

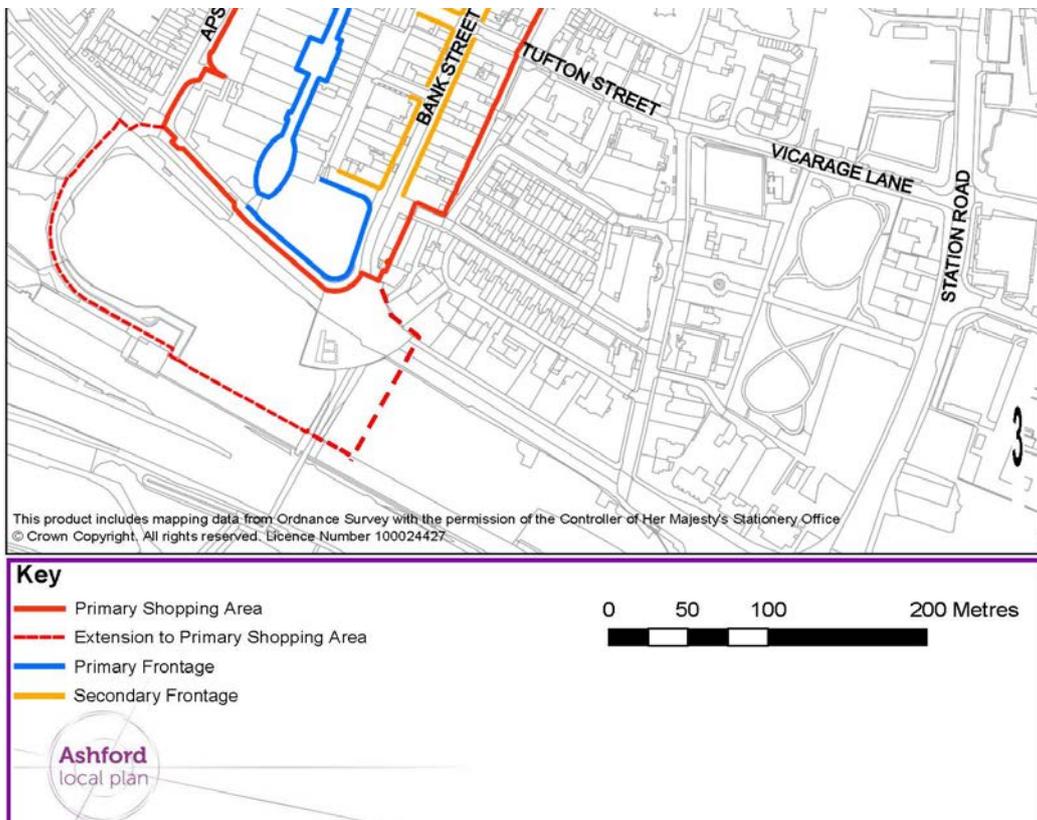
Are the retail, leisure and tourism topic policies justified, deliverable and consistent with national policy? Will they be effective?

i) Is it the intention for 'town centre uses' in policies EMP7 and EMP8 to reflect the definition of 'main town centre' uses in the NPPF and the Local Plan Glossary? If so, should this be made clear and what role does residential development have in this? Are the boundaries of the primary shopping areas (PSA) (including the extension), primary frontages and, where applicable, secondary frontages justified by evidence?

1. It is the intention for 'town centre uses' in policies EMP7 and EMP8 to reflect the definition of 'main town centre' uses in the NPPF and the Local Plan Glossary. For clarity, the Council considers it acceptable for the word 'main' to be added to both policies.
2. The policies are clear regarding the role of residential development, and explained at para 5.187.
3. For Ashford, Policy EMP7 states that residential development will not be allowed on the ground floor within the Primary Shopping Frontage, but that it will be permitted within the secondary shopping frontage. Policy EMP8 is also clear that residential development will not be permitted on the ground floor of any unit within the Primary Shopping Frontage in Tenterden. The Council considers that this policy framework provides recognises the importance of residential development in the town centre, but provides the right balance to ensure that there will not be harm to the economic health of the town centre, by restricting it within the primary shopping frontages.
4. The primary and secondary shopping frontages are evidenced by the Ashford Retail and Leisure Needs Assessment (EBD03), at pages 116 to 119. This included a review of the existing policy designations, informed by an audit of existing uses carried out for both Ashford and Tenterden town centres (Appendix 6).
5. The proposed extension to the primary shopping area is provided to include town centre development which is currently under construction, and will be occupied by a cinema, restaurant, hotel, retail units and a car park. This extension was originally proposed in the Ashford Town Centre Area Action Plan DPD. The Council considers this site to the south of Elwick Road to be one of the most

significant development sites in the town centre, and because of this, the pioneering 'shared space' remodelling of the town centre road network was focused here. This has created a new square at the junction of Elwick Road and Bank Street which is a major addition to the public spaces in the town, with strong pedestrian movement from the southern part of the town northwards to the traditional town centre. The Council considers that once complete this development will be an integral part of the retail and leisure offer in the town centre and should therefore form part of the primary shopping area.

6. A site plan of the proposed development is attached as appendix 1.
7. It was originally envisaged that the entire sites would be development for retail and leisure purposes, supported by residential. Over the evolution of the scheme the need for a surface car park was identified. In the longer term, dependent upon the car parking strategy for the town centre, the car park could be available for further development town centre development. It is therefore included within the extension area.
8. An amendment is proposed to the eastern boundary of the extension in order to take account of the most recent planning permission for the proposal, so that the extension area includes the hotel and ground floor retail units which front onto the public open space. (See Map below)



ii) *Is the approach to primary and secondary frontages set out in policies EMP7 and EMP8, which is permissive of all Class A uses, consistent with paragraph 23 of the NPPF, particularly in relation to promoting competitive town centres that provide customer choice and a diverse retail offer? Would this approach be effective in supporting the vitality and viability of the centres in the long term?*

9. At the heart of Paragraph 23 of the NPPF is the need for policies to promote competitive town centre environments. Policies EMP7 and EMP8 seek to achieve this through the adoption of a reasonable and pragmatic application of use class restrictions.
10. The Ashford Retail and Leisure Needs Assessment (RLNA) (EBD03) provides a retail evidence base for the Local Plan. It identifies that whilst there has been a growth in market share since 2003 there has also been an increase in vacancy rates. This study highlights a need for the Local Plan to work to maintain and strengthen its position against a backdrop of competition from a range of sources. Paragraph 9.5 of the RLNA sets out the historic changes to the level of A1 uses within the High Street, which seen an overall fall from 100% A1 use at the time of writing of the previous local plan, to 79% in June 2015. This reflects broader national retail frontage trends. A significant proportion of the primary shopping frontage lies within the County Square shopping centre which is controlled by a third party. This arrangement offers incentive for the owners to maintain the vitality of their interest as well as the broader town centre.
11. Confining primary frontage to shopping use could be too restrictive in the current climate. Adopting a pragmatic and more flexible policy approach by allowing for a broader range of uses within the primary frontage acknowledges that most A class uses tend to be open, with advertising and open plan establishments which contribute to creating 'active' frontages. This is combined with a restriction on ground floor residential use in the primary shopping frontage. This overall approach better reflects recent trends and would maintain or increase the overall footfall in the core areas. This in turn would help to maintain and enhance a vibrant town centre throughout the daytime and evening.
12. The approach to Tenterden town centre broadens this to incorporate a range of services, and goes hand in hand with the decision to define only primary and not secondary frontages. The town centre is relatively confined in size and by the built form, with few edge of centre sites for non-shopping town centre uses. This is combined with an existing more specialist offer aimed at tourists and affluent shoppers. A hierarchy of uses, with a retail focus on the primary shopping frontage and other town centre uses beyond, would not be practical and would not build on the existing vitality of the town. Instead a more flexible approach is included in policy EMP8 that allows for a greater degree of mixed A class uses to support shopping, employment and tourism in the town.

iii) In Policy EMP9, is the distinction in the sequential test between the PSA for retail development and town centre for other uses justified and consistent with paragraph 24 of the NPPF? Should the reference to Policy SP4 be SP5?

13. Yes, the distinction in the sequential test is justified in Policy EMP9 and is consistent with the NPPF. This issue was discussed during the hearing session on the 11th April 2018, covering Issue 8 'Retail and Leisure Issues'. During this discussion, it was agreed that the Council will propose some amendments to the Local Plan which will clarify the position. This will require amendments to Policy SP5 'Ashford Town Centre' (to which the original reference should have referred).

iv) The NPPF states that development should be refused if it likely to have a 'significant adverse impact' on investment and the vitality and viability of a town centre (paragraphs 26 and 27). Is the approach outlined in criterion b) consistent with this, both in terms of the test and/or the scope of the assessment? In setting the local threshold for impact tests, has the Council had regard to the matters listed in the PPG (Reference ID: 2b-016-20140306)? Is the same threshold justified for retail, leisure and office uses?

14. The intention of criterion b) is for it to be consistent with the requirements of the NPPF in terms of likely impact upon investment and the vitality and viability of town centres. For clarity, the following amendment is proposed to the policy:

b) The proposal, either by itself, or in combination with other committed development proposals, will not have a significant adverse impact on investment or the vitality and viability of a town centre ~~harm significantly the vitality and viability of the relevant centre~~, or any significant negative impact upon the town centres can be adequately mitigated. Proposals for retail, leisure and office development which are greater than 500sqm, will be required to carry out an impact assessment.

15. The method and rationale for recommending a local impact threshold for new retail development is explained in paras 9.21 to 9.30 of the RLNA. As para 9.22 states, the assessment has full regard to considerations for setting a locally appropriate threshold in the PPG (Paragraph: 016 Reference ID: 2b-016-20140306). The majority of these considerations have been informed from the findings of the RLNA, such as the existing viability and vitality of the town centres, whether the towns are vulnerable, an understanding of the types of retail development that were coming forward at the time of reporting and their scale relative to the centres.

16. Consideration was also given to trends for retail development, both nationally and locally, which at the time of reporting had seen a major shift in the size and format of units sought by retailers. For Ashford Town Centre, discussions with key stakeholders highlighted concerns about out of centre retail and the loss of town centre operators to out of centre locations.
17. Para 9.24 of the RLNA reviews the scale of planned retail floorspace relative to the town centres, which showed a range of development from 100sqm net to 1,500 sqm net. In considering retail trends, the assessment explains in para 9.26 of the RLNA that requirements for retail space range between 500 sqm gross to 1,000 sqm gross. This corresponds to general trends in retail, which as explained in para 9.25 of the RLNA, highlights how retailers need a minimum ‘critical mass’ of sales area to display their full range of goods in store and attract customers from a wider catchment area. For non-food retailers in particular, stores of over 500 sqm gross are unlikely to trade as a purely local facility.
18. For food retailing, para 9.26 of the RLNA highlights the shift in retailer requirements, with larger grocery retailers moving from large store development to growth in smaller convenience outlets, with an average floorspace of circa 500 sqm gross. Smaller convenience outlets can pose a threat to smaller centres and can undermine the role of food retail in larger centres.
19. Taking account of changing retail trends, demand for smaller units at out of centre locations, and the quantitative and qualitative findings of the retail study, we consider that a local impact threshold of 500 sqm gross is reasonable and justifiable. The threshold is consistent with threshold sets by other local authorities in England for retail development proposals.
20. It should be noted that a local threshold has not been applied to other town centre uses.

v) For effectiveness, should the exception to small scale retail and service provision in paragraph 5.203 be made in explicit in policy? What would be the approach for small scale development outside defined centres not covered by Policy EMP10?

21. Yes this should be clearer. Suggested edit to policy wording to add: Proposals for retail development, with the exception of small scale retail, which are not located in the Primary Shopping Areas...

vi) Is what constitutes a ‘village centre’ in Policy EMP10 clearly defined? In terms of the loss of shops and services, does Policy EMP10 provide sufficient clarity? Does the policy provide a satisfactory basis to ensure the vitality and viability of local and village centres are supported and which ensures their roles are maintained?

22. Retail in villages is generally limited and sporadically located, meaning villages are unlikely to have a defined centre. The policy wording reflects this, however the title of the policy doesn't. It is suggested that the policy title is amended to: *Policy EMP10 – Local Centres and Villages centres*

23. The council considers that retail and services contribute to the life and sustainability of villages. The policy recognises that a restrictive approach to villages may stymie their ability to develop in a way that ensures their vitality and viability. It offers a flexible approach which seeks to ensure the retention and development of retail and services which help to sustain the rural economy.

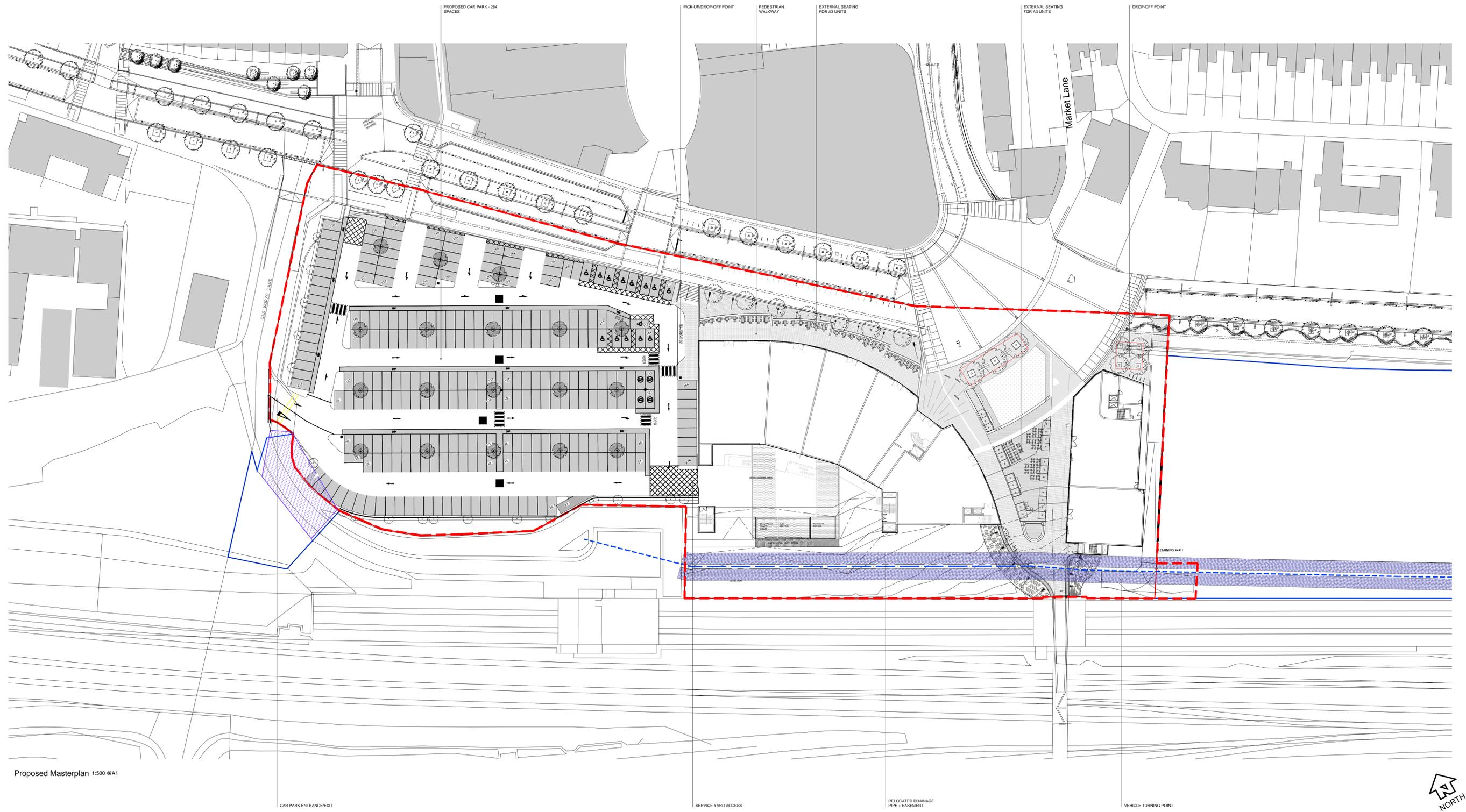
vii) *Has the Council had regard to the PPG (Reference ID: 2b-007-20140306) in drafting Policy EMP11 as this sets out what should be considered when planning for tourism? Is the plan positively prepared in terms of articulating a vision for tourism and identifying optimum locations for tourism development?*

24. Yes, the guidance set out in PPG formed part of the preparation of the Plan's approach to tourism over the plan period. The Council recognises the value of tourism and the benefits it brings to the borough as a whole. Planning for tourism is based to a large extent on the Ashford Tourism Review (2013-2014; updated to include an Action Plan to 2019). As PPG guidance advises, this strategy was produced in consultation with representatives drawn from across the tourism industry and is a background document to the Plan (CBD03). Specifically it considers the issues and aspirations of the Borough's tourism organisations and businesses and includes an Action Plan for delivery. Going forward, the Tourism Review and Action Plan are being progressed as a series of Development Management Plans including monthly meetings with the Ashford and Tenterden Tourism Association.

25. The important role that tourism can play in supporting local services, the vibrancy of local communities and the enhancement of the built and natural environment across the borough as acknowledged in the NPPG and the NPPF (paragraph 28) is recognized throughout the Local Plan (as well as being one of the four priorities of the Council's Corporate Plan 2015 – 2020). The vision for tourism development in the borough over the Plan period is set out in paragraphs 5.209 – 5.215 of the Plan, specifically paragraph 5.213.1. This reflects the overarching vision of the Plan (paragraphs 3.5 – 3.13). The objective of this approach is to focus new tourism development in sustainable locations in order to conserve and enhance the attractive character of the Borough's rural areas; acknowledging that

these are a main element of the borough's overall visitor appeal. The Plan adopts a positive approach to the conversion of rural buildings to tourism uses in Policy EMP4, acknowledging their valuable role in enhancing the character of the countryside whilst taking account of environmental impacts.

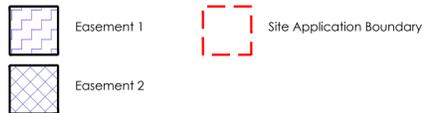
26. The towns of Ashford and Tenterden are identified as optimum locations for tourism development in Policy EMP11. The town of Tenterden is recognised in the Plan (paragraph 3.30.1) as being an important tourist destination given its high quality landscape setting in the High Weald AONB and well preserved historic core. It is therefore considered to be an appropriate location for additional visitor accommodation facilities. The regeneration of Ashford Town Centre is central to the vision of the Plan as set out in Policy SP5. The development of a hotel at Ashford is therefore considered an optimum location in accordance with paragraph 23 of the NPPF and is encouraged in Policies SP5 and S1 as well as EMP11. In addition, tourism uses are specifically promoted on the two site allocations on land that forms part of Ashford's important railway heritage, S6 and S7, in line with the priorities of the Council's Corporate Plan and Heritage Strategy.



Proposed Masterplan 1:500 @A1



PROPOSED GROUND FLOOR MASTERPLAN



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Revisions
A GENERAL AMENDMENTS

AJRB NOV 2015

Project
Elwick Place, Ashford
Phase 1
Client
Stanhope Plc
Title
Proposed Ground Floor Masterplan

Scale 1:500@A1 Date SEP 2015 Drawn AJRB Checked

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Revision
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