

## Chapter 5

# Shopping

## Introduction

5.1 The Babergh Local Plan Alteration No.1 was produced before the current Government guidance in PPS6: Planning for Town Centres was published in March 2005. The advice in Alteration No. 1 is limited to two policies set out in the Chapter 4. The District Council considers this inadequate in the light of current Government guidance. The Plan now includes a specific chapter to deal with this topic.

5.2 Retailing is a major component of the national and local economies. It provides jobs and services to the community. Traditionally, retail choice has been focused on town centres, taking advantage of the coming together of large numbers of shoppers. Town centres can offer the range, quality and convenience of shops and services that will be attractive to nearby residents, visitors and investors. However, retailing is constantly adapting to changing economic and social conditions. There has been a trend, particularly in convenience goods shopping, towards large stores in out-of-town locations. This has caused much concern and debate about the impact of such shopping trends on the vitality and viability of town centres, and the whole concept of sustainable development.

1. To protect or enhance the vitality and viability of the market towns of Sudbury and Hadleigh and to promote new retail investment in their defined town centres, in order to maintain and enhance their role as the main shopping areas in the Babergh District.
2. To define and protect “prime” shopping frontages in the two town centres.
3. To regularly monitor the economic wellbeing of the two town centres and to publish Town Centre Health Check Reports on a regular basis.
4. To support the retention of existing shopping facilities in rural areas and local centres and to encourage the provision of new facilities where this is consistent with Local Plan policies.

5.3 Current Government guidance on shopping issues contained in PPS6: Planning for Town Centres places major emphasis on the role of town centres and introduces the sequential approach to site selection for new development. At the same time, it continues to encourage competition between different forms of retailing and stresses that there is an appropriate balance between in-town and out-of-town facilities.

## Objectives

## Policy Context

- 5.4 The Regional Planning Guidance for East Anglia (RPG6) recognises that existing town centres will continue to be the main focus of the social and economic life of the communities in the Region. It advises that town centres should be the preferred location for development that attracts large numbers of people, and that retailing and leisure are key elements in sustaining and enhancing the vitality and viability of town centres.
- 5.5 RPG6 also stresses the need to reinforce the vitality of local centres, such as those in suburban areas and larger villages, so that local communities have easy access to day-to day facilities and to avoid shops, services and community facilities becoming underused. It points out that, in some circumstances, reinforcing the vitality of such centres has the potential to be an important element of strategies for meeting development needs on the basis of the sequential approach to site selection for development.
- 5.6 The Suffolk Structure Plan 2001 seeks to promote sustainable development by reducing reliance on car borne journeys and to protect the vitality and viability of town centres.

## **The Retail Strategy**

- 5.7 A clear shopping hierarchy exists in Babergh. In terms of retail centres, Sudbury and Hadleigh are the highest order centres. Sudbury is the largest town and the principal focus for services, shopping and employment in the west of the District, but it faces significant retail competition from Bury St Edmunds, Colchester, Ipswich and Braintree, and to a lesser degree, Halstead, Haverhill and Stowmarket. Hadleigh is an extremely attractive market town which serves both the convenience, and to a lesser extent the comparison goods, shopping needs of its catchment. Hadleigh is directly influenced by the close proximity of the higher order centres at Ipswich, Colchester and Bury St Edmunds.
- 5.8 Several district centres throughout the District serve a particular catchment area, whether it be part of a town, or a village and its environs.
- 5.9 Being largely rural, there are numerous settlements that rely on local shops. These can consist of small groups or even individual outlets.
- 5.10 Immediately to the southwest of Ipswich, at the Copdock Interchange of the A12 and A14 trunk roads, is a retail development supporting a convenience foodstore of approximately 8,700 sq. metres gross floorspace, together with 5 retail warehouse units having a total gross floorspace of approximately 11,000 sq. metres. This development also has a fast food restaurant and a drive through hot food takeaway unit.

- 5.11 Adjoining this retail development is a park-and-ride facility with about 500 parking spaces. It is managed by Suffolk County Council and operated by Ipswich Buses.
- 5.12 The large foodstore at the Copdock Interchange draws consumer expenditure away from the food outlets in Hadleigh and the local centres and individual shops in the settlements of the eastern half of the District. The retail warehouse units also draw expenditure from shops selling comparison goods in Hadleigh, but their impact is probably greatest on those shops selling comparison goods in Ipswich town centre. On the other hand, some of these retail warehouse units will have a regional catchment and there will be some combined shopping trips into Ipswich town centre.
- 5.13 Through appropriate policies and proposals, the District Council, alongside other organisations, will seek to protect and enhance its town centres, district centres, local centres and local shops in rural areas.
- 5.14 The District Council fully supports the Government's aim to promote sustainable patterns of development and to reduce reliance on the private car for all journeys, including shopping trips. It will, therefore, seek to protect and enhance the vitality and viability of the two market towns in the Babergh District, and also Ipswich as a regional shopping centre.

**SP01** Development proposals must protect or enhance the vitality and viability of Sudbury and Hadleigh town centres and of Ipswich as a regional shopping centre. Major new retail and other suitable forms of investment that protect or enhance their roles will be directed into these areas.

- 5.15 In late 2002 the District Council received a comprehensive, independent consultants' retail study. This was guided by the following aims:
- to identify the District's retailing characteristics, strengths and weaknesses;
  - to research the District's likely future need, capacity and opportunities for retail development over the Plan period, including the ability of existing retail outlets to meet this (or otherwise); and
  - to advise the Council on the best way to address the Secretary of State's decision on the need for additional floorspace for food shopping in Hadleigh.

### **Babergh Retail Capacity Study (2002)**

## **Retail and other Substantial Trip Generating Development – The Sequential Approach**

- 5.16 In summary, the Study identified a dynamic and thriving local economy but one with some underlying problems and uncertainties for the future. These latter findings indicate a need to avoid complacency. Given strong competition from much larger retail centres nearby (and in particular the need to avoid further ‘leakage’ of local trade to them) and forecast population growth in Hadleigh and Sudbury catchment areas, it is imperative to protect, and wherever possible strengthen, their vitality and viability. As part of this long-term strategy there is a pressing need to allocate more land for retail development in the two market towns.
- 5.17 The study identified a need for further ‘bulky comparison goods’ shopping provision in Sudbury, and to a lesser extent in Hadleigh, along with a need for a major foodstore to serve Hadleigh. Sudbury also has an identified need for more foodstore retail provision over the Plan period. Hadleigh would also benefit from more ‘non-bulky comparison goods’ retail provision. Where proposals for new retail allocations (in terms of specific sites) are made in this Plan, these will be dealt with in the relevant chapter for each town.
- 5.18 Options were also investigated for building a more prosperous future for the dilapidated parade of local shops at Poplar Road in Great Cornard, and planning permission has been obtained to redevelop the site for a comprehensive mixed use scheme.
- 5.19 The District Council will seek to deliver Government policy objectives relating to town centres, retailing and the promotion of sustainable patterns of development, by locating and promoting shops, commercial uses and other traffic-generating activities, such as leisure and entertainment in town centres. It would be difficult to prescribe all the forms of development likely to generate substantial levels of traffic, so each case needs to be assessed on its own merits, with regard to the type and scale of development proposed.
- 5.20 In considering planning applications for significant retail and other substantial trip generating development, developers will be expected to adopt the “sequential approach” to site selection set out in PPS6. Adopting a sequential approach means that first preference should be for a town centre site, where suitable sites or buildings suitable for conversion are available, followed by edge-of-centre sites, district and local centres and, only then, out-of-centre sites in locations that are accessible by a choice of transport methods.

- 5.21 PPS6 advises that local planning authorities, in preparing planning strategies and policies, should consider the “need” for new retail, leisure and other substantial trip generating development in the plan area over the lifetime of the development plan. Having established that such need exists, local planning authorities should then adopt a sequential approach to identify suitable sites. If there is no need or capacity for further developments, there will be no requirement to identify additional sites.
- 5.22 Proposals for new retail, leisure and other substantial trip generating development which accord with an up-to-date plan strategy or are proposed on sites in an existing centre, do not have to demonstrate that they satisfy the test of need. However, in all other cases, applicants must demonstrate both the need for additional facilities and that they have applied a sequential approach to site selection.

**SP02** Proposals for major new retail, leisure and other substantial trip generating development should be located in the Sudbury and Hadleigh town centres. If evidence confirms that no suitable town centre site can be made available, suitable edge-of-town centre sites will be the next favoured option. Only where it can be demonstrated that no such sites are available, will out-of-town locations be considered. In such instances, proposals will be considered against Policy SP03.

- 5.23 For the purposes of Policies SP01 – SP03, “major” will depend on the type, scale and location of development proposed, but will include all proposals in excess of 2,500 sq. metres gross floorspace (in line with PPS6). In the Babergh context with its smaller centres development proposals with a gross floorspace of less than this are likely to have potentially substantial effects. Wherever this is the case such proposals will also be subject to Policies SP01 - SP03 and to the need for impact assessments (such as traffic, retail or other effects).
- 5.24 Not all town centres, particularly small and historic market towns, will have sites that are suitable in terms of size, parking, traffic generation or servicing requirements for large-scale developments in the town centre itself. In such town centres, developments should be of an appropriate scale.

## **Retail and other Substantial Trip Generating Development outside Town Centres**

5.25 PPS6 advises that where such developments are proposed, the following key considerations should be applied:

- the retail need for the development;
- the likely harm to the development plan strategy;
- the likely impact of the development on the vitality and viability of existing town centres, including the evening economy, and the impact on the rural economy;
- their accessibility by a choice of transport methods; and
- their likely effect on overall travel patterns and car use.

**SP03** Proposals for significant new retail, leisure and other substantial trip generating developments, including convenience goods superstores and retail warehouses that cannot be located in defined town centres, will be considered against the following criteria:

- the retail need for the development;
- the availability of suitable sites in or adjoining the town centre;
- the potential impact of the development on the vitality and viability of town centres and the rural economy;
- the accessibility by non-car methods of transport, including pedestrians, cyclists and buses, and the ability to promote access of this kind; in some cases the submission and approval of a 'Green Travel Plan' will be required;
- the ability of the local highway network to safely accommodate traffic likely to be generated by the development;
- the ability of the site to provide for appropriate car parking and servicing requirements;
- the ability to link the site by good footpath routes to the town centre; and the potential impact on residential amenity, or that of other occupiers;
- the potential impact on landscape characteristics, biodiversity, archaeology and cultural heritage;
- the potential impact on the visual amenity of the locality;
- the potential impact on conservation areas and listed buildings;
- the site should not include land allocated for employment purposes in the Local Plan; and
- in the case of retail warehouse proposals, the goods to be sold must be mainly bulky\*.

5.26 Independent professional retail impact analysis evidence is likely to be required in support of proposals demonstrating the likely effect they will have on town centre and village vitality and viability.

\* The following types of goods will be acceptable:

- do-it-yourself materials and builders' merchant materials;
- garden centre goods;
- furniture and carpets;
- electrical goods;
- bicycles and car / motor cycle / bicycle accessories; and
- other retail trades dealing in bulky goods and requiring display areas of a size not available or appropriate in the town centre.

The type of goods sold in these stores will be limited to that of the identified need and controlled by a planning condition or a planning obligation under Section 106 of the Town and Country Planning Act 1990.

5.27 With the exception of dwellings, the subdivision of a building into smaller units of the same use generally does not require the grant of planning permission. However, the subdivision of large retail superstores and warehouses can make them less attractive to bulky goods retailers, and lead to the introduction of product ranges to the detriment of the vitality and viability of town centres. The District Council considers it appropriate, therefore, to control retail units outside defined town centres. Control of this kind can only be exercised on new development proposals.

### **Subdivision of Out-of-town Superstores and Retail Warehouses**

5.28 Several types of non-retail business use, such as building societies and estate agents, occupy High Street locations. However, in increasing numbers and in prime shopping sites, such uses can lead to deterioration in the overall standard and range of shopping facilities.

### **Protected Shopping Frontages**

5.29 It is proposed, therefore, that on the prime shopping frontages in Sudbury and Hadleigh, 'dead' frontages be minimised by preventing the establishment of non-shopping uses. Policy SD01 in Chapter 10: Sudbury Town and Policy HD03 in Chapter 11: Hadleigh Town address this issue.

5.30 In a rural area, such as the Babergh District, it is essential that adequate services and facilities are provided if the vitality and viability of the villages are to be maintained. It is also important in helping to achieve Government policy guidance concerning the promotion of sustainable patterns of development, and maintaining and enhancing the quality of life for people living in rural areas.

### **Shops in Local Centres and Villages**

- 5.31 The District Council is promoting a range of policies aimed at securing sustainable development and the vitality and viability of rural areas. These include policies seeking to retain employment opportunities (Policy EM24), to re-use redundant or under used buildings for employment purposes, (Policy CR18), and to retain facilities in rural communities (Policy CR20).

**SP04** Shopping opportunities in local centres and villages will be retained and proposals that would result in their loss will not be permitted unless full supporting evidence is provided to demonstrate that the facility is no longer needed by the local community and that it is no longer commercially viable. New provision of this kind will be permitted provided that:

- proposals are of an appropriate size for the location and are consistent with other shopping policies;
- adequate parking and servicing arrangements are available;
- proposals will not be detrimental to road safety;
- proposals will have no material adverse impact on residential amenity or on that of other occupiers;
- proposals will have no adverse impact on landscape characteristics, biodiversity, cultural heritage, archaeology, listed buildings or conservation areas;
- the proposals are acceptable in terms of their layout and design; and
- proposals will have no material adverse impact upon visual amenity.

## Farm Shops

- 5.32 There has been an increasing trend towards the direct sale of farm produce to the public. This trend is likely to continue, particularly as farmers are now encouraged to diversify. In many cases, the retail sale of produce directly from the farm (“farm gate sales”) is acceptable, if it is limited to produce grown on the farm, particularly as it is often seasonal. In such cases, planning permission will not normally be required.

- 5.33 Depending on the scale of the operation, the retailing of other goods not produced on the agricultural holding (“bought in” goods) will, require planning permission. Such operations can provide useful shopping facilities for rural areas. However, this needs to be balanced against the potential impact of large numbers of customers travelling from other areas to enjoy the “rural shopping experience”. Planning conditions may, therefore, be used to control the range of goods sold, the scale and nature of the operation and the use of the premises from which sales are conducted.
- 5.34 Policies CR17 and CR18 in Chapter 6: Countryside and the Rural Economy also deal with farm diversification, since the establishment of farm shops is only one of many possible forms of diversification. The former policy deals with diversification proposals in general and the latter with the conversion of redundant or under-used barns and other rural buildings. So landowners, farmers or other applicants are referred to Policies CR17 and CR18, which will apply when farm diversification proposals are put forward. Policies CR17 and CR18 complement Policy SP05 by addressing issues less directly related to shopping. Key aspects in the consideration of farm shop proposals are their location, accessibility and effect on other shopping facilities or centres. In particular, Policy SP05 seeks to prevent the establishment of farm shops in remote locations that are inaccessible by non-car modes of transport and likely to generate excessive numbers and lengths of trips. Farm shops in such locations could also serve to draw trade away from village or town centres, harming their vitality and viability.

**SP05** Proposals for farm retail shops will be permitted provided that there is no material adverse impact in relation to the following criteria:

- the viability of nearby town or village shops;
- highway safety issues, including the ability of the local road network to safely accommodate the extra traffic the proposal is likely to generate;
- the distance between the shop and the nearest town or village;
- residential amenity, or that of other occupiers;
- landscape characteristics, biodiversity, cultural heritage, archaeology, listed buildings or conservation areas;
- the visual amenity of the locality;
- the level of provision, layout, and siting of car parking in relation to the proposed scale and siting of the retail operation; and
- the suitability of the building(s) to accommodate a shop\*.

\*There will be a preference for the conversion of traditional farm buildings which are well related to the village (or town). Proposals featuring new buildings will only be acceptable if it can be demonstrated that no existing buildings are available and suitable for the purpose. In addition, new buildings must avoid open countryside and be well related to existing farm buildings in terms of siting, scale, design and materials.

## Late-night Trading Restrictions

- 5.35 Late-night, or sometimes early-morning, trading from fixed (immobile) Class A5 establishments, such as fast food outlets, can cause disturbance and a serious loss of residential amenity. They often become a place where young people gather and may cause concern to the Police.
- 5.36 Although a later limit of midnight for trading hours may generally be acceptable for trading from such establishments, each case will have to be considered on its individual circumstances, such as location and character of the surrounding area. Control of this kind can only be applied to new proposals.
- 5.37 In considering planning applications for establishments selling food and drink for consumption on or off the premises (A3 and A5 uses, as defined in the Town and Country Planning (Use Classes) Amendment Order 2005), trading hours will be restricted to protect residential amenity from night-time and early-morning disturbance, where appropriate.