



# South Wiltshire Core Strategy

## Matter 10

Core policy 7

Retail

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1. Six matters have been raised in relation to retail matters and Core Policy 7. This Submission sets out the Council's response to these issues in turn.

***Question 10.1 Flexibility - Is Core Policy 7 too prescriptive on the form of development that will take place at Maltings/Central Car Park (MCCP)?***

2. The Council considers the MCCP car park opportunity to be fundamental to its Core Strategy to maintain and enhance the vitality and viability of Salisbury City Centre. It represents a significant and underused asset, and is of a scale which is unusual within a central location in an otherwise generally constrained historic city centre.
3. Given its scale, significance, and centrality to the Council's overall strategy, the Council considers it is right that this opportunity should be identified as a strategic allocation in the Core Strategy. The site has the potential to make a significant contribution to meeting identified quantitative and qualitative needs for both convenience and comparison shopping floorspace and a range of other key town centre uses. This vision is shared by the continued interest in developing the site on the part of the Harvest Partnership – a partnership between Land Securities, one of the leading retail developers in the UK, and Sainsbury's as a leading retailer and key stakeholder in the site.
4. The Council considers it is appropriate to allocate this site having regard to the advice in PPS4 and to provide certainty to developers and retailers. Its allocation as a strategic site does not preclude other appropriate development opportunities coming forward in appropriate locations in accordance with PPS4, but it does highlight the fundamental significance the Council attaches to achieving this objective. CP7 identifies the extent of the site, the scale and character of development likely to be appropriate and in particular identifies the site is appropriate for a new or replacement foodstore, department store and other comparison shopping needs, responding to identified quantitative and qualitative needs for improved quality shopping within Salisbury City Centre. The level of detail reflects the Council's desire to provide certainty and clarity.
5. Given the presence of an existing large foodstore on the site, and the identified need for new/improved convenience shopping provision within Salisbury City Centre to reclaim trade currently taking place in edge/out of

centre stores, it is appropriate that the Core Strategy identifies a foodstore as part of the mix of uses proposed for this site. In addition to being consistent with a quantitative and qualitative need, foodstores remain one of the more viable key uses in the current market, and are entirely consistent with major town centre retail developments, increasingly performing the role of an anchor store, either in themselves or in conjunction with other anchors.

6. There are many examples of successful city centre development anchored by large foodstores. One example is in West Bromwich where a large Tesco Extra store is promoted as the anchor to a major comparison based retail development including department and other large comparison retail units. Given the existence of a large foodstore within the MCCP site, the identified need, and the evident compatibility of a large foodstore with a wider comparison based retail scheme, the Council considers it is wholly appropriate to identify the MCCP site as being suitable for accommodating a substantial scale of development including a new/replacement foodstore.
7. While as currently drafted the Council considers policy CP7 is appropriate and clearly sets out its key aspirations for the site, it recognises that the policy could be regarded as prescriptive. If it is concluded that the policy provides too much detail, the Council considers an alternative option would be for an abbreviated policy CP7 to identify the extent of the site, the overall scale and form of retail and other uses likely to be appropriate on the site, and the key issues which any new application would be expected to address. This option could, if needed, provide for the preparation of a subsequent SPD setting out more detail as discussions with developers /anchor retailers progress further.

***Question 10.1A Retail Evidence Base - Is the Approach & Assumptions used to inform the Studies findings on retail capacity appropriate? Have the findings been appropriately presented?***

8. The Council considers the Salisbury Retail Study undertaken in 2007 (STU/08 B) provides a sound evidence base, albeit that the study is now three years old. The study has been the subject of extensive scrutiny and discussion, and in particular discrepancies have been identified and addressed in relation to Amesbury. Inevitably, given the nature of such studies there is scope for debate about the detailed data inputs and assumptions. However, the Council

considers the study still provides a sound and appropriate evidence base, having regard to both quantitative and qualitative factors as identified in PPS4.

9. Since the study was completed, it is evident that the economy has deteriorated significantly, and in particular expectations about consumer expenditure growth have been revised markedly downwards. In this respect, updating the study may suggest that both the convenience and comparison needs identified could be reduced. There is also further certainty concerning recent developments and extant consents, which could be factored into any revised study. Finally, as acknowledged by the study, there is the scope for appropriately located new development to increase Salisbury's market share. Accordingly, the capacity figures identified in the study and referred to at paragraph 6.24 of the Core Strategy are not intended to be prescriptive or to be regarded as maximum thresholds. If necessary, clarifications could be added to this effect.
10. Any additional proposals which come forward should be tested based on the key provisions of PPS4, notably the sequential approach and impact, having regard to circumstances at that time. However, the Council does not consider this calls for any substantial revision to its clearly stated Core Strategy, which is to seek to focus development within the City Centre, in particular on the key MCCP site, and the Council does not consider the case is made for any further strategic retail allocations.
11. On 3rd February the Martin Robeson Planning Partnership (MRPP) submitted its own convenience needs assessment. This assessment, which suggests a materially higher capacity for convenience goods floorspace, relies on, inter alia assumptions about increased market share. The Council does not consider it is appropriate or reasonable to attempt to respond to a completely new assessment at this stage in the process, particularly as for the reasons outlined previously, the Council does not regard the capacity figures identified in paragraph 6.24 as representing a cap or ceiling on development if new proposals come forward in appropriate locations and can be properly justified.
12. The Council has had no opportunity to test the new MRPP figures, but it is significant that beyond seeking the deletion of the MCCP site, and questioning the appropriateness of this location for a new or replacement foodstore, the

MRPP representations do not promote any alternative location or suggest another strategic allocation where the suggested additional 'needs' (which could amount to up to three food superstores) may best be met. Moreover, there appears to be no consideration given to the impact of this scale of development on the performance of existing foodstores in and around Salisbury, the vitality and viability of Salisbury, Amesbury and other competing centres arising from the assumed levels of 'clawback'.

13. In the absence of any suggestion of any alternative site or sites which would warrant a strategic allocation, (which could be tested having regard to the guidance in PPS4) or any proper testing of the assumptions which underpin the MRRP representations, we do not consider there is any basis to question the soundness of the Core Strategy.
14. If and when MRRP are prepared to disclose the identity of their clients and their interest, and set out their aspirations in terms of any specific proposals for any specific site or sites, the merits or otherwise of these can and should be tested in detail at the appropriate time having regard to the key considerations set out in PPS4.

**Question 10.2 Timing - *When is it anticipated that the development at Maltings/Central Car Park will take place? Is there a reasonable prospect of this occurring?***

15. Please see the Salisbury Vision's response to this Matter.

**Question 10.3 Choice of Sites - *Can the need for retail floorspace be met solely at the Maltings/Central Car Park? Does the allocation of Maltings/Central Car Park preclude the development of other retail proposals in appropriate locations which satisfy the objectives of PPS4?***

16. The nature of the proposals, the progress to date, and the strategy and timescale for bringing forward the development of this key site were considered in detail in a Public Inquiry in February 2009 into proposals for Salisbury Retail Park, and addressed fully in the Inspector's decision (Appendix 1, page 55, Topic Paper 8 Retail (TOP/08 A)), notably in paragraphs 19 – 24 dealing with

the sequential approach, and in relation to impact specifically in paragraphs 25 – 34.

17. In summary, the Inspector concluded that the MCCP site could be regarded as being available within a reasonable period of time (by 2014/15 or potentially beyond) that the MCCP site would be suitable to accommodate a range of large retailers selling comparison goods; and there was no evidence to suggest the proposed development would not be viable. While in the current market there are inevitably questions concerning the viability of many town centre schemes, the Council consider the continued interest of Land Securities and Sainsbury in the development of this site reinforces this view. Salisbury Vision will set out an update of progress and the programme moving forward.
18. The Inspector at the SRP Inquiry considered that while the MCCP site did not at that stage form part of an adopted Core Strategy, there could be very little doubt about its major importance to the future and well being of the wider area and that it should be treated as part of the spatial planning strategy for the purposes of that appeal. She also concluded there would be a very real concern at the impact of unconditioned comparison retail development and risk of prejudice to this scheme, which would put the planning strategy for Salisbury City Centre at significant risk.
19. In these circumstances, the Council considers it is appropriate to consider the MCCP site as a strategic allocation in the Core Strategy and the preferred location to meet identified convenience and comparison shopping needs. It was acknowledged at the Salisbury Retail Park (SRP) Inquiry that this site may not be the most appropriate location to meet the needs of genuinely bulky durable goods retailers, and as a consequence the SRP, which already has the benefit of an extant and implemented consent for bulky goods retailing, was granted consent on appeal for circa 8,361sq.m retail floorspace at ground floor level and 4,181sq.m of retail floorspace at mezzanine level. This was subject to conditions, including Condition 24 restricting the range and type of goods to be sold from the non food retail units to DIY and/or garden goods; furniture, carpets and floor coverings; camping, boating and caravanning goods; motor vehicle and cycle goods; and bulky electrical goods.

20. The Council considers that the combination of the MCCP strategic allocation site, and the extant consent for bulky goods retailing at the SRP provide for a range and choice of sites which are capable of meeting Salisburys identified quantitative and qualitative needs. In addition, the Core Strategy makes provision for appropriately sized local convenience stores and other facilities of an appropriate scale to serve purely local needs. In addition, as identified previously, there is nothing in the Core Strategy to preclude additional proposals involving retail or other key town centre uses coming forward on opportunity sites within the City Centre, or in alternative appropriate locations provided they fully satisfy the relevant tests set out in PPS4.

**Question 10.4 – Salisbury Retail Park - *Why is the site at London Road Salisbury (Salisbury Retail Park) not treated as a saved local plan allocation?***

21. As indicated previously, the SRP has an extant consent which has been implemented, and has more recently been granted consent at appeal for a significant scale of bulky durable goods retailing. The reasons for the Grant of Consent, and in particular the necessity for Condition 24, are set out fully in the Inspectors Report and the Council considers there has been no material change of circumstances which would warrant any different outcome.
22. The Council does not consider the SRP warrants a strategic allocation, in the sense that it does not form a core part of the Council's strategy in the same way as the MCCP site. It is available to accommodate bulky goods retailing in the event that there is demand for such uses, and the fact that the consent has been implemented safeguards this opportunity for the owner.
23. However, the Council specifically rejects the suggestion that the site should continue to be allocated for retail uses for a number of reasons:-
- First, for the reasons outlined previously, it is unnecessary to do so given the extant consent for the site.
  - Second, the site is not regarded as genuinely 'strategic' and would not warrant designation within the Core Strategy in any event.

- Third, and critically, the Council considers that if the site was specifically designated in an up-to-date development plan for retail uses, in accordance with PPS4, it would be open for the owner to claim that there would be no requirement to address the key tests in PPS4 i.e. consideration of the sequential approach or impact. This could, in principle, open up the risk of a proposal for Open A1 convenience or comparison retail development coming forward on this site – an outcome specifically considered and rejected at Public Inquiry on the basis of its potential harm to the Council's Core Strategy and aspirations for the MCCP site.
- Finally, again having regard to the recently issued PPS4, the SRP would bring the site within the scope of Policy EC16.1C which as a consequence could lead to the suggestion that a proposal coming forward in a more appropriate e.g. edge of centre location would in theory have to consider the potential impact on the London Road allocation. While it is not anticipated that there are any more sequentially preferable locations to accommodate generally in the bulky goods retailing, the Council does not consider the London Road Retail Park warrants 'protection' over and above any other out of centre retail warehouse proposals.

24. For the reasons outlined previously, there is nothing in the Core Strategy which would preclude the owners of the SRP bringing forward further applications for retail development in this location, but any such proposals should be considered carefully having regard to the provisions of PPS4 and to local policy considerations (including the overriding importance of safeguarding the opportunity for the MCCP site coming forward at the earliest opportunity).

***Question 10.5 Policy EC3 of PPS4 - In the Salisbury context is it necessary to set floorspace thresholds for the scale of edge of centre and out of centre development which should be subject to an impact assessment? If so what would the geographic areas be?***

25. The Core Strategy does not specifically address this issue as it predates the guidance in PPS4. However, the Council considers it would be appropriate to set a lower threshold than the default level of 2,500 sq. m. gross indicated in PPS4 for a number of reasons:-

- First, the area includes a number of smaller centres and villages and the Council would be concerned at the potential impact of developments below this threshold particularly on local centres and villages. This is specifically anticipated in policy EC13.1 of PPS4 and these concerns could arise in the case of proposals materially lower than the threshold, suggested in PPS4.
- Second, as identified previously, there has been a significant scale of new development recently completed and approved within the Salisbury area, including major proposals in Amesbury, together with major unimplemented commitments at SRP. As a consequence, in the specific circumstances of this area the Council is concerned that the cumulative effect of additional developments below this threshold could still lead to significant adverse impacts against the provisions of policy EC16, and in particular against the additional locally important impact of safeguarding the development of the MCCP site. The SRP Appeal Decision, for example, would suggest that any proposals involving open A1 comparison retail floorspace outside the centre, could have a material adverse effect on the MCCP site.
- Finally, the Council is concerned that a succession of applications each individually below the 2,500sq.m gross threshold, could cumulatively lead to significant adverse impacts as outlined above.

26. In these circumstances, the Council considers that any proposals not within the Primary Shopping Area<sup>1</sup> should be supported by an assessment of their impact, and in accordance with PPS4, any proposals involving the creation of more than 200sq.m gross additional floorspace should be required to demonstrate compliance with the sequential approach in accordance with the guidance in PPS4.

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<sup>1</sup> The 'centre' for retail development constitutes the Primary Shopping Area, which comprises both Primary and Secondary frontages