

**CONSULTATION PAPER ON A NEW PLANNING POLICY STATEMENT (PPS) 4:
PLANNING FOR PROSPEROUS COMMUNITIES**

Agenda Item 8

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Background Papers: Draft PPS4 - CLG – May 2009
Financial Implications: None
Equalities Implications: None
Legal Implications: None

Options:

1. To agree the response to the consultation paper.
2. To amend the response to the consultation paper

Risks:

The main risk is that the Council's comments will not be reflected in the final document

EXECUTIVE SUMMARY

The main purpose of the Draft Planning Policy Statement 4: Planning for Prosperous Economies is to bring together in one document all planning policies which have an effect on the economy, setting out the Government's comprehensive policy framework for planning for sustainable development in urban and rural areas, including town centres. It emphasises the need for local planning authorities to plan proactively for economic development in their areas.

It is proposed that the Cabinet member for Enterprise and Culture responds to the consultation as a delegated decision following consultation with this Panel, Leadership Group and the Economic Development and Transportation Partnership Board.

DECISION

It is **RECOMMENDED** that:

The Panel endorses the comments set out in paras. 5 to 7 of the report for inclusion in the Council's response to Draft PPS4

CONSULTATION PAPER ON A NEW PLANNING POLICY STATEMENT (PPS) 4: PLANNING FOR PROSPEROUS COMMUNITIES

1. The Government has published Draft PPS4: Planning for Prosperous Communities for consultation. This will merge a number of existing Government policy statements including PPS4: Sustainable Economic Development and PPS6: Planning for Town Centres.
2. The policies set out in the PPS will need to be taken into account by local planning authorities in the preparation of local development documents. Planning authorities should also have regard to the policies set out in the PPS in considering planning applications.
3. For the purposes of PPS4 economic development includes development within the B Use Classes (offices, research and development, light industry, general industrial, storage or distribution) or town centre uses and other development which fulfils at least one of the following objectives:
 - provides employment opportunities
 - generates wealth or produces or generates an economic output or product

The main uses to which the town centre policies in the statement apply are:

- retail (including warehouse clubs and factory outlet centres)
- leisure, entertainment facilities, sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres and bingo halls)
- offices
- arts, culture and tourism (theatres, museums, galleries and concert halls, hotels and conference facilities)

References to town centres apply to all the types of centres identified in development plans.

4. The draft PPS4 includes a large number of proposed plan-making and decision making policies grouped under 24 main headings. Those most relevant to this Council are summarised below:

Plan Making Policies

Using Evidence to Plan Positively

- 4.1 Regional planning bodies and local planning authorities should work together to prepare and maintain a robust evidence base on existing business needs and likely changes in the market. The evidence base

needs to apply both locally and regionally and should include assessments of demand for retail, leisure and office use.

Local planning approach to economic development

- 4.2 Local planning authorities should positively and proactively encourage sustainable economic growth in both urban and rural areas in line with the principles of sustainable development and based on a clear and proactive locally specific economic vision and strategy. This includes giving support to existing business sectors, taking account of the location, expansion, and promotion of clusters or networks of knowledge driven industry. These considerations should form part of local development frameworks. In rural areas, the requirement should take account of the need to protect the countryside.

Local planning approach to town centres

- 4.3 Local planning authorities should, through their local development frameworks, should set out in their Core Strategy a spatial vision and strategy for the management and growth of the centres in their area over the plan period. As part of this authorities should define a hierarchy of centres and make choices about which centres will accommodate any identified growth.

Local planning approach to planning for consumer choice and promoting competition for town centre development

- 4.4 Local planning authorities should proactively plan for consumer choice and promote competitive town centre environments by, for example, supporting the diversification of uses in the town centre as a whole, planning for a strong retail mix, allowing for the contribution that smaller shops can make to the character and vibrancy of a centre and taking measures to conserve the established character of their town centres.

Site selection and land assembly for town centre uses

- 4.5 In selecting sites for development for town centre uses local planning authorities should base their approach on the identified need for development, identify the appropriate scale of development and apply the sequential approach to site selection (in which sites in appropriate existing centres are identified first). They should also give preference to those sites that best serve the needs of deprived areas when considered against alternative sites with similar location characteristics.

Managing the evening and night-time economy in town centres

- 4.6 Local planning authorities should prepare planning policies to help manage the evening and night-time economy in appropriate centres, taking account of and complementing the local authority's Statement of

Licensing Policy and the promotion of the licensing objectives under the Licensing Act 2003.

Local planning approach to rural areas

- 4.7 Economic development in open countryside away from existing settlements or outside areas allocated for development in development plans should be strictly controlled; most new development should continue to be located in or on the edge of existing settlements as this facilitates best use of existing infrastructure and delivers sustainable development. Subject to recognising the need to protect the countryside, the policies for economic development in this statement apply to rural areas as they do to urban areas. In addition, in rural areas, local planning authorities should set out the criteria to be applied to planning applications for farm diversification and support diversification for business purposes that are consistent in their scale and environmental impact with their rural location.

Car parking for non-residential development

- 4.8 Local planning authorities should set maximum parking standards for non-residential development in their area; there should be no minimum standards for development, other than for parking for disabled people.

Monitoring

- 4.9 Regional planning bodies and local planning authorities should use their annual monitoring reports to keep under review the network and hierarchy of centres (at both the regional and local levels), the need for further development and the vitality and viability of centres (at the local level).

Decision-Making

Planning applications for economic development

- 4.10 Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development as defined for the purposes of this statement in both urban and rural areas.

Village and local centre shops and services

- 4.11 Local planning authorities should seek to protect and strengthen village and local centre shops, services and other important small scale economic uses (including post offices, rural petrol stations, village and church halls and rural public houses).

Local development frameworks: re-use or replacement of buildings in the countryside

- 4.12 Local planning authorities should support the conversion and re-use of appropriately located and suitably constructed existing buildings in the countryside, particularly those adjacent or closely related to towns or villages, for economic development.

Local development frameworks: tourism in rural areas

- 4.13 Local planning authorities should support sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors and which utilise and enrich, rather than harm, the character of the countryside, its towns, villages, buildings and other features.

Supporting evidence for planning applications for main town centre uses

- 4.14 Sequential and impact assessments should accompany a planning application for a main town centre use which is not in an existing centre nor allocated in an up-to-date development plan.

The consideration of sequential assessments for planning applications for town centre uses

- 4.15 In considering sequential assessments, local planning authorities should ensure that all in-centre options have been thoroughly assessed before less central sites are considered.

The impact assessment for planning applications for town centre uses not in accordance with the development plan

- 4.16 In taking account of evidence in the impact assessment, local planning authorities should consider whether the assessment sets out clear conclusions on all town centre and wider impacts; assessments should focus in particular on the first 5 years after the implementation of a proposal.

The consideration of planning applications for development for town centre uses not in a centre nor allocated in an up to date development plan

- 4.17 Local planning authorities should refuse planning permission where the applicant has not demonstrated compliance with the the sequential approach, where there is clear evidence that the proposal could lead to significant adverse climate change impacts but should consider proposals favourably where any adverse impacts are not significant and these are likely to be outweighed by significant wider economic, social and environmental benefits.

The consideration of applications for extensions to existing town centre development in edge-of-centre and out-of-centre locations

- 4.18 Local authorities should give the impact on existing town centres particular weight, especially if new and additional classes of goods or services for sale are proposed, and should only apply the sequential approach where the gross floor space of the proposed extension exceeds 200 square metres.

The consideration of applications for ancillary retail and office uses

- 4.19 Where shops are proposed as an ancillary element to other forms of development (for example, petrol filling stations), local planning authorities should ensure that the retail element is limited in scale and genuinely ancillary to the main development, and should seek to control this through the use of conditions. Where office development is ancillary to other forms of economic development not located in the town centre there should be no requirement for such offices to be located in the town centre.

The effective use of conditions for town centre uses

- 4.20 Local planning authorities should use planning conditions to secure the provision of units suitable for smaller business, by specifying the maximum size of units and to resolve issues relating to the impact of the development on traffic and the amenity of neighbouring residents.

Comment

5. In respect of general economic development the guidance confirms and updates previous guidance which requires authorities to plan positively for economic growth and to take a positive and constructive approach to applications for economic development. Our current policies and the emerging LDF policies are generally consistent with this approach.
6. In respect of town centre and retail development there is one significant change of approach. The revised policy removes the previous needs test whereby proposals for retail development had to demonstrate a quantitative or qualitative need. Instead the draft guidance introduces a wider, more sophisticated impact test which measures the wider positive and negative effects of retail and other town centre related development. This will require more factors to be examined in assessing proposals including retail diversity, impact on town centre investment, scope for regeneration, job creation, impact on climate change and design. This is likely to prove complex to apply. Refusal will be justified if there is likely to be a 'significant adverse impact', likely to be established through case law, but where there is less significant impact additional factors such as the contribution to

regeneration and claw back of trade can provide grounds to approve a proposal. Whilst the support for town centres in the draft PPS is to be welcomed it also states that for the purposes of the policies in the statement references to town centres apply to all types of centre, including local service centres, identified in development plans. It is considered that this statement needs qualifying to say that different scales of development are appropriate to different types of centre so that local and district centres do not grow disproportionately at the expense of town centres.

7. Despite its claim to be part of a simpler, more streamlined and 'business friendly' approach to planning this a very long and complex document which will require careful study among those with responsibility for applying the policies it sets out - particularly as many are likely to become material considerations in the determination of planning applications.