

[REDACTED]

From: Local plan web form [REDACTED] > on behalf of Main modifications consultation [REDACTED]
Sent: 23 April 2023 17:36
To: Local Plan
Subject: Local plan main modifications consultation

Submitted on Sun, 23/04/2023 - 17:13

Submitted values are:

Your information

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Modification response

Which main modification or consultation are you responding on?
MM006 Parts 5-7

Is the main modification legally compliant?
Yes

Is the main modification sound?
No

Why do you consider it is not sound (max 2000 words)

Policy DEV5 has adjusted from the text in the Submission version of the Plan to remove the unfortunate conflation of the sequential and impact tests (through the deletion of MM006) and this is welcomed. However, the amended text retains reference to a 500 sq m threshold for undertaking proportionate impact assessment and we conclude that this is not justified and is unsound.

Detailed response and document upload

Detailed response to main modification (A maximum of 5000 words, which equates to roughly 10 sides of A4 paper)

We set out within our Hearing Statement to the Examination that the 500 sq m threshold was unjustified and no logical and compelling argument was made by the Council and their representatives in response. A justified threshold would have reference to a unit size that would support a retail offer that would genuinely threaten the function and vitality of defined town centres. No evidence has been provided in this respect, and in reality stores of that size would not do so. If the Council is unable to provide compelling justification to support that threshold then it should revert to the 2500 sq m threshold set out in the NPPF.

We did set out in our Hearing Statement that it might be the case that stores below 2500 sq m could support a retail function (such as a food discounter) that would materially influence shopping patterns and therefore the vitality of some smaller centres. However, it would be for the Council to undertake a justification exercise to establish what that alternative threshold would be. Failure to do so can only credibly result in the reversion to the national threshold, or that the policy will be fundamentally unsound.