

# Central Lincolnshire Joint Strategic Planning Committee Hearing Statement

November 2022

[MATTER 13: Retail and Town Centres](#)



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## Issue 1 – Retail Hierarchy – Policy S35

### ***Q1 – Is the retail hierarchy justified and appropriate? Does it adequately reflect the size, role and function of the settlements and the level of existing provision?***

Yes. The NPPF (para 86) states that planning policies should define a network and hierarchy of centres. The adopted Local Plan contains a retail hierarchy that was based on the Central Lincolnshire City and Town Centres Study (2012) and update 2015 (**EC0002**), particularly section 4. The settlements within Central Lincolnshire and the centres within them have not significantly changed in size, role and function since the adopted Local Plan. The retail hierarchy has therefore largely been carried forward with centres updated as necessary with reference to the most recent Spatial Strategy and Settlement Hierarchy (**STA006**) and information gathered for the Services and Facilities Methodology Report (**STA012**). The hierarchy has been working well in practice but it was highlighted that the addition of local centres and rural village centres would assist in providing clarity and certainty for these centres, which is why they have been included.

### ***Q2 – Is it clear to decision-makers, developers and local communities how applications for retail uses within identified regeneration and opportunity areas will be considered?***

Yes. Each regeneration and opportunity area varies in location, character and potentially suitable uses. Policies NS72: Lincoln Regeneration and Opportunity Areas, NS73: Gainsborough Riverside Regeneration Area, NS74: Sleaford Regeneration and Opportunity Areas and S75: RAF Scampton provide detailed guidance for each of the regeneration and opportunity areas while allowing for some degree of flexibility, subject to other policies in the Local Plan.

For retail uses, the extent of town centres and primary shopping areas is defined on the Policies Map, as required by the NPPF (para 86b), as the focus for comparison shopping. For those regeneration and opportunity areas within town centres and primary shopping areas, retail uses would be assessed against policies S35: Network and Hierarchy of Centres, S36: Lincoln's City Centre and Primary Shopping Area, S37: Gainsborough's Town Centre and Primary Shopping Area and S38: Sleaford's Town Centre and Primary Shopping area. For regeneration and opportunity areas in out of centre or edge of centre locations, retail proposals would be required to demonstrate their suitability through the sequential test as detailed in the NPPF and policy S35 as appropriate.

### ***Q3 – What are the thresholds for considering impacts on centres based on? Are they justified, appropriate and based on up-to-date evidence?***

The default threshold for an impact assessment for retail and leisure development outside of town centres is set out in the NPPF (para 90). This was supplemented by a locally set threshold in the adopted Local Plan which set a tiered approach to reflect the nature of the hierarchy of centres within Central Lincolnshire. This was set out in the latest retail-specific studies undertaken, the Central Lincolnshire City and Town Centres Study (2012) and update (2015) (**EC0002**). This acknowledged that a retail unit of 500m<sup>2</sup> (such as a small convenience store), for example, would have a greater impact on a smaller centre than it would have on Lincoln City Centre. The nature and role of these centres has not changed since the adopted Local Plan, and the thresholds have therefore been carried forward. Therefore the thresholds are justified and appropriate and based on up-to-date evidence.

## Issue 2 – Lincoln City Centre and Primary Shopping Area - Policy S36

### ***Q1 – How has the Primary Shopping Area ('PSA') been determined for the purposes of this Plan? Is it justified?***

Lincoln City Council has undertaken substantial amounts of work in support of their city centre. The main documents have been included in the policy library (**ECO003** and **ECO006**) but are being regularly reviewed and updated. As a result of discussions with the City of Lincoln Council, the Primary Shopping Area has been rationalised and reduced slightly from the extent in the previous adopted Local Plan. This reflects the need for a focused area for retail and leisure as a destination in response to the challenges faced by the sector in recent years. Reducing the boundary slightly seeks to ensure that uses and investment are concentrated, that vibrancy is not diluted, and non-retail uses, and dead frontages are kept to a minimum whilst allowing for growth. This will help ensure that the City Centre remains a focused destination.

### ***Q2 – Is it sufficiently clear that the policy allows for the provision of medical or health services, principally to visiting members of the public within each of the PSAs?***

The NPPF identifies health as a main town centre use and the provision of medical and health services comes under the new E Use Class (all uses under the E Use Class are listed in the Local Plan Glossary). Therefore, medical or health services are allowed for as a town centre use.

However, through further discussions with NHS Lincolnshire during the development of the Local Plan, the increased role that health services will play on the High Street were identified (response ID:1102763). Whilst health services are included in Town Centre Uses (E Class), highlighting them in the policy when listing other suitable uses would make this clearer, reflect their potential importance and bring the policy into closer alignment with the NPPF.

### ***Q3 – It is sufficiently clear what is meant by 'over-concentration' of non-retail uses for considering proposals in the PSA?***

What would constitute an over concentration of non-retail uses would vary depending on the context from property to property and from street to street. It can depend on the size of property and width of frontage, prominence on the street and neighbouring uses. It would not be appropriate to attempt to quantify this where the impact of numerous non-retail uses can have such a variety of impacts.

Policies S36, S37 and S38 seek to prevent excessive 'dead' frontages that would undermine the overall retail function and character of the Primary Shopping Area. This would be determined by the district authority on a case-by-case basis taking into account the full context and to ensure that such uses do not detract from the Primary Shopping Area.

### ***Q4 – Are there any restrictions on the number of non-retail uses permitted in the same street elsewhere in the town centre?***

There are no restrictions on numbers of non-retail uses elsewhere in the town centre. However, retail policies seek to ensure that development does not detract from the vitality and viability of the centre, which compliments the character, does not result in large gaps between town centre use frontages, would not detract from or otherwise harm or conflict with town centre uses and would be compatible with maintaining the centre as a shopping destination. This provides guidance while allowing for flexibility and would be determined by the district authority on a case-by-case basis.

**Q5 – What is the justification for suggested modification MMSC8? Is it necessary for soundness?**

See response to Q2 above.

**Issue 3 – Gainsborough, Sleaford, Market Rasen and Caistor Town Centres – Policies S37, S38 and S39**

**Q1 – How have the PSAs and town centre boundaries been determined for the purposes of this Plan? Are they justified?**

West Lindsey District Council and North Kesteven District Council have undertaken substantial amounts of work in support of the town centres of Gainsborough and Sleaford. The main documents have been included in the policy library (**ECO004**, **ECO005**, **ECO007** and **ECO008**) but are being regularly reviewed and updated. West Lindsey District Council are also pursuing heritage initiatives for Market Rasen and Caistor town centres. As a result of discussions with West Lindsey District Council and North Kesteven District Council, the Primary Shopping Areas and town centre boundaries have been rationalised and reduced slightly from the extent in the previous adopted Local Plan where appropriate. This reflects the need for a focused area for retail and leisure as a destination in response to the challenges faced by the sector in recent years. Where boundaries have been reduced slightly, it is intended to ensure that uses and investment are concentrated, that vibrancy is not diluted, and non-retail uses, and dead frontages are kept to a minimum whilst allowing for growth.

**Q2 – Do Policies S37, S38 and S39 recognise that residential development often plays an important role in ensuring the vitality and viability of centres and encourage residential development on appropriate sites, as required by paragraph 86 of the Framework?**

Yes. Policies S37, S38 and S39 allow for non-retail uses, subject to certain criteria. They also contain specific reference to the support for residential uses in principle where they will not conflict with other uses and are otherwise in suitable locations.

**Q3 – Is it clear where and when development proposals will be required to assist in meeting wider regeneration and investment objectives in Gainsborough? Likewise, is it sufficiently clear what development proposals must do in order to contribute towards the objectives of the Sleaford masterplan?**

Yes. Applications should make reference to the most up to date Gainsborough Master Plan and Gainsborough Neighbourhood Plan and where appropriate assist in meeting criteria i) to k) of Policy S37. Where an application may impact on the initiatives within these plans they should seek to assist in their delivery where possible or justify why elements cannot be achieved. The wording in the policy is clear on this without replicating these plans or becoming out of date as they will be kept under review.

Likewise for Sleaford. Development should make reference to the most up to date Sleaford Master Plan and where appropriate assist in meeting criteria j) to m) of Policy S38 and the principles listed

for 'Heart of Sleaford', 'Riverside Retail Precinct', 'Southern Southgate' and '26 Southgate' in the policy. This is sufficiently clear for applicants and decision makers.

***Q4 – Are the development schemes referred to in Policies S37 and S38 developable over the plan period?***

Yes, but there is no specific reliance on them coming forward within the plan period.

In Gainsborough, there are no specific schemes referenced in Policy S37, but sets out the principles which are important for the centre.

In Sleaford, the four identified locations each present challenges but the submission plan and Sleaford Masterplan provide a framework for delivery and key objectives. The policy commentary on these sites provides landowners and/or developers with a clear set of objectives against which redevelopment can be delivered in whole or in part which helps to provide certainty for applicants and ensuring that any scheme will deliver on wider goals for the town centre.

***Q5 – Are the development requirements for non-town centre uses sufficiently clear? Are they effective?***

Yes. The policies provide principles and guidance without being too prescriptive in order to allow for flexibility and the ability to respond to changing circumstances. This will vary depending on the use proposed, location and neighbouring uses and would be determined by the district authority on a case-by-case basis against a clear framework set by the policies.

## **Issue 4 – District, Local and Village Centres - Policy S40**

***Q1 – Is Policy S40 justified, effective and consistent with national planning policy?***

Yes. The justification for and development of the policy is set out in the policy evidence report (**EVR040**). The policy acknowledges and protects centres which help to meet the day to day needs of local residents. This contributes towards sustainable and thriving communities and meets the requirements of the NPPF, particularly para 93.

***Q2 – What is the justification for suggested modification MMSC9? Is it necessary for soundness?***

The NPPF identifies health as a main town centre use and the provision of medical and health services comes under the new E Use Class (all uses under the E Use Class are listed in the Local Plan Glossary). Therefore, medical or health services are allowed for as a town centre use.

However, through further discussions with NHS Lincolnshire during the development of the Local Plan, the increased role that health services will play on the High Street were identified (response ID:1102763). Whilst health services are included in Town Centre Uses (E Class), highlighting them in the policy when listing other suitable uses would make this clearer, reflect their potential importance and bring the policy into closer alignment with the NPPF.

## Issue 5 – Frontages - Policy NS41

### ***Q1 – Are the requirements for new frontages or alterations to existing frontages justified and effective?***

Yes. Policy NS41 has been carried forward from the Adopted Local Plan although the frontages and advertisement elements of the policy have been divided into two separate policies (NS41 and NS55). Consultation on the Draft Local Plan and Proposed Submission Local Plan received support or strong support for policy NS41 and did not result in any comments that the policy would not be effective.