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Planning Design Economics

Proposed Changes to PPS6 NLP Summary and Comment

July 2008



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The Government's long awaited proposed changes to PPS6 do not herald a new policy direction, but make important refinements to policy that will have implications for developers and local authorities. As expected the *need* and *impact* tests are to be replaced with a new impact assessment framework. The proposals place more emphasis on sustainable economic growth, consumer choice and diversity, but the *town centre first* cornerstone of current policy remains intact.

Key Points

- Applicants are no longer required to demonstrate the need for retail and other town centre uses.
- Qualitative issues and other material considerations raised by proposals are given more weight and the need to balance positive and negative impacts is more explicit.
- The sequential approach is largely unchanged, but the expansion of town centres (edge-of-centre developments) is encouraged.
- The new impact assessment framework introduces new criteria on consumer choice and diversity, design quality, impact on out of centre allocations, job creation, economic and physical regeneration. More Government guidance on impact assessments is to follow.
- How development proposals relate to the development plan and their potential impact on the strategy for town centres are likely to be key areas debated by applicants and local authorities.
- Local authorities are still required to prepare need assessments during the development plan process and should assess the impact of any proposed allocations. In addition, development plan strategies will need to be flexible.
- The need for new centres to serve eco-towns and other identified growth areas is highlighted, but controls on new and expanded regional shopping centres remain unchanged.
- Market information and economic data will be important background evidence for development plans and planning applications.



Love Lane, Woolwich © Visualhouse/Sheppard Robson



M&S Cardiff, Image: © ttg architects



Lakeside, Thurrock. Image courtesy of CSC

The removal of the need test will inevitably increase the prospects for securing out of centre development in some areas, but the sequential approach will remain a key consideration. The ability of the new impact assessment framework to replace the existing tests is uncertain and will be a bone of contention during the consultation period. The importance of market information and economic data is the only new guidance on how impact can be assessed, but the type of information is not highlighted. Hopefully the proposed follow up guidance will provide more detail.

The Government wishes to promote competition and consumer choice, whilst acknowledging that the identity of end-occupier is not normally a material planning consideration.

The reference to economic growth and increased productivity may have been influenced by the Treasury, and recognises the importance of the retail sector.

There will be significant scope for debate in considering whether the positive benefits of proposals out-weigh negative impacts. In particular the impact that development proposals have on the development plan/town centre strategies may be disputed by applicants and local authorities. It is conceivable that out of centre proposals could still be successful, even where there is no identified need and a negative impact on a town centre, provided the applicant can demonstrate significant other benefits. Some applicants/developers will welcome this more balanced approach, because more weight appears to be given to regeneration benefits, job creation, customer choice, diversity and the use of previously developed land.

Local authorities with an up to date and flexible strategy for their town centres, which actively plans for growth, will be best placed to consider whether the benefits of a proposal are likely to out-weigh negative impacts.

If these development plans promote growth and allocate sites, then the impact of these allocations will need to be assessed. Evidence based reports and the evaluation of options may need to include more detailed impact analysis.

The sequential approach remains largely unchanged, but it is disappointing that the proposed changes have not provided clarification on this test, for example the ambiguity between operators' business models and the need to consider the scope for disaggregation.

These proposed changes are the subject of consultation until 3rd October 2008. Please call one of the NLP contacts below if you need more information. The consultation document can be downloaded from:

www.communities.gov.uk/pp6consultation



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