The policy makes provision for the creation of local services and facilities including appropriate scale retail provision in locations well related to new residential development, as an aid to reducing the need to travel to such services. Such provision is incorporated in many of the specific urban expansion areas and the approach for consistency is reflected in the retail development policy.

Additional new Paragraph:

**5.2.10** These thresholds reflect local evidence, the size and function of the existing centres and will help protect them from medium and large out of centre food stores and other shops which could have significant impacts. 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. The sequential approach should not be applied to applications for small scale rural offices or other small scale rural development.

## **Strategic Policy**

### **Policy LP08 Retail Development**

1. The Council attach a high priority to the need to support and maintain King’s Lynn, Downham Market and Hunstanton as retail centres. This will be achieved by a combination of measures to improve attractiveness (by increased accessibility, environmental enhancements, events and promotions), as well as strongly supporting proposals to redevelop and invest in the town centres including, where necessary, the use of compulsory purchase powers to consolidate land.
2. New retail uses will be expected to be located in these town centres unless an alternative location is demonstrated to be necessary. If there are no suitable sites in the town centre, an edge of centre location will be expected. Other locations will only be acceptable where it is demonstrated either that there are no suitable sites in the town centre and edge of centre, or the format or nature of the proposed use would not be appropriate in a town centre location (e.g. bulky goods and trade, rural retail services, etc.).

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~~ will be subject to a floorspace threshold of 500 sqm or more for individual schemes and will be supported where they will not individually or cumulatively undermine the viability of the town centre. Therefore, new retail uses in the Hardwick area of 500 sqm or more for individual schemes will require an impact assessment, and will be supported where this shows that they will not individually or cumulatively undermine the viability of the town centre.
4. The provision of local scale retail and service provision as part of the development of larger residential-led schemes will be supported where these are designed to provide facilities for local residents and are of small scale (individual units not exceeding ~~500~~ 280 sq. m.) because these assist in reducing the need to travel to such services and hence the sustainability of the development, without undermining the viability of the town centres.