



# **Newark and Sherwood Local Development Framework**

## **Plan Review**

### **Preferred Approach – Town Centre & Retail**

#### **Consultation Responses Document**

## **1.0 Introduction**

- 1.1 The Newark and Sherwood Local Development Framework Plan Review: Preferred Approach – Town Centre & Retail document was published for a period of public consultation on 12<sup>th</sup> January 2017. Representations were requested to be received by 24<sup>th</sup> February 2017. The Local Development Framework Task Group approved the document for publication on 15<sup>th</sup> December 2016 following delegated authority from the Economic Development Committee on 15 June 2016.
  
- 1.2 This statement sets out how many representations were made on the Preferred Approach – Town Centre & Retail document and a summary of the main issues raised in those representations, in accordance with Regulation 22(c)(iii) of the Town and Country Planning (Local Planning) (England) Regulations 2012. Responses and, where appropriate, actions moving towards publication of the Publication Amended Core Strategy and Allocations & Development Management Development Plan Documents have been provided. Overall 17 responses were received from consultees.

## 2.0 Establishing Convenience Retail Needs (Question 1 – Town Centre & Retail Paper)

### Main Issues

- 2.1 *(Aspbury Planning Ltd obo Strawsons Property)* – Acknowledges the limited convenience capacity (180 sqm) up to 2026, but argues that this should not be a ceiling figure should a proposal for a new convenience store come forward within this time period particularly if this is at Land around Fernwood.
- 2.2 *(Cerde Planning obo Marston’s Estates Ltd)* – Disagree with the preferred convenience retail forecast and do not consider that it represents an appropriate basis on which to plan to meet future need. The respondent points to the Bank of England having raised its forecasts for economic growth for 2017 to 1.4%, largely on the basis of consumer confidence and continued spend within the retail sector. Highlights that the economy grew by 0.7% in the fourth quarter of 2016, an upgrade on initial estimates, and that income had grown by 4% in this quarter. On this basis does not consider that consumer confidence is weakening. Recommends that supermarket/ deep discounter format category be further split down, without this it cannot be said that the forecasts represent an appropriate basis on which to plan.
- 2.3 *(Farndon Parish Council)* – Provide support.
- 2.4 *(Peter Brett Associates obo Newark Property Developments)* - The preferred approach to meeting convenience retail needs should be based on the ‘deep discount’ floorspace format, due to the development of superstore formats having slowed and reflecting market change. This would also be a better fit with the qualitative needs identified with respect to the Sustainable Urban Extensions.
- 2.5 *(Rainworth Parish Council)* – Consider that the residential growth anticipated for the settlement greatly exceeds the retail capacity forecasts for the village, disagree with the focus on Newark, Southwell and Ollerton and suggests that that current retail provision in the village cannot meet needs at present.
- 2.6 *(Resident of Wellow Road)* – Provides support.
- 2.7 *(Southwell Town Council)* – Object to the approach on the basis that no account appears to have been taken of the expected and sustained increase in internet shopping.

### Response

The capacity forecasts are considered to remain both sound and robust. It is not the intention that they provide a fixed upper ceiling. They however provide an appropriate basis to plan for retail needs to be met over the plan period, and where appropriate will contribute to understanding the likely impact of retail proposals. Retail proposals will continue to be determined in line with national and local planning policy.

It is considered that the split between superstore and supermarket/deep discount is an appropriate basis on which to understand convenience retail needs over the plan period. The purpose of which is to obtain a finer grained understanding of the implications of different floorspace formats, and to support the day-to-day determination of planning applications. The splits are viewed as providing a proportionate and appropriate approach to doing so. Regardless of how floorspace formats are split it remains necessary to select a single scenario around which to base the Plan's approach to meeting needs. The superstore format remains the preferred approach to doing so, opting for the 'supermarket / deep-discount' format is not considered appropriate. Whilst growth in the supermarket / deep discount sector has been witnessed there has also likewise been significant growth in the smaller convenience formats of superstore retailers (e.g. Tesco Express and Sainsbury's Local), which for the purposes of the Study fall within this floorspace category. This combined with the fact that the majority of active convenience retailers continue to fall within the 'superstore' category supports the selection of this scenario.

The economic forecasts contributing towards the capacity projections are considered to remain appropriate. Pointing to the economic performance from a single quarter does not suggest that these require fundamentally revisiting. The Study's underlying economic assumptions remain sound. Indeed underlining this growth slowed from the 7% posted in the final quarter of 2016 to just 3% in the first quarter of 2017. Forecasts indicate that the slowdown will continue as higher inflation dents consumer spending along with slowing employment and wage growth.

The settlement-level disaggregation distributes the District-wide 'global' capacity to the various Centres. The purpose is to help understand the potential scale and optimum location for new retail floorspace, with the proportions reflecting the status of the Centre within the retail hierarchy. However this does not necessarily mean that all the retail floorspace identified can and/or should be provided within that Centre per se. The distribution is not intended to constitute policy. It should be noted that the Plan continues to support retail development within Centres, and beyond this where the proposal is small-scale and would meet a local needs function or the sequential and impact tests have been passed. It is considered that this will enable the retail needs of communities to be met.

The study takes proper account of 'special forms of trading' and internet shopping.

**Action**

None.

### **3.0 Preferred Approach to Meeting convenience retail needs (Question 2 – Town Centre & Retail Paper)**

#### **Main Issues**

- 3.1 *(Aspbury Planning Ltd obo Strawsons Property)* – Support proposed approach and confirms that Strawsons Property have land available near the junction of Shire Lane and Great North Road.
- 3.2 *(Barton Willmore obo Urban & Civic)* – Disagree with the approach, putting forward that Land South of Newark represents an appropriate and deliverable location to meet identified needs. Take the view that it is inappropriate to discount the location on the basis that it already benefits from planning permission for convenience floorspace. Consider that no reasonable justification or analysis has been provided to discount the site. Put forward the location as appropriate for and able to accommodate an increased store of 2,787 sqm (2,230 sqm convenience and 557 sqm comparison).
- 3.3 *(Cerde Planning obo Marston's Estates Ltd)* – Objects to preferred approach, believing capacity to be greater than demonstrated. Don't consider that provision as part of the Strategic Urban Extensions would guarantee that identified needs can be met. Highlight the risk that the sites may not deliver a sufficient quantum of development within the plan period to attract a retailer. Put forward that a site within the existing urban area would guarantee delivery and be most sustainably located. On this basis the respondent puts forward the Sawmill Public House in Newark for small-scale local needs convenience retailing.
- 3.4 *(Farndon Parish Council)* – Provide support.
- 3.5 *(Rainworth Parish Council)* – Objects, citing Ra/MU/1 as a prime example which due to its central location should be allocated solely for retail use.
- 3.6 *(Resident of Wellow Road)* – Objects, citing reference to the local desire to progress OB/Re/1 as a 'council service hub'. Should this go ahead it will significantly reduce the potential for retail development.
- 3.7 *(Southwell Town Council)* – Provide support.

#### **Response**

The submissions from Barton Willmore are acknowledged. A sequentially appropriate location within the main built-up area to the south of Newark remains the most suitable and sustainable location to meet future convenience retail needs, given the relationship between population growth and future capacity. However it is difficult to meaningfully separate the relative merits of Land South of Newark and Land around Fernwood. Accordingly Core Policy 8 will be amended to provide support for additional convenience retail development in a sequentially appropriate location, within the main built up area to the south of Newark of a scale sufficient to meet the needs generated by population growth. The operation of the market will be relied upon to determine the final location. Given that convenience capacity is not forecast to be present until post 2026 (District-wide) and will be driven

by population growth the timing of delivery is however an important consideration. Whilst it may be appropriate to adopt a pragmatic approach, i.e. not expecting the full forecast population growth to have occurred before development takes place, it is nonetheless important that the potential impact on the District's network of Centres is robustly considered. Application of the Impact Test is viewed as the appropriate means for doing so.

In terms of the Cerda Planning proposal, concerning the Sawmill, it is not considered proportionate or necessary to allocate in order to meet small-scale local needs retailing. The amended policy approach within Core Policy 8 and Policy DM11 provides an appropriate framework for delivering this form of development. Particularly in light of the respondents suggestion that such proposals will be market led. With respect to the appropriate geographic level to meet future need the respondent will be aware that convenience retail capacity is forecast to be dependent upon population growth. The SUE's will be the primary factor driving this growth, and so should delivery unexpectedly stall then the scale of population growth will fall below forecasts.

Ra/MU/1 has been proposed for deallocation due to no longer being required for retail development. Forecast capacity can be met through the extension of existing stores, reuse of existing buildings or infill development, subject to market demand. In respect of market demand no formal interest, demonstrated through the submission of a planning application, has been evident since adoption of the existing Plan. Notwithstanding this the site remains within the Centre boundary and so could still come forward for a main town centre use.

In terms of OB/Re/1 the preferred approach is to consider how the allocation can contribute towards improved linkages between Tesco / Forest Road and Sherwood Drive / Forest Road and the potential for it to form part of a comprehensive redevelopment of the wider area (incorporating the underused Forest Centre and other land within the ownership of the Town Council). Incorporation of uses falling within a 'council service hub' could be investigated as part of bringing forward the comprehensive development of a site wider than purely OB/Re/1.

### **Action**

Amend the approach to meeting convenience retail needs as outlined above.

## **4.0 Establishing comparison retail needs (Question 3 – Town Centre & Retail Paper)**

### **Main Issues**

- 4.1 *(Farndon Parish Council)* – Support to use of scenario 3.
- 4.2 *(Peter Brett Associates obo Newark Property Developments Ltd)* – Agree with the exclusion of NSK, however believe it to be unclear why sales density / productivity growth rates higher than those published by Experian have been used. Particularly given that much of the District’s existing retail floorspace is contained in older properties which have less potential for achieving above average productivity growth. Believes Scenario 1 provides the most appropriate basis.
- 4.3 *(Planning & Design Group obo NSK Europe Ltd)* – Agree with the overall comparison retail needs assumptions. Acknowledge that the timescales for delivery of NUA/MU/3 are dependent on the successful relocation of the existing NSK operations. Wider economic uncertainty makes the specific prediction of timescales very difficult.
- 4.4 *(Resident of Wellow Road)* – Objects. Ollerton & Boughton has lost retail floorspace, which residual provision from OB/RE/1 will not replace.
- 4.5 *(Southwell Town Council)* – Consider that the scenario requires a reduction / slowing of growth in floorspace so that profitability can be returned to more acceptable levels.

### **Response**

The preferred comparison retail capacity forecast is considered appropriate and robustly evidenced. The advice the Authority has received is that the selection of a higher productivity growth rate is a reasonable assumption, as it reflects the fact that existing retailers are facing increased pressures on their turnover and profitability (see Section 3 of the Study). This is due to the fact that a significant proportion of retailers’ sales and profits are being taken up by increasing costs (including, for example, rents, rates and wages). Existing retailers will therefore need to achieve a higher ‘productivity’ growth over time to remain viable. On this basis the more cautious forecast based on slightly higher ‘productivity’ growth rate of 2.5% per annum represents the most realistic capacity scenario.

The contents of the NSK response are noted.

### **Action**

None.

## 5.0 Preferred Approach to Meeting comparison retail needs (Question 4 – Town Centre & Retail Paper)

### Main Issues

- 5.1 *(Aspbury Planning obo Strawsons Property)* – Highlight a continued reliance on NSK to meet comparison needs later in the plan period but considers there to be no certainty that the site will come forward. It is argued that the Council continues to fail to make provision for one-off, large scale, large site operators. Believe that the Authority should give consideration to a non-site specific, criteria based policy that could accommodate a one-off specialist store operator subject to application of the sequential and impact tests.
- 5.2 *(Farndon Parish Council)* – Provide support.
- 5.3 *(Peter Brett Associates obo Newark Property Developments Ltd)* – Argue the approach taken is contrary to national policy, which requires a thorough assessment of the ability of sites on the edges of Newark Town Centre to accommodate identified needs. Consider there to be no justification in allocating retail floorspace at NSK, given its inferiority to other edge-of-centre sites in terms of connection to the Town Centre. Respondent submits sites located off Northgate and highlights their connection to the Town Centre and ability to generate significantly higher levels of linked trips.
- 5.4 *(Planning & Design Group obo NSK Europe Ltd)* – Agree with the retention of NSK as an allocation, underlining its appropriateness and deliverability. Nonetheless consider that a town centre first policy over the first ten years fails to recognise that bulky goods / showroom formats are not always suitable for a town centre and that operators are likely to go elsewhere rather than be forced onto unsuitable sites.
- 5.5 In addition the site comprises a regeneration objective of strategic importance, which requires maximum flexibility to deliver. Believes it to be premature and unduly restrictive, and counter to the economic growth aims of the NPPF to seek to further reduce or limit the potential of NUA/MU/3 to develop responsively. The regeneration needs of NSK are no less important than those of town centre sites. It should be considered equally suitable and should not be limited as residual supply. This risks putting off strategic inward investment off. On this basis it is argued that Option 4 is the most appropriate.
- 5.6 *(Rainworth Parish Council)*- Comparisons between large town centres and villages are unrealistic, each has their own criteria and needs. Smaller villages often have a higher proportion of residents that depend on their local retailers for their daily needs.
- 5.7 *(Resident of Wellow Road)* – Doesn't provide full support on account of response to Question 3.

### Response

An additional non-site specific criteria based policy to accommodate 'one-off' specialist stores is not considered necessary, and would only serve to duplicate content in Core Policy 8 and Policy DM11.

Where such a proposal is able to satisfy the sequential and impact tests then it would be policy compliant from a main town centre use perspective.

Prior to the Town Centre & Retail Paper consultation all retail options submitted through the 'call for sites' were considered. This resulted in the inclusion of NSK within the preferred approach. The sites off Northgate had not been submitted through this process and so had not been assessed or considered for inclusion. Following the receipt of valid site submissions this will now occur moving towards the Publication Amended Allocations & Development Management DPD.

The 'Town Centre first' approach is in line with national planning policy, through which their role as the heart of communities and the need to provide for their viability and vitality is recognised. It is appropriate that Town Centre redevelopment opportunities be considered prior to those beyond the Centre, particularly given the lag before significant capacity is forecast to be available. From the perspective of the viability and vitality of the Town Centre such regeneration opportunities are clearly of greater importance than those which lay beyond it. Notwithstanding this it is acknowledged that the possible floorspace yields are, at this stage, unknown. Nevertheless with 4,389 sqm capacity up to 2033 it is highly likely that there will be a 'balance' to be found.

It is not considered that a 'Town Centre first' approach fails to recognise the needs of bulky goods retailers. Clearly the availability of suitable sites within the Town Centre is material to how the sequential test ought to be applied. Where an out-of-centre bulky goods proposal is able to satisfy the sequential and impact tests then it will be policy compliant from a main town centre use perspective, nothing in the proposed policy content or approach to meeting retail needs would alter this.

The Northgate site submission will be assessed, and the potential implications for the approach to meeting comparison retail needs over the plan period will be considered moving into the production of the Draft Allocations & Development Management DPD.

The Town Centre & Retail Study has undertaken a robust assessment and identified retail and other Main Town Centre Use needs over the plan period, and considered the health of the District's various Centre's. This has informed the development of planning policies that effectively respond to the findings and which will support the meeting of Centre's differing needs.

### **Action**

Assess site submissions off Northgate and reflect on preferred approach to meeting comparison retail needs.

## 6.0 Core Policy 8 Amendments (Question 5 – Town Centre & Retail Paper)

### Main Issues

- 6.1 *(Aspbury Associates obo Strawsons Property)* – Provides support to the amendment of CP8. Believes Land around Fernwood to be of sufficient scale where the accommodation of a range of retail and town centre uses including pubs, restaurants, health and fitness and a supermarket scale foodstore could be expected.
- 6.2 *(Barton Willmore obo Urban & Civic)* - Recommends that the policy include provision for a superstore of the scale suggested in comments on question 2, with Land South of Newark the most appropriate location. Further amendments should be made to introduce the flexibility to enable provision of a superstore in place of the Eastern Local Centre, with this then being redefined as a District Centre.
- 6.3 *(Cerdea Planning obo Marston's Estates Ltd)* – Object to the setting of local impact thresholds at 350 sqm (gross). Consider that this would effectively require any proposal outside of a Centre to submit such an assessment. Don't believe that a lower threshold than the default 2,500 sqm in national policy can be justified, with the study concluding that the District's Centre's are largely vital and viable. The respondent points to the sustainable role of smaller local needs convenience stores which provide a top up function in accessible locations and enable day-to-day needs to be met. The suggested impact that even smaller out-of-centre stores can have on smaller centre's is rejected, ignoring the contribution such stores can make to the sustainability of a community. Believe that the sequential test provides an adequate means of dealing with this issue, and that the proposed threshold would be disproportionate.
- 6.4 *(Farndon Parish Council)* – Provide support.
- 6.5 *(Historic England)* – Raise no objection.
- 6.6 *(Peter Brett Associates obo Newark Property Developments Ltd)* – Welcome amendments to the sequential approach but consider that the proposed wording should make reference to the preferability of accessible sites that are well connected to the Town Centre. Object to the proposed impact test threshold, citing a lack of justification given the evidence base has found that District's Centre's to be vital and viable. Believe the approach to be based on the anticipated floorspace requirements of certain retail operators, rather than relevant criteria within the Planning Practice Guidance. Points to the performance of Newark Town Centre and believes this justifies the setting of a higher threshold.
- 6.7 *(Planning & Design Group obo Nottingham Trent University)* – View the amendments as wholly consistent with national policy and provide support.
- 6.8 *(Planning & Design Group obo NSK Europe)* - Suggest that the requirement for Retail Impact Assessments should exclude allocated sites.

- 6.9 *(Rainworth Parish Council)* – Agree with the proposed policy, believing that it shows that Rainworth needs more retail growth to establish itself as a District Centre once more, to be consistent with population growth.
- 6.10 *(Resident of Wellow Road)* – Provide support.
- 6.11 *(Southwell Town Council)* – Provide support.

### **Response**

There is difficulty in meaningfully separating Land South of Newark and Land around Fernwood from one another as locations for the meeting of future convenience retail needs. It is considered that the most appropriate approach is to amend Core Policy 8, providing support for additional provision within the main built up area at either Land around Fernwood or Land South of Newark with regard to the Sequential and Impact Tests.

The circumstances in which a Retail Impact Assessment would be sought are considered in line with national policy, and the introduction of local impact thresholds is supported by the findings of the Town Centre & Retail Study. The existing threshold is considered far from satisfactory given the scale of the District's centre's, where even its largest Newark is realistically a medium-sized market town. By way of example even within the Newark Urban Area most retail development falls significantly below 2,500 sqm. Whilst the current approach does not preclude the requesting of an impact assessment it does imply that this won't be the case, the proposed amendment therefore provides clarity and certainty to applicants.

Some of the concerns appear predicated on proposals inevitably failing to satisfy the Test, this is not the case. Nonetheless it is important that the approach be implemented in a proportionate manner. In this respect the proposed policy contains safeguards, and it is stated that the scope of the test will be discussed and agreed at an early stage on a case-by-case basis. The contribution which local needs retailing can make is recognised, and the amended Core Policy 8 seeks to provide support. Advice which the Authority has received indicates that a proposal falling below the threshold rarely fulfills a 'local needs role'. It is not considered that the Sequential Test can be relied upon alone, as this merely considers the availability of sites and not impact. It is quite clearly possible for a proposal to be sequentially appropriate but unacceptable in impact terms.

Whilst it is considered that the 350 sqm (gross) threshold remains appropriate for the majority of the District the comments suggesting a different threshold for the Newark Urban Area are noted, and this is to be the subject of further work. Notwithstanding this it needs to be recognised that whilst Newark Town Centre is the largest Centre within the District Newark Urban Area also contains smaller Centre's, two in Balderton and those within the Strategic Urban Extensions. Consequently the implications of setting of a varied threshold need to be carefully considered.

It is not considered necessary to repeat national policy verbatim within the Sequential Test content, the proposed policy wording makes clear that the approach will be implemented in line with national policy.

In respect of site allocations only one is strictly proposed (NSK). In this case the requirement of an impact assessment is considered wholly appropriate. There is a significant lag until capacity becomes available, and long-term forecasting should necessarily be treated with caution. In addition there are also potential opportunities within Newark Town Centre which are to be investigated, planned and delivered prior to this. Consequently it is possible that the capacity picture may be radically different by the time that the proposed redevelopment of the NSK is brought forward. It is therefore crucial that the scheme is guided by a robust assessment of impact. There are also justifications, as outlined earlier, supporting the requirement of an Impact Assessment for a proposal which seeks to meet convenience retail needs at either Land around Fernwood or Land South of Newark.

As no definitive choice has been made over where future convenience retail needs will be met to the south of Newark (i.e. either Land around Fernwood or Land South of Newark) the upgrading of the status of their centre's would not be appropriate at this stage, this could however be done through subsequent reviews if appropriate. It should also be noted that it would only be with respect to convenience retailing that provision would arguably be going beyond meeting the needs generated by growth from that site, the other main town centre uses would still be restricted a scale appropriate to the Centre and to meet the needs of the development.

The downgrading of Rainworth to a Local Centre is considered to be evidenced by the findings of the Town Centre & Retail Study. This does not however prevent additional development from taking place within the Centre, and beyond this where this is acceptable in sequential and impact terms.

### **Action**

Review local impact thresholds, giving consideration to the setting of a separate level for Newark Urban Area.

## 7.0 Policy DM11 Amendments (Question 6 – Town Centre & Retail Paper)

### Main Issues

- 7.1 *(Aspbury Planning Ltd obo Strawsons Property)* – Support the approach to the Local Centre’s. Repeat the availability and suitability of Land around Fernwood to accommodate a wide range of retail and main Town Centre uses, beyond the modest scale proposed within the Persimmon scheme.
- 7.2 *(Barton Willmore obo Urban & Civic)* – Consider the reference to capacity in relation to assessing proposals for edge and out-of-centre proposals as inconsistent with national policy (whereby only the sequential and impact tests need to be passed). There is also no NPPF requirement to assess the impact of such development on allocations (where these are not in-centre).
- 7.3 *(Cerdea Planning obo Marstons Estates)* – Do not consider it reasonable that proposals exceeding the thresholds in Core Policy 8 and beyond the centre should be accompanied by an impact assessment. Such demand will be market led, with capacity being a purely academic exercise. Capacity is not only dependent upon population growth but on the state of the economy and consumer purchasing power. The correct approach would be to rely solely on the sequential test. Believe there to be the need for separate convenience and comparison thresholds.
- 7.4 *(Farndon Parish Council)* – Provide support.
- 7.5 *(Historic England)* – Raise no objection.
- 7.6 *(Peter Brett Associates obo Newark Property Developments Ltd)* – Agree with the expansion of DM11 to cover all MTC uses and encouragement of A3 uses around the Market Place. Nonetheless reiterate that the sequential test content should make reference to the preference for accessible and well connected locations. Argue that references to the need to take account of current and forecast expenditure capacity should be removed. Refer to the 2016 appeal decision at Northgate (APP/B3030/W/16/3146578), where the Inspector deemed that the Framework does not require the justification of need for retail development.
- 7.7 *(Planning & Design Group obo NSK Europe)* - Suggest that the requirement for Retail Impact Assessments should exclude allocated sites.
- 7.8 *(Resident of Wellow Road)* – Provides support.
- 7.9 *(Southwell Town Council)* – Object considering that there is already sufficient capacity within the town to accommodate retail needs, pointing to recent increases in the number of empty outlets.

### Response

It is considered that Policy DM11 in its amended form would provide an appropriate means of addressing those detailed issues connected with retail and town centre development over the plan period. Although expenditure capacity is no longer an explicit test in national policy it can quite clearly be material to the assessment of impact. The lack of expenditure capacity will generally mean that proposals for new retail floorspace will have to draw a higher proportion of their turnover from existing centres and stores. The link between population growth and forecast (expenditure) capacity has been robustly demonstrated through the Town Centre & Retail Study (2016), underlining its continued relevance to how impact should be considered locally. In this respect Paragraph 015 (Reference ID: 2b-015-20140306) of the Planning Practice Guidance underlines the importance of the impact test being undertaken in a locally appropriate way. It should be noted that this aspect of the policy is merely proposed to be carried forward and already forms part of DM11, postdating the introduction of the NPPF and having previously been found sound through the Examination of the Allocations & Development Management DPD. Whilst the Inspectors reference to the justification of need in the Northgate appeal decision in September 2016 is noted, it is also clear that he nonetheless went on to consider the argument presented by the Authority. The decision on the accompanying Costs Application is significant in this respect, where the Inspector deemed that the Authority had not acted unreasonably in presenting a case framed around the lack of expenditure capacity.

It is acknowledged that the reference to in-centre investment should be made clearer. The taking account of impact on the likely delivery of allocations is considered reasonable, with justification having been outlined above. The sites off Northgate will be assessed and considered, ensuring that allocations have been made in-accordance with the sequential test.

The principle of seeking to take account of the impact of proposals on the vitality and viability of Centre's is in accordance with national planning policy, and already forms part of local planning policy. This is simply proposed to be carried forward through the Plan Review, having previously been found sound. The precise details over how the tests will be applied is considered evidenced and in line with national policy. Nonetheless the proposed local impact thresholds will be subject to review as outlined earlier. The need for separate convenience and comparison thresholds is not shown as necessary through our evidence base. It is disputed that proposed retail development is always a reflection of market demand (i.e. the sum of individual demand for a particular product/service). This ignores the potential for speculative proposals and appears to assume that the satisfaction of a particular demand beyond a Centre will never have an impact on its vitality and viability as a result of trade diversion.

### **Action**

Clarify policy wording to make clear that taking account of the impact on investment only refers to locations within Centre's. Assess Northgate site submissions and reflect on the approach to meeting comparison retail needs.

## **8.0 Area Policies (NAP1, SoAP1, ShAP2 and ShAP3 – Sites & Settlement Paper)**

### **8.1 NAP1 Amendments (Question 1 – Sites & Settlements Paper)**

#### **Main Issue**

8.2 *(Canal & River Trust)* - Emphasise the importance of development proposals with a frontage to, or in close proximity to the River Trent, being appropriate and fully assessing their impact on its existing character and function.

#### **Response**

Noted.

#### **Actions**

Amend policy wording to take account of consultee's suggestion.

### **8.3 SoAP1 Amendments (Question 11 – Sites & Settlements Paper)**

8.4 *(Planning & Design Group obo Nottingham Trent University)* – View the Town Centre amendments as wholly consistent with national policy and provide support.

8.5 *(Southwell Civic Society)* – Provides support.

8.6 *(Historic England)* – Raise no objection.

### **8.7 ShAP 2 Amendments (Question 16 – Sites & Settlements Paper)**

8.8 No comments received on the Town Centre elements.

### **8.9 ShAP 3 Amendments (Question 17 – Sites & Settlements Paper)**

8.10 *(Pegasus Planning obo Harworth Estates)* – Confirm that proposed retail uses will be small scale to serve the needs of new residents.

**9.0 OB/RE/1 Amendments (Question 7 – Town Centre & Retail Paper)**

9.1 *(Historic England)* – Raise no objection.

9.2 *(Resident of Wellow Road)* – Provides support.

## 10.0 NUA/MU/3 Amendments (Question 8 – Town Centre & Retail Paper)

### Main Issues

- 10.1 (*Aspbury Planning Ltd obo Strawsons Property*) – Cite concerns over whether the site will become genuinely available given the apparent inactivity. Concerned that other potential opportunities will be lost – see response to Question 4.
- 10.2 (*Farndon Parish Council*) – Provide support.
- 10.3 (*Historic England*) – Raise no objection.
- 10.4 (*Peter Brett Associates obo Newark Property Developments Ltd*) – Object, arguing that the allocation of sequentially preferable sites should be considered before NSK is allocated. In light of an updated floorspace capacity it is considered inappropriate to maintain the allocation of 4,000 sqm comparison retail floorspace in this location. In seeking to phase delivery to post-2031 there is no evidence that the rationale for the allocation or the deliverability of the site has been reconsidered.
- 10.5 (*Planning & Design Group obo NSK Europe Ltd*) – Suggests amendments to the phasing content in the first bullet point to NUA/MU/3. Changing anticipated delivery to post-2021 rather than 2031.
- 10.6 (*Resident of Wellow Road*) – Provide support.
- 10.7 (*Southwell Town Council*) – Provide support.

### Response

The continued deliverability of the NSK allocation has been considered as part of the review with this involving discussion with site representatives. This has been key to developing the proposed approach to meeting comparison retail needs and the rationale for the sites retention within the preferred approach, along with the suggested amendments to policy wording. This approach was however developed in the absence of alternative deliverable sites. Submission of the Northgate sites occurred late in the process and post-publishing of the preferred approach. The Northgate site submissions will however be assessed and the proposed approach reflected upon, as outlined earlier, moving towards the Publication Amended Allocations & Development Management Development Plan Document.

### Action

Assess site submissions off Northgate and reflect on preferred approach to meeting comparison retail needs.

## **11.0 Deallocation of Ra/MU/1 (Question 24 – Sites & Settlements Paper)**

### **Main Issues**

- 11.1 (*Rainworth Parish Council*) – Object to the proposed deallocation citing its central location, external parking space and suitability for retail/business use. Takes the view that the village has a large population, but little in the way of retail provision (no butcher, greengrocer, bakery or general hardware shops). Believes best use of the site would be retail or employment.

### **Response**

The downgrading of Rainworth to a Local Centre is considered to be evidenced by the findings of the Town Centre & Retail Study. Limited capacity has been forecast for the settlement, and it is believed that this can be met through infill and extensions to existing stores to ensure that needs can be met.

Ra/MU/1 has been proposed for deallocation due to no longer being required for retail development. No formal interest, as demonstrated through the submission of a planning application, has been evident since adoption of the existing Plan. Notwithstanding this the site remains within the Centre boundary and so could still come forward for a main town centre use.

### **Actions**

None.

## 12.0 Newark Town Centre Designations (Question 9 – Town Centre & Retail Paper)

### Main Issues

- 12.1 *(Barton Willmore obo Urban & Civic)* – Point out that the illustrative Inset Map does not include Morrisons within the Primary Shopping Area. The inclusion of Asda within the Primary Shopping Area is questioned given its physical separation.*(Cerdea Planning obo Marstons Ltd)*  
– Support the approach.
- 12.2 *(Farndon Parish Council)* – Provide support.
- 12.3 *(Historic England)* – Agree with the approach to the historic environment within Newark Town Centre.
- 12.4 *(Peter Brett Associates obo Newark Property Developments)* – Support the proposed extended boundaries. But consider there is scope to amend the overall boundary of the Town Centre to incorporate the Main Town Centre uses at Northgate, which are well related to the Town Centre and generate significant volumes of linked trips. Land in this location is capable of accommodating additional development to address identified needs for Main Town Centre Uses in sequentially preferable sites on the edge of the existing Town Centre.
- 12.5 *(Resident of Wellow Road)* – Provides support.
- 12.6 *(Southwell Town Council)* – Provide support.
- 12.7 *(Theatres Trust)* – Recommend that support be provided for the temporary and meanwhile use of vacant buildings and sites by creative, cultural and community organisations where they help activate and revitalize town centre locations and the public realm.

### Response

Morrisons should have been shown within the PSA as per the text. The Town Centre & Retail Study provides evidence supporting the inclusion of Asda within the PSA. Stores on the edge of the existing PSA clearly make a significant contribution to the Town Centre's overall food offer and diversity, acting as important anchors and helping to underpin its vitality and viability through generating linked trips to the benefit of other shops, services and businesses in the Centre. Survey results show, for example, that Asda, Morrisons and Iceland are achieving a total market share of 19.3% across the whole study area, increasing to circa 66.7% within the 'core' Newark Zones. The in-centre survey identified that 14.4% of the respondents were visiting the centre for food shopping, and of this 58.6% were visiting or intended to visit Morrisons and 17.2% intended to visit Asda. Furthermore 31% of those visiting the centre for food shopping intended to link their trip with trips to other food shops in the centre, and 58.6% intended to link their trip to other non-food shops.

It is not considered appropriate to extend the Town Centre to incorporate the main town centre uses at Northgate. The location is quite clearly out-of-centre in policy terms and given the physical separation (particularly from where the main retail activity is focused) the suggested 'significant volume' of linked trips is disputed, indeed no evidence has been provided in support of this claim. It

is considered that rather than helping to support the Centre the retail park actively competes with it. Inclusion of the retail park would absolve future proposals from, where appropriate, having to satisfy the impact test. There may however be implications for the vitality and viability of the Town Centre which require proper scrutiny as part of the planning process.

It is considered that the Theatres Trust comments are implicitly covered by the proposed policy wording covering the re-use of vacant and underused shops.

### **Actions**

Amend Inset Map to ensure Morrisons is shown as being within the PSA.

## **13.0 Other Town Centre Designations**

### **13.1 *Ollerton Town Centre Designations (Question 9 – Town Centre & Retail Paper)***

13.2 *(Historic England)* – Raise no objection.

13.3 *(Resident of Wellow Road)* – Provides support.

### **13.4 *Edwinstowe District Centre Designations (Question 10 – Town Centre & Retail Paper)***

13.5 *(Historic England)* – Raise no objection.

13.6 *(Resident of Wellow Road)* – Provides support.

## **14.0 Additional Comments**

- 14.1 (Gedling Borough Council) - Supports Newark and Sherwood District Council's preferred approach in managing the growth of its Town Centre's and Retail needs. Indicate satisfaction that the District Council has met the Duty to Cooperate with regards to the Preferred Approach for Town Centre and Retail. In respect of forecast capacity and the approach to meeting needs the BC does not consider that are cross-boundary concerns. Raises no objections to Core Policy 8, and the approach to future retail and main town centre development within Blidworth, Lowdham and Rainworth. The amendments to Policy DM11 do not give cause for concern from cross-boundary implications.
- 14.2 (*Southwell Town Council*) – Believe it to be questionable that parking capacity is low and that more signage would help with parking issues. Considers it to be difficult to see where new car parks could be established near the town centre. The body is of the view that provision of cafes, restaurants and drinking establishments is sufficient at the moment.

### **Response**

The comments from Gedling BC are noted. It is considered that the Town Centre & Retail Study provides an appropriate evidence base in support of emerging policy covering car parking and leisure use provision within the Town Centre. Furthermore it is important to recognise that the proposed policy approach is intended to extend through to 2033, and to deal with the impacts of and requirements from population growth over this time period.