

## CHAPTER 8: CENTRAL AREAS AND SHOPPING

### PARAGRAPHS 8.5 to 8.11 - NATIONAL AND STRATEGIC POLICY

#### Inspector's Recommendation

- 8.4 *I recommend that the text be modified in accordance with PC 194 subject to the deletion of the word "neighbouring" from paragraph 8.8 bullet-point one, as set out in CD/31, and its replacement by "nearby".*

#### CBC Decision

Accept.

#### Reason

For the reasons set out in paragraphs 8.2 & 8.3 in the Inspector's report.

#### Proposed Modification

**M8.1**

Modify paragraphs 8.5, 8.6 & 8.7.  
Insert new reasoned justification after paragraph 8.7.

- 8.5 ~~National planning policy guidance on town centres and retail developments is set out in PPG6, revised in July 1993. The guidance acknowledges the role of existing town centres as providing a focus for community identity benefiting from high levels of accessibility to shops and services and therefore conveniently located to provide for new retail development, building upon earlier investments and infrastructure. National planning policy guidance on town centres and retail developments is set out in PPG6 revised in June 1996. The guidance reaffirms that it is not the role of the planning system to restrict competition, preserve commercial interests or to prevent innovation. Rather its purpose is to sustain and enhance the vitality and viability of town centres, to promote a wide range of shops and services closely located to encourage efficiency competition and innovation and to facilitate ease of access by a choice of means of transport.~~
- 8.6 ~~The importance of retailing to the continued vitality and viability of town centres and of villages is recognised and it is suggested that positive policies and good management can sustain vitality and viability. However the guidance is committed also to effective competition between retailers which will bring benefits to consumers in general. Accordingly local planning authorities are urged to achieve a suitable balance in retail provision between accessible out of centre facilities and traditional town centres. In pursuit of these objectives considerable emphasis is given to the plan led approach to promoting development in town centres through appropriate policies and the identification of specific sites. In support of this strategy the sequential approach now requires that in selecting sites for retail, employment, leisure and other key town centre uses, first preference is given to town centre sites, followed by edge of centre sites and only then by out of centre sites in locations which are or can be made accessible by a choice of means of transport.~~
- 8.7 ~~In July 1995 the Government issued a revised draft of PPG6 which must be accorded considerable weight in plan preparation. The revised guidance introduces a number of key changes to previous advice, the most significant aspects of which are:~~

- ~~an increased emphasis on a plan led approach to providing development in town centres;~~
- ~~the introduction of the sequential approach to selecting sites for retail development with first preference being given to town centre sites, followed by edge of centre sites and only then by out of centre sites in locations that are or can be made accessible by a choice of means of transport; and~~
- ~~clarification of the three key tests for assessing retail developments:~~
  - i) ~~impact on vitality and viability of town centres;~~
  - ii) ~~accessibility by a choice of means of transport; and~~
  - iii) ~~impact on overall travel and car use.~~

~~These changes forge closer links with Government policy on transport set out in PPG13 which aims to reduce growth in the length and number of motorised journeys, encourage more environmentally friendly means of transport and reduce reliance on the private car.~~

Within town centres importance is attached to the promotion of mixed use development and the retention of key town centre uses. The production of an integrated town centre strategy embracing parking policy, environmental improvement and management coupled with high standards of urban design, has a major role to play in supporting land use planning in the revitalisation of traditional town centres.

In assessing the acceptability of all retail development the guidance clarifies the three key tests as:

- the extent to which the proposal would put at risk the vitality and viability of a nearby town, district or local centre;
- the provision of, or potential for, service by frequent, reliable convenient public transport, together with facilities for access by pedestrians, cyclists and people with disabilities; and
- the extent to which the proposal would impact on overall car use by reference to its ease of access to all customers and its ability to facilitate more linked trips (ie. trips serving more than one purpose).

## **PARAGRAPHS 8.12 to 8.17 - THE CHARNWOOD PERSPECTIVE**

### **Inspector's Recommendation**

8.8 *I recommend that the text be modified in accordance with PC 195.*

### **CBC Decision**

Accept.

### **Reason**

For the reasons set out in paragraph 8.7 in the Inspector's Report.

**Proposed Modification****M8.2**

Modify criterion (vi) in paragraph 8.17.

8.17 These broad aims translate into the following specific policy objectives:

- i) [No Change].
- ii) [No Change]
- iii) [No Change].
- iv) [No Change].
- v) [No Change].
- vi) to resist ~~inappropriate out of town shopping development which would undermine the vitality and viability of any town or district centre.~~ development which would:
  - have a damaging impact upon the vitality and viability of a nearby town , district or local centre;
  - fail to benefit from frequent, reliable and convenient public transport services or to provide for ease of access for pedestrians, cyclists and people with disabilities; and/or
  - encourage continued reliance on the car as opposed to facilitating multi purpose trips.

**POLICY CA/1 - CENTRAL AREAS****Inspector's Recommendation**

8.17 *I recommend that:*

- (i) *Policy CA/1 be modified in accordance with PC 196 subject to the deletion of sub paragraphs (A), (B) and (C);*
- (ii) *the following wording be inserted after sub paragraph (iv): "Where a development proposal does not accord with the Local Plan it will be required to demonstrate both the need for additional facilities and that a sequential approach has been applied in the site selection";*
- (iii) *the words "Where the location of a development has been derived through the application of the sequential test set out at paragraph (C) above planning permission will be granted provided:" be deleted and the following words be inserted;*

*"Proposals on out of centre sites derived through the application of the sequential approach will be granted provided:".*

**CBC Decision**

Reject (i), with a modification to the policy to allow the opportunity to permit small scale facilities outside of designated centres that provide a valuable local service and have an important social function without being subject to the full range of policy requirements in Policy CA/1 along the lines

of Criterion B) in PC196 together with some additional clarification to aid its interpretation in the reasoned justification of the Plan.

Accept (ii), but modify the policy and RJ in the interests of clarity and consistency with PPG6. Amend the reasoned justification accordingly.

Accept (iii), but modify the policy and RJ as a consequence of the Proposed Modifications under (ii).

## Reason

### Recommendation (i)

The intention of Policy CA/1 is that it should apply to all proposals for shops, commercial, leisure and non-residential uses irrespective of their scale of development. While the policy as recommended for change and endorsed by the Inspector in paragraphs 8.10 to 8.16 embodies the key tests for retail and leisure developments set out in PPG6 the effect of the Inspector's recommendation is to remove the opportunity to permit local shops and facilities in suburban locations and the rural area outside of designated centres without them going through the full range of policy requirements, including meeting the sequential approach. Such requirements for small scale development where their impact on other centres would be minimal is considered to be unduly onerous and may discourage genuine local facilities from coming forward. It is therefore suggested that the intent of criterion B) as proposed in PC196 be retained in the modified policy

### Recommendation (ii)

Whilst the intent of the Inspector's recommendation is not in dispute it is considered that the policy would be better framed if the issue of need and the sequential approach were included as two separate criteria in the policy. Additionally, the use of the words '*development plan strategy*' instead of '*local plan*' in new criterion iv) would better accord with government guidance in PPG6.

### Recommendation (iii)

Because of the wording changes in (ii) above minor consequential modifications are necessary to remove the policy reference to the sequential approach with the words '*edge-of-centre*' inserted between '*out of centre*' and '*sites derived.....*'.

## Proposed Modification

**M8.3**

Delete Policy CA/1 and replace with new Policy CA/1.  
Modify paragraphs 8.19, 8.20 & 8.21 and insert new supporting text after paragraphs 8.20 & 8.21.

### 8.18 POLICY CA/1

~~Shopping and related developments (such as financial and professional services and food and drink uses) will be permitted within Loughborough Town Centre and its associated commercial service areas, designated district shopping centres and existing or proposed local centres.~~

~~New shopping development outside these areas will not be permitted unless it can be shown that:~~

- ~~i) there is an overriding need, as proven by an independent study, to provide additional sites for shopping development which cannot be accommodated within an existing or proposed shopping centre; under such circumstances the development should be located within approximately 400 metres of the limits to the nearest town or district shopping centre and orientated towards that centre.~~

~~Only when these options have been exhausted will the Borough Council consider alternative out-of-centre locations;~~

- ~~ii) the development proposed would not, either individually or cumulatively with other development, be seriously detrimental to the continued vitality and viability of Loughborough Town Centre or any defined district shopping centre;~~
- ~~iii) the development would not prejudice the strategy for attracting investment in the Loughborough Town Centre Opportunity Sites and the related enablement of the Inner Relief Road, or any other allocated sites;~~
- ~~iv) the development can be accessed by frequent and regular public transport services;~~
- ~~v) the development would be in a location compatible with a distribution of facilities which efficiently serves as many people as possible and maximises the opportunity for encouraging accessibility on foot or by bicycle;~~
- ~~vi) the development would not result in the loss of land allocated or last used primarily for employment purposes where such sites are in short supply; and~~
- ~~vii) the development would not cause serious injury to local visual or residential amenity by reason of its design and appearance or operational activities.~~

In locations outside Loughborough Town Centre and its associated business and commercial service areas, designated district centres and local centres, proposals for shops (Class A1), financial and professional services (Class A2), non-residential institutions (Class D1) and places of assembly and leisure (Class D2) will only be permitted if the development is small in scale and primarily intended to service a highly localised or rural community need.

In all other cases proposals for shops and leisure uses on out-of-centre or edge-of-centre sites will only be permitted if:

- i) the need for additional facilities can be demonstrated;
- ii) the site's selection meets with the sequential approach;
- iii) the development would not, either individually or cumulatively with other development, occasion an impact upon any nearby town or district centre seriously detrimental to its long term vitality and viability;
- iv) the development would not undermine the development plan strategy, including that to attract private sector investment in the Loughborough Town Centre Opportunity Sites and the related enablement of the inner relief road;
- v) the development can be accessed conveniently by a choice of means of transport including frequent and reliable public transport and safe and direct provisions for pedestrians, cyclists and people with disabilities;
- vi) the development would ensure easier access to all customers, facilitate more linked trips and assist overall in reducing reliance on the car; and
- vii) the development would not cause serious injury to local visual or residential amenity by reason of its design and appearance or operational activities.

- 8.19 ~~The existing and proposed distribution of shopping facilities in the Borough is designed to ensure that the provision of facilities is compatible with sustainable principles. Existing centres are already well located at the heart of the communities they serve and therefore highly accessible by foot, bicycle and public transport as well as by private car. These centres provide, in the first instance, the optimum location for new shopping development which will enhance and consolidate their role and derive the maximum advantage from public and private investment in their supporting infrastructure. To this end specific opportunity sites suitable for retail and related town centre development have been identified within Loughborough's town centre. Elsewhere district centres have been defined so as to include land which might usefully be developed or redeveloped in such a way as to expand or enhance their roles as shopping and service destinations. Existing centres have grown with their communities over many generations and provide a wide range of shops, services, public amenities and leisure facilities easily accessible to those communities by a choice of transport modes. The policy aims, in the first instance, to direct development which gives rise to significant numbers of visits by the public, towards established centres in order that they might remain the focal point for the communities they serve and derive the maximum advantage from public investment in supporting infrastructure and private investment in shops and businesses. In furtherance of the overall objective to sustain and enhance established centres, specific opportunity sites for mixed development have been identified in Loughborough town centre underlining PPG6 preference for development within such centres. Elsewhere district centres have been defined so as to include land which might usefully be developed or redeveloped in such a way as to expand or enhance their roles as multipurpose, accessible centres.~~
- 8.20 ~~The policy proceeds to set out the process by which retail development proposals in out of centre locations will be assessed having regard to the sequential test advocated in draft guidance and the need to ensure effective access by transport modes other than the private car. Provision is already made for certain large scale "public buildings" in non central locations. Specific examples include educational establishments, the Loughborough Hospital and sports facilities. However, while other large scale out of centre development could impact adversely upon established centres, it is equally apparent that small scale development, typically new buildings or conversions to provide local convenience stores in urban areas or rural shops and services in those villages where there is no discernible local centre, could have no such impact. Indeed such facilities could assist in fostering a more sustainable distribution of shops and services reducing the need to resort to the car for convenience shopping and supporting the rural economy. What constitutes a shop serving a highly localised need will depend upon the type and range of goods sold in relation to the circumstances in any one locality. If a proposed shop would be likely to serve a wide catchment and would compete with established centres it would not be a local shop. As a general guide shopping developments in excess of 400 sqm. net sales area would not fall within this definition and criteria (i) to (vii) of Policy CA/1 would apply.~~

The policy proceeds to set out the governments latest approach that requires proposals which would be located at an edge-of-centre or out-of-centre location and which are not in accordance with an up to date development plan strategy to demonstrate both the need for additional facilities and that a sequential approach has been applied in selecting the location of the site. In the application of criterion (ii), and what will constitute an edge-of-centre site, it is considered inappropriate, given the diversity of centres in the Borough, to refer to an absolute measurement. In each centre a judgement must therefore be made to arrive at what constitutes an attractive walking distance. The ease and convenience with which the connecting route can be negotiated, the character of the link and the commercial strength of the centre are all likely to be material factors. For general guidance a distance of approximately 300 metres is likely to prove acceptable in Loughborough, but 200 metres is likely to represent the absolute maximum in relation to the district centres.

In considering the potential impact of out-of-centre and edge-of-centre development upon an established centre the Borough Council will take into account the extent to which trade

diversion would be likely to harm the continued vitality and viability of that centre. PPG6 produces guidance for the measurement of vitality and viability including:

- diversity of uses;
- retailer representation and intentions to change representation;
- shopping rents;
- proportion of vacant street level property;
- commercial yields on non domestic property;
- pedestrian flows;
- accessibility;
- customer views and behaviour;
- perception of safety and occurrence of crime; and
- state of the town centre environmental quality.

These factors are to be the subject of regular monitoring and review in the main centres with the involvement of the Loughborough town centre manager. The Council will be particularly anxious to ensure that public investment in central area improvement is not put at risk before the dividends of that investment can reasonably be realised.

In granting planning permission for out-of-centre and edge-of-centre retail development the Borough Council will attach conditions where necessary to ensure that the development cannot change its composition and character over time to the extent that it would injure the vitality and viability of a nearby town or district centre. Typically such conditions will restrict the subdivision of units into a larger number of smaller shops and/or limit the range or types of goods which might be sold. Limits on the sale of goods will be determined by local circumstances but it is apparent that particular care must be exercised in the protection of those sectors which provide the main stay of town and district centre vitality and viability: ie; the sale of food for consumption off the premises (other than confectionery), clothing (including sportswear), shoes, toys, fashion accessories, books, computer software, recorded music, video and audio tapes.

- 8.21 In all cases where retail development proposals exceed ~~5,000~~ 2,500 square metres gross floorspace, and in other cases where development might be anticipated to have a large impact on a ~~neighbouring~~ nearby centre, the Borough Council will expect the submission of a supporting statement defining the applicant's approach to site selection, the likely retail impact of the scheme, accessibility by a choice of means of transport, consequent travel patterns and any significant environmental impacts. Such studies are commonly provided by developers but their conclusions are frequently regarded as less than impartial, having been commissioned by the applicant to justify his proposals. To ensure that such studies are impartial prospective applicants are encouraged to discuss their proposals with the Council at an early stage in order that measures can be agreed to secure the preparation of a reliable report upon which potentially far reaching retail development decisions can be confidently based. Ideally developers might usefully agree to the funding of studies conducted by independent consultants selected by the Borough Council to avoid allegations of bias.

Out-of-centre and edge-of-centre development should be accessible by a choice of means of transport. Criterion e) attempts to provide further guidance in indicating that public transport, in order to meet the test of accessibility, is to be frequent and reliable. In the absence of services to an appropriate standard there will be no genuine choice of transport for shoppers and visitors leading to continued dependence upon car based trips. Accordingly, shopping development (usually more than 2,500 square metres gross) and uses attracting comparable visitor numbers, will be expected to be located within 200 metres of a bus route providing a service at 15 minute intervals during the working day (Monday to Saturday, 7am to 7pm) and will be encouraged to provide bus laybys and waiting facilities within the development site. Out of centre and edge-of-centre development of a lesser scale should be located within 200 metres of a bus service providing a service at 30 minute intervals over the same period.

**POLICY CA/2 - ACCEPTABLE USES IN THE LOUGHBOROUGH CORE AREA****Inspector's Recommendation**

8.25 *I recommend that Policy be modified in accordance with PC 197.*

**CBC Decision**

Accept.

**Reason**

For the reasons set out in paragraphs 8.19 to 8.24 in the Inspector's Report.

**Proposed Modification****M8.4**

Modify Policy CA/2.
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**8.23 POLICY CA/2**

**Planning permission for ground floor frontage development within the Loughborough Core Area, falling within the following uses (as defined by the Town and Country Planning (Use Classes) Order 1987), will be granted subject to satisfactory design and adequate provision for related vehicular requirements:**

- i) shops (Class A1);**
- ii) financial and Professional services (Class A2); and**
- iii) food and drink uses (Class A3).**

**Financial and professional services (Class A2) and food and drink uses (Class A3) will not be permitted where they would:**

- a) result in the loss of a shop use in a key location, such as a prominent corner plot or link position;**
- b) isolate a significant shopping facility from the remainder of the retail frontage; or**
- c) exceed 20% of the total frontage or form a continuous frontage of more than 3 shop units or 15 metres within the following frontages:**
  - a) The Carillon Court Shopping Centre;**
  - b) all frontages to Market Place;**
  - c) 1-21 and 35-72 Market Street;**
  - d) all frontages to Cattle Market;**
  - e) all frontages to Devonshire Square;**
  - f) 1-7 Swan Street; and**
  - g) 5-20 and 46-65 Church Gate.**

**All ground floor frontage development within the Core Area, will be required to include a shop window frontage.**

**Proposed Modification****M8.5**

Delete Policy CA/3 and paragraph 8.26.

**~~UNACCEPTABLE USES IN THE LOUGHBOROUGH CORE AREA~~****8.25 ~~POLICY CA/3~~**

~~Planning permission for the following retail uses (falling outside Class A1 of the Town and Country Planning (Use Classes) Order 1987 will not be granted within the Core Area:~~

- ~~i) — motor vehicle showrooms;~~
- ~~ii) — tyre, exhaust and battery centres;~~
- ~~iii) — caravan sales;~~
- ~~iv) — builders and plumbers merchants; or~~
- ~~v) — other similar uses which would be inappropriate within the central shopping area by reason of their character, scale or reliance on direct access by private car.~~

8.26 ~~Certain types of retail use which fall outside the definition of a “shop” as defined by Class A1 of the Town and Country Planning (Use Classes) Order 1987 are incompatible with a central shopping area location.~~

**POLICY CA/4 - ACCEPTABLE USES IN THE LOUGHBOROUGH OUTER AREA****Inspector’s Recommendation**

8.32 *I recommend that the Policy be modified in accordance with PC 198 and FPC 198A.*

**CBC Decision**

Accept.

**Reason**

For the reasons set out in paragraphs 8.30 & 8.31 in the Inspector’s Report.

**Proposed Modification****M8.6**

[Note: Aspects of this Proposed Modification rely upon the Council’s Further Proposed Changes which have not previously been subject to public consultation]

Modify Policy CA/4.

**8.27 POLICY CA/4**

**In Planning permission for ground floor development within the Outer Area of Loughborough Town Centre, falling within the following ground floor frontage uses, (as defined by the Town and Country Planning (Use Classes) Order 1987) will be permitted granted subject to satisfactory design and adequate provision for related vehicular requirements and provided the amenity of nearby residents is not adversely affected:**

- i) **shops (Class A1);**
- ii) **financial and professional services (Class A2);**
- iii) **food and drink (Class A3);**
- iv) **hotels (Class C1);**
- v) **non-residential institutions (Class D1);**
- vi) **places of assembly and leisure (Class D2); and**
- vii) **theatres.**

**Shop window display frontages will be required where appropriate, having regard to the established character and appearance of the street scene and adjacent uses.**

## **POLICY CA/5 - OPPORTUNITY SITES IN LOUGHBOROUGH**

### **Inspector's Recommendation**

8.41 *I recommend that:*

- (i) *the Policy be modified in accordance with PC 199;*
- (ii) *the word "find" be deleted from the fifth line of paragraph 8.40 and replaced by the word "fund".*

### **CBC Decision**

Accept (i) & (ii).

### **Reason**

For the reasons set out in paragraphs 8.34 to 8.40 in the Inspector's report.

### **Proposed Modification**

**M8.7**

<p>Modify paragraphs 8.30, 8.36, 8.39 &amp; 8.40. Delete Policy CA/5.</p>
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- 8.30 Opportunities for new development in the Town Centre are severely constrained by important parkland and areas of housing which closely crowd the commercial centre. These characteristics also ensure that the town retains its market town intimacy and appearance. However there are immediately adjacent to the town centre pockets of underused and vacant land and blocks of property which are likely to become available during the plan period for operational or relocation reasons. The Borough Council aims to ~~exploit~~ take advantage of these redevelopment opportunities in order to achieve qualitative improvements in ~~shopping provision~~ town centre shops and facilities and ~~in~~ to enhance the overall ~~town-centre~~ environment, ~~primarily through the enablement~~ while taking the opportunity to assist in the delivery of the Inner Relief Road.

**OPPORTUNITY SITES IN LOUGHBOROUGH****8.31 POLICY CA/5**

~~Planning permission will be granted for the comprehensive redevelopment of the following Opportunity Sites identified on the Proposals Map:~~

- ~~i) land at Devonshire Square;~~
- ~~ii) land at Fennel Street;~~
- ~~iii) land at Baxter Gate; and~~
- ~~iv) land at Leicester Road.~~

~~Provided that the development of each site would:~~

- ~~a) provide through negotiation with the Borough Council a contribution to assist in the provision of those elements of the Loughborough Inner Relief Road necessary to enable the development to proceed in a form or sum fairly and reasonably related in scale and kind to the development proposal.~~
- ~~b) avoid piecemeal redevelopment prejudicial to the achievement of a comprehensive scheme for the whole site;~~
- ~~c) provide a primary frontage onto pedestrian preference areas where possible;~~
- ~~d) retain listed buildings in Baxter Gate and any other buildings which make an individually important contribution to the existing townscape;~~
- ~~e) create new areas of open space for repose and public interaction;~~
- ~~f) screen from wider view service areas and storage compounds; and,~~
- ~~g) respect in its design, scale, mass and materials the local tradition of individual buildings sharing a common building line enclosing a linked historical open space.~~
- ~~h) make a positive contribution to the vitality of the town centre; in particular elements of housing should be provided wherever possible, preferably at first floor and above.~~

~~(See also in particular policies ST/3, EV/19, TR/2, TR/7, TR/21)~~

8.32 [No Change].

8.33 [No Change].

8.34 [No Change].

8.35 [No Change].

8.36 Site assembly may well present difficulties on certain Opportunity Sites but the Borough Council has shown itself to be a willing partner in the use of its own land holdings and in the exercise of its powers of compulsory purchase. Incremental development of the opportunity sites ~~would deny the town the chance to maximise its true potential as a major centre for shopping and business damaging to its long term economic growth and development.~~ is not acceptable provided the potential of the remainder of the site is neither prevented nor

seriously prejudiced. However, the Borough Council will use its best endeavours to facilitate or enable comprehensive redevelopment to maximise the economic advantage to the town centre as a whole.

8.37 [No Change].

8.38 [No Change].

8.39 ~~Operational car parking provision will be required in conformity with the Council's approved standards. Staff and visitor car parking provision will be required, but may be provided in an accessible off-site location either directly or indirectly through the payment of a commuted sum. Alternatively the scale of related car parking might reasonably be reduced where the development is able to assist in the delivery of improved public transport facilities or amenities to encourage walking and cycling.~~

8.40 Two of the Opportunity Sites include public off-street car parking facilities, the capacity of which the town centre as a whole currently can ill afford to lose. However these facilities are owned and managed by the Borough Council which may negotiate appropriate terms and conditions for their disposal having regard to its overall car parking and town centre transportation strategy, using the capital receipts from any sale to acquire and develop alternative car parks as and when opportunities arise or to ~~find~~ fund alternative initiatives to encourage greater use of public transport or walking and cycling.

## **POLICY CA/5(a) - OPPORTUNITY SITE – DEVONSHIRE SQUARE, LOUGHBOROUGH**

### **Inspector's Recommendation**

8.45 *I recommend that the Policy be modified in accordance with PC 200.*

### **CBC Decision**

Accept.

### **Reason**

For the reasons set out in paragraphs 8.43 & 8.44 in the Inspector's Report.

### **Proposed Modification**

**M8.8**

Modify Policy CA/5(a).
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8.42 **POLICY CA/5(a)**

**Planning permission will be granted for the redevelopment of the Devonshire Square Opportunity site provided the ground floor uses fall primarily within the following classes, (as defined by the Town and Country (Use Classes) Order 1987):**

- i) shops (Class A1);**
- ii) financial and Professional Services (Class A2); and,**
- iii) food and drink uses (Class A3).**

**And provided the development would:**

- a) avoid partial redevelopment where such an approach would prevent or seriously prejudice the redevelopment of the remainder of the defined Opportunity Site;
- b) orientate primary frontages towards pedestrian preference areas where possible;
- c) retain buildings which make an individually important contribution to the existing townscape;
- d) create new areas of open space for repose and public interaction with pedestrian links to Queens Park;
- e) screen from wider view service areas and storage compounds;
- f) respect through design, scale, mass and materials, the local tradition of individual buildings sharing common building lines enclosing Devonshire Square; and
- g) make a positive contribution to the vitality of the town centre; in particular elements of housing should be provided wherever possible and preferably at first floor and above.

In addition the Borough Council will seek to negotiate reasonably related contributions to assist in the provision of those elements of the Loughborough Inner Relief Road necessary to service adequately the redevelopment proposed

(See also in particular Policies ST/3, EV/19, TR/2, TR/7, TR/21)

**POLICY CA/5(b) - OPPORTUNITY SITES – FENNEL STREET, BAXTER GATE & LEICESTER ROAD, LOUGHBOROUGH**

**Inspector’s Recommendation**

8.50 *I recommend that the Policy be modified in accordance with PC 201.*

**CBC Decision**

Accept.

**Reason**

For the reasons set out in paragraphs 8.47 to 8.49 in the Inspector’s Report.

**Proposed Modification**

**M8.9**

Modify Policy CA/5(b) and paragraph 8.46.
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8.45 **POLICY CA/5(b)**

**Planning permission will be granted for the ~~comprehensive~~ redevelopment of the identified Opportunity Sites at Fennel Street, Baxter Gate and Leicester Road provided the ground floor uses fall within the following classes (as defined by the Town and Country Planning (Use Classes) Order 1987):**

- i) shops (Class A1);
- ii) financial and professional services (Class A2);
- iii) food and drink uses (Class A3);
- iv) office (Class B1(a));
- v) hotels (Class C1);
- vi) residential institutions (Class C2);
- vii) dwelling houses (Class C3);
- viii) non-residential institutions (Class D1);
- ix) assembly and leisure (Class D2); and

**And provided the development would:**

- a) **avoid partial redevelopment where such an approach would prevent or seriously prejudice the redevelopment of the remainder of the defined Opportunity Site;**
- b) **orientate primary frontages towards pedestrian preference areas where possible;**
- c) **retain buildings which make an individually important contribution to the existing townscape;**
- d) **create new areas of open space for repose and public interaction;**
- e) **screen from wider view service areas and storage compounds; and**
- f) **make a positive contribution to the vitality of the town centre; in particular elements of housing should be provided wherever possible and preferably at first floor and above.**

**In addition the Borough Council will seek to negotiate reasonably related contributions to assist in the provision of those elements of the Loughborough Inner Relief Road necessary to service adequately the redevelopment proposed.**

~~Any redevelopment of the Fennel Street site will be required to provide for the relocation of the Limehurst School Annex to the main school campus and to provide for the relocation or rationalisation of the bus station before the existing facility is removed.~~

(See also in particular Policies ST/3, EV/19, TR/2, TR/7, TR/21)

- 8.46 The Borough Council is anxious to encourage development which ~~will enable the early provision~~ could assist in the early delivery of an Inner Relief Road and permit the expansion of the town centre into the less favoured areas lying to the north and east of the A6 corridor. The combined effects of blight, uncertainty and severance from the central focus of shopping activity around the Market Place have resulted in a degree of under-investment which is reflected in the poorer environmental quality of this sector of the town centre. However the three identified Opportunity sites are strategically ideally located and hold considerable potential for urban regeneration. Accordingly a flexible policy context is considered

appropriate to enable a wide range of uses in any suitable configuration which might assist in the delivery of the Inner Relief Road and associated environmental improvements.

## **POLICY CA/6 - TOWN CENTRE BUSINESS AREAS**

### **Inspector's Recommendation**

8.55 *I recommend that the Policy be modified in accordance with PC 202.*

### **CBC Decision**

Accept.

### **Reason**

For the reasons set out in paragraphs 8.52 to 8.54 in the Inspector's Report.

### **Proposed Modification**

**M8.10**

Add a new criterion (vi) in Policy CA/6.
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### 8.51 **POLICY CA/6**

**The following uses (as defined in the Town and Country Planning (Use Classes) Order 1987) will be permitted within the Southfield Road, Forest Road and Rectory Place Town Centre Business Areas as identified on the Proposals Map:-**

- i) financial and professional services (Class A2);**
- ii) offices (Class B1(a));**
- iii) hotels (Class C1);**
- iv) residential Institutions (Class C2); and**
- v) non-residential institutions (Class D1).**
- vi) dwelling houses (Class C3)**

**Provided that in the case of any proposals fronting Forest Road;**

- a) the existing building line and walls to the street frontage are retained;**
- b) provision is made for off-street parking to the rear;**
- c) a shop window frontage is not included; and,**
- d) no harm is occasioned to the residential amenities of remaining dwellings by reason of noise intrusion, traffic movements or other disturbance.**

**POLICY CA/7 - TOWN CENTRE COMMERCIAL SERVICE AREAS****Inspector's Recommendation**

8.59 *I recommend that the last paragraph of Policy CA/7 be reworded as set out below:*

*“Provided that:*

- (a) any retail development would not unacceptably harm the retail character of the town centre;*
- (b) no material harm is occasioned to the residential amenities of adjacent buildings; and*
- (c) in the case of any new development, a built frontage is retained to the back of the pavement to retain or replace the traditional pattern of development and associated street enclosure.”*

**CBC Decision**

Accept, subject to amending the reasoned justification accordingly.

**Reason**

For the reasons set out in paragraphs 8.57 & 8.58 in the Inspector's report.

**Proposed Modification****M8.11**

Modify Policy CA/7 and paragraph 8.56.
--

8.54 **POLICY CA/7**

**The following uses (as defined by the Town and Country Planning (Use Classes) Order 1987) will be permitted within the Nottingham Road and Leicester Road Town Centre Commercial Service Areas as identified on the Proposals Map:**

- i) shops (Class A1);**
- ii) financial and professional services (Class A2);**
- iii) food and drink (Class A3);**
- iv) retail uses falling outside the definition of “shop” (Class A1);**
- v) business (Class B1);**
- vi) hotels (Class C1);**
- vii) residential institutions (Class C2);**
- viii) dwelling houses (Class C3);**
- ix) non-residential institutions (Class D1); and,**
- x) assembly and leisure (Class D2).**

~~Provided that: no harm is occasioned to the residential amenities of adjacent dwellings and, in the case of any new development, a built frontage is retained to the back of the pavement to retain or replace the traditional pattern of development and associated street enclosure.~~

- a) any retail development would not unacceptably harm the retail character of the town centre;
- b) no material harm is occasioned to the residential amenities of adjacent buildings; and
- c) in the case of any new built development, a built frontage is retained to the back of the pavement to retain or replace the traditional pattern of development and associated street enclosure.

8.55 [No Change].

8.56 These areas will continue to provide a seed ground for new businesses with their supply of relatively inexpensive accommodation but vacancy rates, particularly in Nottingham Road, indicate an urgent need for new investment and this may bring a need also for new uses for land and buildings. A flexible planning approach is likely to lend maximum support to urban regeneration initiatives. In particular the areas are well placed to serve those retail uses excluded from the Core Area but which nonetheless benefit from an edge of Town Centre location. Any new retail use must not, however, harm the retail character of the town centre.

## **POLICY CA/8 - PEDESTRIAN PREFERENCE IN LOUGHBOROUGH TOWN CENTRE**

### **Inspector's Recommendation**

8.65 *I recommend that Policy CA/8 be modified in accordance with PC 203 subject to the inclusion of a cross reference to relevant Policies in the Transport and Traffic Management chapter of the Plan.*

### **CBC Decision**

Accept.

### **Reason**

For the reasons set out in paragraphs 8.61 to 8.64 in the Inspector's report.

### **Proposed Modification**

**M8.12**

Modify Policy CA/8 together with paragraphs 8.59 & 8.60.
--

8.58 **POLICY CA/8**

Measures will be ~~taken to~~ introduced to limit vehicular access and traffic movement in order to give greater preference to pedestrians and to enable improvements to the pedestrian environment within the following streets:-

- i) **Baxter Gate (between High Street and Leymington Street);**
- ii) **Devonshire Square;**

iii) Biggin Street;

iv) ~~Cattle Market~~ The A6 Corridor (between Derby Square and Woodgate);

v) ~~Market Place;~~

vi) ~~Market Street;~~

vii) ~~The A6 Corridor (between Derby Square and Woodgate).~~

~~Where circumstances permit it is intended to close the A6 at Market place to all through traffic with the exception of buses.~~

Subject to the provision of an alternative route for trunk road and cross town centre traffic, measures will be taken to close the A6 at Market Place to all motor vehicles with the exception of buses.

In the development of specific schemes the Borough Council will have regard to the particular needs for vehicular access for the emergency services, essential maintenance, people with disabilities, the servicing of shops and businesses, and to private car parks. In addition provision will be made for cycling consistent with pedestrian safety and comfort.

(See also in particular Policies TR/9 & TR/16)

- 8.59 ~~Certain pedestrian preference measures are already in operation in Loughborough: the Carillon Centre provides a pedestrian precinct, Church Gate has been pedestrianised with considerable success and the Market Place is effectively pedestrianised on two days a week by virtue of the presence of the market itself. More latterly the pedestrian preference has been extended to include Cattle Market and Market Street during peak shopping hours on Saturdays. Shoppers in Loughborough since the mid 1970's have been able to enjoy the traffic free environment afforded by the Carillon Court shopping centre. In 1979 Church Gate was pedestrianised with considerable success and more recently Market Place, Market Street and Cattle Market have been transformed to provide an attractive pedestrian friendly town centre during core shopping hours. These schemes will make a major contribution to the continued vitality and viability of Loughborough's town centre in partnership with related initiatives to improve access by a choice of transport modes, town centre management and special events.~~
- 8.60 ~~As successful as these well received as pedestrian schemes have undoubtedly proven undertaken to date have been, new purpose built supermarkets and shopping centres have established continue to establish higher standards of safety- customer care and environmental quality which traditional town centres must match, or preferably exceed, if they are to remain competitive. To survive and prosper the town centre must emerge as the area where people want to shop rather than remain the area where they have to shop. Further improvements to the pedestrian environment will go some considerable way towards achieving that objective.~~

## **PARAGRAPHS 8.67 and 8.68 - TOWN CENTRE MANAGEMENT**

### **Inspector's Recommendation**

8.67 *I recommend that the Plan be modified in accordance with PC 204.*

### **CBC Decision**

Accept.

**Reason**

For the reasons set out in paragraph 8.66 in the Inspector's Report.

**Proposed Modification****M8.13**

Modify paragraph 8.68.
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8.68 The Borough Council is persuaded of the need to provide a focal point for the management of Loughborough's town centre and ~~is committed to the appointment of~~ has appointed a town centre manager in partnership with the local business community. ~~Typically~~ The duties and responsibilities of the post ~~holder will require~~ embrace contributions to:

- better communication between the private and public sectors;
- effective liaison and consultation with all town centre user groups and service providers;
- research into retail trends;
- improved identification and use of resources;
- coordination of the promotion of the town centre; and
- more effective achievement of local plan objectives.

**POLICY CA/9 - DISTRICT CENTRES****Inspector's Recommendation**

8.75 *I recommend that the Plan be modified in accordance with PC 205.*

**CBC Decision**

Accept.

**Reason**

For the reasons set out in paragraphs 8.69 to 8.74 in the Inspector's Report.

**Proposed Modification****M8.14**

Delete Policy CA/9 and its heading.
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~~**DISTRICT CENTRES**~~

8.69 ~~**POLICY CA/9**~~

~~**Planning permission will be granted for development which will assist the consolidation and improve the character and appearance of the district centres identified on the Proposals Map.**~~

**POLICY CA/10 - ACCEPTABLE USES IN DISTRICT CENTRES****Inspector's Recommendation**

8.82 *I recommend that:*

- (i) *Policy CA/10 and its RJ be deleted from the Plan and the following Policy wording be inserted:*

*“Planning permission for development within the designated district centres falling within the following uses (as defined by the Town and Country (Use Classes) Order 1987)) will be granted subject to satisfactory design and adequate provision for related vehicular requirements:*

- (i) shops (Class A1);*
- (ii) financial and professional services (Class A2);*
- (iii) Food and drink uses (Class A3);*
- (iv) business (Class B1);*
- (v) dwelling houses (Class C3);*
- (vi) non-residential institutions (Class D1);*
- (vii) assembly and leisure (Class D2).*

*Any development proposal should serve to protect or enhance the vitality and viability of the centre and not result in the marginalisation or fragmentation of the retail function of that centre.”*

- (ii) *having regard to my conclusions at paragraph 8.78, the RJ be reworded to set out how the Council will use indicators of vitality and viability in the assessment of retail development proposals.*

**CBC Decision**

Accept (i) & (ii).

**Reason**

For the reasons set out in paragraphs 8.77 to 8.81 in the Inspector's report.

**Proposed Modification****M8.15**

Modify Policy CA/10 and paragraph 8.75.
---

**8.74 POLICY CA/10**

**Planning permission for ~~ground floor frontage~~ development within the designated district centres falling within the following uses (as defined by the Town and Country Planning (Use Classes) Order 1987) will be granted subject to satisfactory design and adequate provision for related vehicular requirements:-**

- i) shops (Class A1);**
- ii) financial and professional services (Class A2);**
- iii) food and drink uses (Class A3);**
- iv) ~~non-residential institutions (Class D1); and, business (Class B1);~~**

v) ~~assembly and leisure (Class D2). dwelling houses (Class C3);~~

vi) non-residential institutional uses (Class D1);

vii) assembly and leisure (Class D2).

~~Provided that where the overall trading profile of the centre is healthy the development would not:-~~

a) ~~result in the loss of a shop use in a key location such as a prominent corner plot or link position;~~

b) ~~isolate a significant shopping facility from the remainder of the retail frontage;~~

c) ~~result in 50% or more of the frontage concerned being occupied by uses other than shops (Class A1); or~~

d) ~~lead to a continuous frontage of more than 3 shop units or 15 metres occupied by uses other than shops (Class A1).~~

~~In the case of Financial and professional services (Class A2) businesses will be required to include a shop window frontage.~~

~~In the case of food and drink uses (Class A3) planning permission will not be granted where the development would have an adverse impact upon neighbouring residential amenities by reason of cooking odours, noise or other disturbance particularly during unsociable hours.~~

Any development proposal should serve to protect or enhance the vitality and viability of the centre and not result in the marginalisation or fragmentation of the retail function of that centre.

- 8.75 A variety of uses will be appropriate in district centres to serve the needs of local communities, however, a balance must be achieved to ensure that the shopping function is neither marginalised nor fragmented. Non retail uses therefore will be strictly controlled in order to protect the vitality and viability of the shopping role. Provided the overall trading profile of the centre is healthy, measured against the incidence of persistent shop vacancies, it is considered that an appropriate balance is likely to be achieved where at least half of the frontage remains in retail use. The frontage is defined as a building line, which may include a number of minor breaks, but which is terminated by an adopted highway. including shops, financial and professional services, food and drink, business, residential, non-residential and leisure uses. But, whilst a range of uses can help to sustain and enhance the vitality and viability of a centre the result of too many non-retail uses can be a serious decline in a centre's overall health and vibrancy. What constitutes a healthy balance of retail and other uses will be dependent upon the circumstances of that particular centre. When applications are submitted for new uses within district centres, account will taken of the current mix of uses and how this has shifted over time, including the number and proportion of under-used and vacant premises. Permission for new uses will only be granted if they would help to sustain and enhance the vitality and viability of a centre and would not marginalise or fragment its retail function. Any proposals must also be acceptable in design and access terms.

**POLICY CA/11 - LOCAL CENTRES****Inspector's Recommendation**

8.86 *I recommend that the Plan be modified in accordance with PC 207 subject to reference being made to Policy CF/1 in the RJ relating to local centres at the end of paragraph 8.78.*

**CBC Decision**

Accept.

**Reason**

For the reasons set out in paragraphs 8.84 & 8.85 in the Inspector's report.

**Proposed Modification****M8.16**

Delete Policy CA/11 and modify paragraph 8.78.

**8.76 POLICY CA/11**

~~Planning permission will be granted for development which will sustain and enhance the vitality and viability of the local centres identified on the Proposals Map.~~

8.77 [No Change].

8.78 Several villages have experienced already a severe contraction in the retail function of their centres. Although the remaining shops serve an important purpose, particularly for people without access to private transport, their future viability will depend upon the extent to which local people continue to patronise them. Development which will support local centres will normally be permitted. Policy CF1 will apply to proposals to change the use of a local shop to other uses.

**POLICY CA/12 - ACCEPTABLE USES IN LOCAL CENTRES****Inspector's Recommendation**

8.90 *I recommend that the Policy be amended in accordance with PC 208 subject to wording being added to the Policy immediately after sub paragraph (c) along the following lines:-*

*"Local centres should not accommodate large scale development and development should be of a scale appropriate to the size of the centre"*

**CBC Decision**

Accept, subject to a consequential modification to the reasoned justification of the policy.

**Reason**

For the reasons set out in paragraphs 8.88 & 8.89 in the Inspector's report.

**Proposed Modification****M8.17**

Modify Policy CA/12 and paragraph 8.80.

## 8.79 POLICY CA/12

Planning permission for ~~ground floor frontage~~ development within the designated local centres falling within the following uses (as defined by the Town and Country Planning (Use Classes) Order 1987) will be granted subject to satisfactory design and adequate provision for related vehicular requirements:-

- i) shops (Class A1);
- ii) financial and professional services (Class A2);
- iii) food and drink (Class A3);
- iv) business (Class B1);
- v) dwelling houses (Class C3); and
- vi) non-residential institutions (Class D1).

Provided that:-

- a) sufficient shops remain to serve the daily needs of the locality;
- b) a shop window frontage is included or retained where the appearance of the overall frontage is primarily retail in character; ~~and~~
- c) any non shopping element does not prejudice the viability and attractiveness of the local centre as a shopping centre; and
- d) the scale of the development is well related to the size of the centre.

In the case of food and drink uses (Class A3) planning permission will not be granted where the development would have an adverse impact upon neighbouring residential amenities by reason of cooking odours, noise or other disturbance particularly during unsociable hours.

Assembly and leisure uses (Class D2) will be permitted only where they comply with the above requirements, avoid any adverse impact upon neighbouring residential amenities and can be shown to serve the needs of the immediate community alone and would not attract significant patronage from outside the locality.

8.80 Many local centres are typified by a loose grouping of shops and related services, local surgeries, community buildings and housing. Especially in the villages there is little consolidation of retail uses. While planning policies must allow for this variable diverse pattern of land use care must be exercised to protect residential amenities. In local centres development should be well related to the centre in terms of its scale in order that it does not encourage more and longer journey's, especially by car.

## **POLICY CA/13 - NEW LOCAL CENTRES**

### **Inspector's Recommendation**

8.94 *I recommend that the Policy be amended in accordance with PC 209.*

**CBC Decision**

Accept.

**Reason**

For the reasons set out in paragraphs 8.92 & 8.93 in the Inspector's Report.

**Proposed Modification****M8.18**

Delete criterion (iii) and the final paragraph in Policy CA/13 together with paragraphs 8.84 & 8.85.

8.81 **POLICY CA/13**

**Planning permission will be granted for ~~Land is allocated for~~ the provision of new local centres in association with major housing commitments and allocations in the following locations:**

- i) **land south of Hazel Road, Loughborough; and**
- ii) **land north of Harrowgate Drive, Wanlip; ~~and,~~**
- iii) **~~land at Leicester Road, Mountsorrel.~~**

**In each case the development concerned will be required to meet the following criteria:**

- a) **the overall scale, content and character of the local centre should not have any detrimental impact upon Loughborough town centre or any of the Borough's designated district centres;**
- b) **the local centre must be designed as an integral and focal part of the wider development scheme on a site easily accessed by pedestrians and cyclists as well as motorists, and adjacent to public transport routes;**
- c) **the local centre must be located in close association with other community buildings such as schools, meeting halls and leisure facilities; and**
- d) **car parking areas must be landscaped to enhance amenity and afford natural screening from wider view;**
- e) **an area within the local centre, easily accessible from the main concourse but screened from wider view must be laid out and retained for the purposes of providing for a waste materials recycling collection bay;**

**~~In addition the development at Leicester Road, Mountsorrel will be expected to provide a financial contribution towards the development of a swimming pool or enhanced recreational facility on the adjacent Soar Valley Centre site.~~**

(See also in particular Policies ST/3, H/1(g), H/1(r), TR/7, TR/21)

8.82 [No Change].

8.83 [No Change].

8.84 ~~The allocation at Mountsorrel could accommodate some 1858m<sup>2</sup> (gross) shopping floorspace. It represents the residual component of a comprehensive mixed use development originally proposed in the Soar Valley Local Plan. Consultation undertaken in the preparation of that~~

plan revealed an expressed need amongst the Soar Valley communities for a centrally accessible facility for shopping, recreation and leisure. Circumstances conspired to frustrate the original concept of a major facility accessed directly from the A6 bypass but the development of a less ambitious scheme has been pursued. It is considered that the site still offers the opportunity to re-establish a focal point within a community where the original village centre was largely destroyed by the former trunk road traffic.

- 8.85 The original comprehensive proposal aimed to enable the provision of recreation and leisure facilities through the development of adjacent land for housing and shopping. The initial phase is now under construction and the necessary planning agreements are in place to ensure that the permitted housing development will deliver a riverside amenity area, replacement playing fields and a leisure centre. Earlier attempts to attract a retail operator have proved unsuccessful and in order to enable the first phase to proceed the original planning agreement was re-negotiated to couple the requirement for a financial contribution towards the provision of a swimming pool to the eventual retail development. That requirement is reflected in the policy.

## **POLICY CA/14 - USE OF UPPER FLOORS**

### **Inspector's Recommendation**

- 8.98 *I recommend that the Policy be amended in accordance with PC 210.*

### **CBC Decision**

Accept.

### **Reason**

For the reasons set out in paragraphs 8.96 & 8.97 in the Inspector's Report.

### **Proposed Modification**

**M8.19**

Modify Policy CA/14 and paragraph 8.89.
---

### 8.86 **POLICY CA/14**

**Within Loughborough Town Centre and its associated service areas, district centres and local centres planning permission will be granted for the following uses (as defined by the Town and Country Planning (Use Classes) Order 1987) of upper floors, subject to the retention of residential amenities where adjacent property continues to be occupied:**

- i) shops (Class A1);**
- ii) financial and professional services (Class A2);**
- iii) food and drink uses (Class A3);**
- iv) offices (Class B1(a));**
- v) dwellings (Class C3);**
- vi) non residential institutions (Class D1); and**

- vii) assembly and leisure uses (Class D2).

**Planning permission for new build development within the centres listed above will be granted ~~provided, amongst other considerations, the scheme includes~~ subject to the provisions set out above and to the inclusion of positive proposals for the use of premises at first floor and above which will contribute to the vitality and viability of the centre. In particular elements of housing should be provided wherever possible.**

8.87 [No Change].

8.88 [No Change].

8.89 The use of upper floors for residential purposes in particular offers a source of affordable housing for the repopulation of central areas returning life and activity outside normal business hours and encourages the natural surveillance of property. The Borough Council has sought to actively pursue the reoccupation of vacant upper floors in partnership with property owners and local Housing Associations under the “Living over the Shop” campaign. However in pursuing the policy the Borough Council will be mindful of the need to avoid conflict with security and servicing of ground floor businesses. In particular it is recognised that in some circumstances the provision of housing above banks, building societies and other financial services would be unsuitable where adequate security measures cannot be incorporated into the overall design and construction

## **POLICY CA/18 - FARM SHOPS**

### **Inspector’s Recommendation**

8.104 *I recommend that the Plan be amended in accordance with PC 211 subject to:*

- (i) *the deletion of sub paragraph (iii);*
- (ii) *wording, along the following lines, being inserted at sub-paragraph (iv):*

*“The road access and exit at the site will be safe”.*

### **CBC Decision**

Accept (i) & (ii).

### **Reason**

For the reasons set out in paragraphs 8.100 to 8.103 in the Inspector’s report.

### **Proposed Modification**

**M8.20**

Modify Policy CA/18 and insert new supporting text after paragraph 8.99.
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8.98 **POLICY CA/18**

**Planning permission for the establishment of farm shops will be granted provided:-**

- i) the shop is ancillary to the main agricultural enterprise;**
- ii) the shop is accommodated within an existing building, or where this cannot be achieved for reasons of limited space, hygiene or operational safety, any additional development is located adjacent to buildings on the site;**

- ~~iii) a shop window display frontage is not provided to any elevation open to view from any adjacent public areas;~~
- iv) iii) vehicular access is provided consistent with current highway standards; adequate site access arrangements can be made;
- v) iv) adequate provision is made within the site for customer car parking and servicing;
- vi) v) the development would not undermine the commercial viability of an existing village shop which is better placed to service the needs of its surrounding community; and
- vii) vi) the development would not by reason of its scale or character give rise to additional traffic on local roads to the detriment of rural amenities or generate significant single purpose trips by private car.

8.99 [No Change].

While farm shops can encourage diversity of economic activity in rural areas they may, if not carefully controlled, give rise to excessive traffic movements on rural roads. Such traffic is likely to be seriously damaging to the character and ambience of the countryside and represents a profligate use of non renewable energy resources, contrary to the aim of encouraging sustainable development and growth

## **POLICY CA/19 - PLANNING CRITERIA FOR OUT-OF-CENTRE RETAILING SITES**

### **Inspector's Recommendation**

8.120 *I recommend that the Plan be modified in accordance with PC 212.*

### **CBC Decision**

Accept. In terms of the policy status for these sites it is considered that they should be treated as free-standing retail units beyond the town centre but within the urban area of Loughborough. In the event that proposals do come forward for their redevelopment they would be judged against the general policies of the plan.

### **Reason**

For the reasons set out in paragraphs 8.106 to 8.119 in the Inspector's Report.

### **Proposed Modification**

**M8.21**

Modify paragraphs 8.101, 8.102 & 8.104.  
Delete Policy CA/19 and paragraph's 8.106, 8.107 & 8.108.

## **OUT OF CENTRE RETAILING**

- 8.101 In Loughborough the demand for out of centre supermarkets has been harnessed successfully to enable the development of an entirely new district centre at Gorse Covert and to revitalise an ageing district centre at Shelthorpe. Each centre is designed to service major areas of residential growth at the margins of the County Town. A new district centre has similarly

been achieved at ~~Thureaston~~ Thurmaston with the intention of servicing the growing communities within the Wreake Valley.

8.102 Retail warehouse development has been concentrated primarily within Loughborough, initially in the form of free standing units on industrial estates and more latterly in purpose built retail warehouse parks. ~~The range of products which may be sold is limited in all cases to bulky goods to avoid competition with the traditional high street shopping centre. Some 9,000m<sup>2</sup> (gross) have been developed within the Willowbrook Retail Park while there remains a commitment for a further 9,300m<sup>2</sup> (gross) on a 3ha site situated at Jubilee Drive. In the southern part of the Borough planning permission has been granted on appeal for 12,000m<sup>2</sup> (gross) of retail warehousing on land to the north of Barkby Thorpe Lane, Thurmaston. In all cases the Borough Council has sought to impose conditions restricting the sub division of units and the range of goods which might be sold in order to protect the vitality and viability of nearby shopping centres..~~

8.103 [No Change].

8.104 However the whole thrust of government advice is now directed towards the promotion of new shopping development within town centres and support for local and neighbourhood centres. These objectives and the principles of the sequential approach to site selection for retail development are incorporated in Policy CA/1. ~~Consequently the development of major new out of centre retail facilities is likely to be justified in only the most exceptional circumstances in accordance with the provisions of that policy. All proposals for new out of centre retail development and for the change of use or variation of conditions in respect of existing facilities will be evaluated against that policy~~

#### **PLANNING CRITERIA FOR OUT OF CENTRE RETAILING SITES**

##### **8.105 ~~POLICY CA/19~~**

~~In the determination of planning applications for changes of use of existing out of centre retail units, and for the development of new units where such are acceptable in principle, the Borough Council will take into account, amongst other matters, the following considerations:~~

- ~~i) the sale of comparison goods shall be limited to:
 
  - ~~a) building and DIY supplies and ancillary items;~~
  - ~~b) furniture, self-assembly furniture, floor coverings, fabrics and ancillary items;~~
  - ~~c) electrical goods and ancillary items;~~
  - ~~d) pets, pet foods and ancillary items;~~
  - ~~e) motor vehicles, cycles and spare parts;~~
  - ~~f) garden furniture, tools, equipment and ancillary items;~~
  - ~~g) caravans, tents and camping equipment and ancillary items;~~
  - ~~h) boats, dinghies and ancillary items;~~
  - ~~i) any other goods or services which would not be compatible with a town centre location.~~~~
- ~~ii) the size of individual shop units shall be consistent with the need to provide large showrooms or sufficient storage space for the accommodation of bulky goods. The subdivision of units will not be permitted where suitable premises are or can be made available within an adjacent town or district centre;~~

- iii) ~~changes of use and development of new facilities for non-retail purposes will be assessed on their individual merits having regard to the nature and character of adjoining land uses.~~

(See also in particular policies TR/7, TR/21)

8.106 In the case of existing or new out of centre retailing it is important to prevent the prospect of “trading up” whereby the development might divert trade away from established centres to the detriment of their future vitality and viability. PPG6 recognises such pressures in the following terms;

“Retail parks may provide large showrooms that cannot be accommodated easily in town centres. Their impact on existing centres will depend on the range of comparison shopping they offer. Retail parks can change their composition over time. If such a change would create a development that the planning authority would have refused on the grounds of impact on vitality and viability of an existing centre, it may be sensible to use planning conditions to ensure that the development does not subsequently change its character unacceptably, for example to prevent the development from being subdivided into a large number of smaller shops”.

8.107 The policy will ensure that town centres remain the primary locations for the sale of clothing, shoes, fashion accessories, toys, books, stationery and recorded material in order to sustain their vitality and viability.

8.108 The policy also anticipates a potential migration of outlying retail warehouses either towards town centres or alternatively towards retail warehouse parks which will more realistically support public transport services. Accordingly the approach provides for a degree of flexibility to assist in the disposal of such surplus sites to better aid the trend towards a more centralised pattern of retail provision.

### Proposed Modification

**M8.22**

Delete the out-of-centre retailing designation from the following sites at Loughborough on the Proposals Map (see Plan M8.22):-

The former B&Q store off Belton Road West Extension

The Wickes/Total petrol filling sites off Belton Road

The B&Q store off Jubilee Drive

The Focus Do It All store in the Belton Road Industrial Estate

The Willowbrook Retail Park, off the A6.

### **POLICY CA/20 - CORNER SHOPS**

#### **Inspector’s Recommendation**

8.123 *I recommend that no modification be made in response to this objection.*

#### **CBC Decision**

Accept.

**Reason**

For the reasons set out in paragraph 8.122 in the Inspector's Report.

**Proposed Modification**

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None.

**POLICY CA/21 - FACTORY SHOPS**

**Inspector's Recommendation**

8.126 *I recommend that no modification be made in response to this objection.*

**CBC Decision**

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Accept.

**Reason**

For the reasons set out in paragraph 8.125 in the Inspector's Report.

**Proposed Modification**

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None.