

## Fareham Borough Council Local Plan Examination Council's Response to Inspector's Matters and Issues

### **Matter 9 Retail, Town Centre Policies and Community Facilities (Policies R1-R4)**

#### **1. The retail floorspace projections in Table 7.2 in the Plan differs from Table 11.1 in the Retail and Commercial Leisure Study Update 2020 (RCF002). Why is that?**

- 1.1 The Retail and Commercial Study Update was produced in 2020 to support the Plan period from 2020 to 2036, however publication of the Plan was delayed following the government consultation on the calculation of housing need and this meant the Council were required to change the period the plan covered to 2021-2037. In light of this, the Council sought to update and roll forward the retail projection figures to 2037 which are those shown in table 7.2 of the Plan. The projections in Table 7.2 are consistent with Table 11.1.

#### **2. The Plan does not provide for any new comparisons floorspace; however, the Retail and Commercial Leisure Study 2017 (RCF001) paragraph 6.12 suggests that there is scope for improvement in Fareham Town Centre. Is this approach justified?**

- 2.1 The Retail and Commercial Leisure Study 2017 (RCF001) suggests there is theoretical scope for expansion in the town centre rather than an identified need and was produced prior to the Covid 19 pandemic. The Update to the Retail and Commercial Leisure Study (RCF002) which was produced in 2020 does not carry the theoretical scope for expansion, but identifies that the 2036 floorspace projection for comparison goods had reduced considerably since the original 2017 report (paragraph 7.55 and 7.56 of update) and considered that the emerging strategy for Fareham should focus on the reoccupation of vacant units (para 9.12 of RCF002) and concludes a zero comparison floorspace need in table 11.1 of the same document. Paragraph 9.14 of the update also suggested there may be potential for Fareham town centre to increase its market share of expenditure and absorb residual growth for other parts of the Borough. The Council therefore consider it is justified in using this approach in the short term, i.e. in the first ten years of the plan period, as it is based on updated evidence. The Council recognise the importance of maintaining the town centre's position in the retail hierarchy, and therefore, looking further ahead, the broad location of growth policy (BL1) identifies that the renewal and redevelopment of the town centre is a priority for the plan with ambition for economic regeneration through the redevelopment of the town centre site. The detail of retail floorspace provision will be a matter for the masterplan SPD and Local Plan Review.

### **Policy R1 Retail hierarchy**

#### **3. How have the town centre, primary shopping area, district and local centre boundaries been determined? Are they appropriately defined?**

- 3.1 In preparing the Plan, the Council undertook a review of the town, district and local centre boundaries, supported by evidence gathered in the annual Retail Health Check to consider whether the existing areas defined within each centre were appropriately defined. The centres were defined in the 2015 Local Plan Part 2: Development Sites and Policies (FBC049, page 67) and it was considered that centre boundaries did not require alteration based on vacancy and usage information gathered in the Council's Annual Retail Health Check (RCF003 & RCF004) which analyses the health of each centre. This approach is supported in the Retail and Commercial Leisure Study update (para 10.14 to 10.27 of RCF002).

- 3.2 In line with paragraph 86b of the NPPF, it was considered appropriate to remove the secondary shopping area designation within Fareham town centre, instead including the area within the primary shopping area, as the more flexible retail policies within the Plan are considered appropriate to all town centre retail.
- 3.3 Although no change to the centre boundary was identified, the change in designation for Stubbington from a local centre to a district centre is considered appropriate due to its size, relative to other district centres within the Borough and its retail offering which include a number of high-street chain offerings.

**4. The policy requires proposals to contribute to the identified retail floorspace need in the borough. How would proposals for comparison goods be considered? Is the policy effective?**

- 4.1 Proposals for comparison goods would be considered in line with the latest retail floorspace need. At present there is no identified need for comparison floorspace. As identified in para 7.15 of the Plan, vacant floorspace levels have the capacity to support need in the Borough to 2027. The Council recognises however that the retail sector is susceptible to ongoing change and therefore undertakes annual retail health checks to record the vacancies and uses in all the Borough's centres to provide up to date evidence of need. The lack of identified need does not mean the Council will automatically refuse applications within the Borough's centres, but rather the Council will take account of the health check monitoring, combined with supporting evidence from an applicant when considering Policy R1 requirements.
- 4.2 For proposals which are outside of the Borough's centres, Policy R2 will apply which seeks to protect the vitality and viability of centres.

**5. Is it clear which centres are being referred to in the penultimate paragraph of the policy?**

- 5.1 The paragraph refers to all of the centres and small parades in the Borough, however if it is considered this is not clear, the wording could be amended to refer to all centres and small parades as defined in the retail hierarchy under a minor modification.

**Policy R2 Out of Town proposals for town centre uses**

**6. What is the threshold for impact assessments in Policy R2 based on, and how has it been defined? Has the identification of a local threshold of 500 square metres followed the considerations outlined in the PPG3.**

- 6.1 The Council's 2012 Retail Study (FBC054, page 79) recommended the threshold for impact assessments which led to its inclusion in the Local Plan Part 2: Development Sites and Policies (FBC049, policy DSP37). This threshold was supported by the Retail and Commercial Leisure Study 2017 and in paragraph 10.36 of the Retail and Commercial Leisure Study Update 2020 (RCF002) which confirms policy R2 is consistent with the Framework. The threshold has been identified in accordance with the PPG in that it takes into account the scale of proposals relative to the borough's centres, for example, Fareham is a historic market town and therefore has relatively small units (as indicated in the 2021 Fareham Borough Retail Health Check (FBC055, page 8) 89,484sq.m of retail space over 370 units indicates an average unit size of 242sq.m) therefore the setting of a lower threshold than that set out in the NPPF provides an appropriate level to protect the borough's centres' existing viability and vitality. This is of particular concern following the

Covid 19 pandemic which has led to uncertainty in consumer habits and vulnerability of centres.

### **Policy R3 Local shops**

**7. Is it clear to a decision maker, developers and the local community what is expected in part b) of the policy? What is a reasonable period and reasonable attempt? Should the policy also include reference to properties for sale not just for lease?**

- 7.1 The policy has been carried forward from the adopted plan and although to date the Council has not encountered difficulties with its implementation, The Council considers that part b of the policy wording could be amended to provide clarity as follows: The proposals are accompanied by details of marketing of the vacant site/building covering a period of not fewer than twelve months;" with the supporting text providing further clarity regarding marketing the unit as follows: "In order to establish whether the marketing exercise has been satisfactorily comprehensive, applicants will be expected to submit details of the vacancy, the agents used to promote the sale/letting (including contact details), advertising methods used, information regarding any interest received during that time and why any interest (if any) was not pursued." Such change could be made under minor modification and would bring the expectation in line with other such policies in the Plan, namely E5.

### **Policy R4 Community and Leisure Facilities**

**8. Are the requirements of the policy justified and effective?**

- 8.1 The requirements of the policy are considered justified and effective in that policy R4 positively supports development proposals in line with paragraph 93 of the NPPF which requires planning policies to ensure the provision of the social, recreational and cultural facilities and services which meet community needs. Policy R4 is effective as it seeks to meet the communities' identified needs by supporting proposals for new or extended community facilities where it is identified the community's need is not being met and guarding against the unnecessary loss of valued facilities. The policy criteria are considered justified and effective as they focus on the quality of the provision and specifically in promoting the reuse and shared use of facilities to ensure long term sustainability for the benefit of the local communities they serve.
- 8.2 The policy recognises that there may be situations where community facilities are no longer needed. The criteria for permitting such losses are considered justified in that they require proposals which would result in the loss of community facilities to justify that there is no longer a need for the facility in line with paragraph 93c of the framework, alternative options are unviable and that replacement facilities are of a higher standard.

**9. In terms of the loss of facilities, is it clear what is meant by improved facilities being 'sufficient' or better in terms of quality, function and accessibility?**

- 9.1 The word sufficient has been used to ensure any replacement facilities meet the needs of the community, recognising the changes to such needs over time. The policy previously proposed in the Publication Plan Regulation 19 Consultation used the word equivalent, however, as consultation responses demonstrated, there may be instances where equivalent is not what would be required due to changes in the local communities' needs such as increased interest in fitness classes or a reduction in church attendance. Therefore, the

Council consider that sufficient or of better quality will address the flexible needs of community facilities, ensuring quality provision.