

**Consultation comments on policy E7 – maintaining the vitality and viability of town centres**

- Support - 13
- Neither support of object - 3
- Object - 4

The changes to the supporting text and the Local Plan policies have not only been informed by the responses to the Regulation 18 consultation but they have also taken on board any additional feedback that has come out of discussions/meetings with statutory consultees and members in order to improve the clarity and understanding of the contents of the Local Plan.

<b>Comment that support policy E7 – maintaining the vitality and viability of town centres</b>		
<b>Respondent number</b>	<b>Comment</b>	<b>Officer comment</b>
ANON-KSAR-NKBD-G	Debenhams. in Winchester would be a fantastic place for an indoor market area particularly if it supported local producers, businesses and artisans. The Farmer's Market in Winchester is excellent but not as good as when it was able to use the Middle Brook carpark area.	Support welcomed and comments noted. <b>Recommended response:</b> No Change.
ANON-KSAR-NKJY-D Hampshire County Council	Hampshire County Council in its role, as both a public landowner and service provider, supports the ambitions of the Local Plan to encourage economic development, in part through retaining the existing employment opportunities within the district.  As already mentioned in response to Policy E6, the County Council has a portfolio of buildings, including offices within Winchester City centre and its surroundings. Many of these are offices which are situated in the town centres.  With ongoing economic challenges facing Local Authorities to deliver their services and the change in	Similar comments have been considered under E6. With regard to developments and redevelopments within centres, E7 requires proposals to demonstrate that they will enhance the vitality and viability of the centre and an exception cannot be made for the County Council.  The overall benefits of a scheme/redevelopment will be considered as part of the assessment of applications.  <b>Recommended response:</b> No Change

	<p>working practices following the pandemic, the County Council is regularly reviewing these holdings and requests that the policy should also support public sector transformation programmes which could involve office rationalisation. These considerations could ensure the plan is positively prepared, flexible and effective in reaching all objectives of the Local Plan.</p>	
<p>BHLF-KSAR-N8T8-3 Olivers Battery Parish Council</p>	<p>The strategy Policy E3 is to maintain and enhance the role of centres as thriving areas for community and economic activities and enhance the quality of the environment of the centres, including the defined Local Centre in Oliver’s Battery. Consequently, Policy E7 should be expanded to include Local Centres, which also need their vitality and viability protecting. The impact on remaining businesses can be much more significant as the result of the loss of just one business within a Local Centre, for example loss of parking following a change of use. Also, the requirement to provide viability assessments of the sites and evidence of the appropriate marketing need to be relevant to the nature, scale and location of sites and not for town centre uses.</p>	<p>Policy E7 applies to all the centres within the Town Centre Hierarchy outlined in Policy E3. An addition to the first sentence of E7 could help to clarify this.</p> <p>The point regarding the loss of a single business is noted and E7 considers this as viability and marketing assessments should be proportionate and relevant to the site’s location.</p> <p>It is considered that the policy could be stronger in relation to evidencing vitality and viability in respect of development proposals and an amendment is recommended to that effect, along with further editing of the policy for clarification.</p> <p><b>Recommended Response:</b> Amend the first four paragraphs of E7 as follows –</p> <p>New development within the <del>identified</del> centres <b>identified in the town centre hierarchy</b> set out in Strategic Policy E3 above should reflect the strategy <b>of set out in Strategic Policy E3</b> above and enhance the vitality and viability of the centre. <b>As part of the assessment of proposals, applicants may be required to demonstrate how their proposal will</b></p>

		<p><b>enhance vitality and viability. Viability assessments of the site may be required (as set out below) if the local planning authority considers the proposal is likely to have an adverse effect on vitality and viability.</b></p> <p><b>Permissions may be restricted to particular use classes or sub-divisions thereof and/or restrictions may be placed on permitted development rights where appropriate and reasonable.</b></p> <p><del>New development and changes of use within the Primary Shopping Areas.</del></p> <p>Within the Primary Shopping Areas of Winchester, Whiteley, Bishop’s Waltham, New Alresford and Wickham, as defined on the Policies Map, activities within the main town centre uses will be encouraged and the loss of main town centre uses at ground floor level will be resisted. Residential development will be permitted above ground floor, where the proposal will result in safe and acceptable standards of living for residents and subject to the general criteria set out above.</p> <p><del>Permissions may be restricted to particular use classes or sub-divisions thereof and/or restrictions may be placed on permitted development rights where appropriate and reasonable.</del></p>
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<b>Comments that neither support or object to policy E7 – maintaining the vitality and viability of town centres</b>		
<b>Respondent number</b>	<b>Comment</b>	<b>Officer comment</b>

BHLF-KSAR-N8T5-Z	<p>Having read the response of Oliver's Battery Parish Council I agree with their views. Particularly their comments regarding :-</p> <p><u>Maintaining vitality &amp; viability of town centres (policy E7)</u></p>	<p>See comments and response in relation to Oliver's Battery Parish Council (OBPC) above.</p> <p><b>Recommended Response:</b> No Change</p>
BHLF-KSAR-N8BH-1	<p>The Covid-19 pandemic is noted for accelerating trends in the growth of online retailing with many customers wanting faster and more convenient delivery, including same day delivery. Recent market evidence published in the 'CBRE UK Logistics Market Trends November 2022' identified significant growth in 2020 and 2021 and that the market has shown resilience in 2022 notwithstanding the recent downturn in the economy.</p> <p>In addition, it also noted that market interest is becoming increasingly wide ranging, with take up coming from a diverse range of occupiers including retailers, supermarkets, manufacturers and other less traditional logistics occupiers such as data centres. There remains a critically low vacancy rate caused by an imbalance between demand and supply. This is particularly prevalent in and around the M25 and adjacent motorway corridors, including the M3.</p>	<p>This comment has been considered in relation to E3 and raises no further issues.</p> <p><b>Recommended Response:</b> No Change</p>

<b>Comments which object to policy E7 – maintaining the vitality and viability of town centres</b>		
<b>Respondent number</b>	<b>Comment</b>	<b>Officer comment</b>
ANON-KSAR-NKHU-7	<p>Maintaining the Vitality and Viability of Town Centres (Policy E7)</p> <p>The strategy Policy E3 is to maintain and enhance the role of centres as thriving areas for community and</p>	<p>See comments and response in relation to Oliver's Battery Parish Council (OBPC) above.</p> <p><b>Recommended Response:</b> No Change</p>

<p>Oliver's Battery Parish Council ANON-KSAR-N8YU-5, ANON-KSAR-NKN1-9</p>	<p>economic activities and enhance the quality of the environment of the centres, including the defined Local Centre in Oliver's Battery. Consequently, Policy E7 should be expanded to include Local Centres, which also need their vitality and viability protecting. The impact on remaining businesses can be much more significant as the result of the loss of just one business within a Local Centre, for example loss of parking following a change of use. Also, the requirement to provide viability assessments of the sites and evidence of the appropriate marketing need to be relevant to the nature, scale and location of sites and not for town centre uses.</p>	
<p>ANON-KSAR-NK3N-B</p>	<p>The current Local Plan has a very clear "Town Centre First" policy for protecting the viability and character of town centres in Winchester. This policy has been successfully used to prevent retail businesses going out-of-town when the town centre options have not been properly considered. The "Town Centre First" policy helps to protect the countryside and the natural environment from destruction and pollution. The new Local Plan must incorporate a clearer and effective "Town Centre First" approach.</p>	<p>Policy E7 sets out how applications within the identified Town Centres will be considered, so this comment is not considered relevant to this policy.</p> <p>Similar comments have been submitted for policies E3 and E4 and are considered as part of those responses.</p> <p><b>Recommended Response:</b> No Change.</p>

	<b>Recommendations</b>	<b>Officer response</b>
<p>Comments from SA</p>	<p>The recommendations for the policy text are included to help mitigate any negative effects and strengthen any positive effects identified: Policy E7 could be strengthened by requiring developments to incorporate design that supports accessibility for all</p>	<p>It is important that LP is read as a whole.</p> <p>There are a number of other LP policies in the high quality design and sustainable transport and active travel topics that address accessibility issues. It is not</p>

	<p>members of the community. The supporting text of the policy presently highlights the need to address this issue.</p> <p>Policy E7 could be further strengthened by including specific requirement for potential impacts relating to the historic environment to be mitigated.</p> <p>This is highlighted in the supporting text of the policy. Town centres are potentially sensitive to this issue given the presence of a number of heritage assets. Alternatively, the policy could cross reference to the policies in the Historic Environment chapter to ensure that proposals given appropriate consideration to these types of effects.</p>	<p>necessary for all policies of the plan to repeat this. The supporting text to E7 at 10.116 discusses issues of public realm, street furniture and accessibility in some detail and cross refers to the Design Topic and SPDs such as Design Codes for further advice.</p> <p>Similarly, it is not considered necessary for Policy E7 to repeat advice regarding historic environment.</p> <p><b>Recommended response:</b> No Change</p>
Comments from HRA	NONE AS YET	

## Amendments to policy E7

### Amendments to supporting text

All supporting text updated, final version below.

## MAINTAINING THE VITALITY AND VIABILITY OF CENTRES

10.112 Locating uses together that attract large numbers of people generally has the most benefit in terms of sustainability. The vitality and viability of centres is best served by the clustering of complementary uses together in order to promote visits and encourage linked trips. This principle applies whatever the size of the centre. Changes of use from main town centre uses do not generally improve the vitality and viability of the centre but may exceptionally be considered where they meet the criteria set out within the policy.

10.113 Proposals should contribute to the maintenance of active frontages within centres, particularly on the main high streets or town squares where footfall is the most important, by installing windows and doors on the main frontages and avoiding areas of blank façade.

- 10.114 Uses such as pubs, nightclubs, hot food takeaways are generally appropriate and supported within town centres, however as they may result adverse amenity or pollution issues, they will be carefully controlled and limits on the hours of operations may be appropriate in particular locations, taking account of the character of the vicinity.
- 10.115 For all town centre uses, in order to secure acceptable amenity in the vicinity, the local planning authority may impose conditions on hours of operation, delivery and parking arrangements and require particular lighting or noise abatement measures or ventilation and pollution control measures. Regard will be had to the location of the development, the nature of the proposal and the character of the surrounding area in relation to this.
- 10.116 Residential development can play a useful supporting role in supporting centres, but is not a main town centre use. This will generally be encouraged above ground floor, along with commercial uses that support the function of the town centre. It is important that residential development is able to achieve acceptable living standards for future occupiers. Residential development may not always be feasible where it is difficult to achieve safe access for residents, or where necessary conversion would not be compatible with the maintenance of the historic features of listed buildings.
- 10.117 Uses other than residential that make use of space empty floor space above ground floor level, or behind street frontages will be encouraged where they support the viability and vitality of the centre, including the main town centre uses, offices and professional services, galleries, studios, workspace for creative industries and studios, community uses, health services. Any other uses will need to demonstrate their contribution to the vitality and viability of the centre.
- 10.118 Office and light industrial uses will not always be appropriate within town centres or the main shopping street, where they do not contribute positively to the vitality and viability of the function of the centre.
- 10.119 In order to achieve and preserve a suitable mix of uses and avoid areas of 'dead frontage' or over-concentrations of specific uses, it may be necessary to limit permissions to particular uses or sub-classes, impose conditions on permission relating to restricting range of goods or activities, or remove permitted development rights, where it is necessary and reasonable to do so.

- 10.120 New development, including demolition and redevelopment and changes of use, should not have adverse effects on the character of the centre. The town centres of Winchester, Bishops Waltham, New Alresford and Wickham are conservation areas and also contain listed buildings. Proposals in these locations must protect and enhance the character and appearance of the conservation areas. The effects of necessary internal changes with need to be taken into account in relation to listed buildings.
- 10.121 Planning applications and applications for prior approval within the conservation areas will be assessed against the requirement to protect and enhance the appearance of the character of the area. This will include consideration of the effects of the proposal on the vitality and viability of the centre, in terms of how it may effect the existing commercial character of the centre, as well as the effects on the built environment and historic interest.
- 10.122 Notwithstanding any special considerations that may apply in relation to historic settings, developments should ensure they are accessible to all members of the community. Proposals that make use of the public realm, such as pavements and pedestrianised areas, should pay special attention to the needs of all members of the community including those living with dementia, people with disability or those with reduced mobility. Appropriate street furniture and careful siting can assist with this. Sensitively designed lighting can be used to enhance security and surveillance within centres. Detailed guidance can be found in the Design topic, the High Quality Places SPD and any local Design Guides or Codes that cover the relevant location.
- 10.123 Primary Shopping Areas (PSA) indicate where retail development is concentrated within town centres. The close proximity of retail and related activities supports linked trips which enhance the overall vitality and viability of centres. These uses benefit from being clustered together with minimal breaks in active frontage to encourage footfall.
- 10.124 Within the PSA, to support the core function of the area, it is particularly important that vitality and viability is maintained during usual shopping hours. Therefore, proposals that result in a loss of retail or other Class E uses within the PSA will be required to demonstrate how they will contribute to the daytime vitality and viability of the centre.
- 10.125 Furthermore, as the core area identified for retail and related commercial activities, it is important that these uses within the PSA are retained where possible. Proposals that result in the loss of these uses will therefore also have to demonstrate to



the satisfaction of the local planning authority that the premises are no longer required for such uses by means of marketing evidence and viability assessments.

10.126 When considering planning applications for change of use, account will be taken of the suitability of the unit concerned, the period of any vacancy, adequacy of the marketing of the unit, and footfall volumes and patterns.

### **Policy E7 Maintaining the Vitality and Viability of Town Centres**

**New development within the centres identified in the town centre hierarchy set out in Strategic Policy E3 should reflect the strategy of E3 above and enhance the vitality and viability of the centre. As part of the assessment of proposals, applicants may be required to demonstrate how their proposal will enhance vitality and viability. Viability assessments of the site may be required (as set out below) if the local planning authority considers the proposal is likely to have an adverse effect on vitality and viability.**

**Permissions may be restricted to particular use classes or sub-divisions thereof and/or restrictions may be placed on permitted development rights where appropriate and reasonable.**

**Within the Primary Shopping Areas of Winchester, Whiteley, Bishop's Waltham, New Alresford and Wickham, as defined on the Policies Map, activities within the main town centre uses will be encouraged and the loss of main town centre uses at ground floor level will be resisted. Residential development will be permitted above ground floor, where the proposal will result in safe and acceptable standards of living for residents.**

**Proposals for a change of use or the redevelopment of premises away from retail or other Class E uses, will only be supported where it can be demonstrated that:**

- i. The proposal will contribute to the centre's vitality and viability during daytime trading hours; and**
- ii. Proportionate evidence has been provided to demonstrate that the premises are no longer required for retail or other Class E uses.**

**As part of the assessment of such proposals, applicants will be expected to provide viability assessments of the site and evidence of the appropriate marketing for alternative town centre uses. Marketing should be undertaken for a minimum of at least 12 months.**