



# Proposed changes to Planning Policy Statement 6: *Planning for Town Centres* (PPS6)

## **Summary of public consultation responses**



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## **Summary of public consultation responses**

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# 1. Overview

Three hundred and sixty-eight responses were received to the consultation on the proposed changes to Planning Policy Statement 6: *Planning for Town Centres*. Of these, 190 were detailed responses from a wide range of public and private sector organisations and individuals, which addressed some or all of the questions posed in the consultation paper, offered comments and criticisms of the proposed changes, and in some cases proposed different wording for the text of the final policy. The majority of these responses came from planning authorities (53%).

A further 178 respondents sent identical responses as part of a campaign – an example is reproduced at **annex A**. These concerns are reported under question 8 of this summary of consultation.

Across the detailed responses (that is, excluding campaign responses), the key points made included:

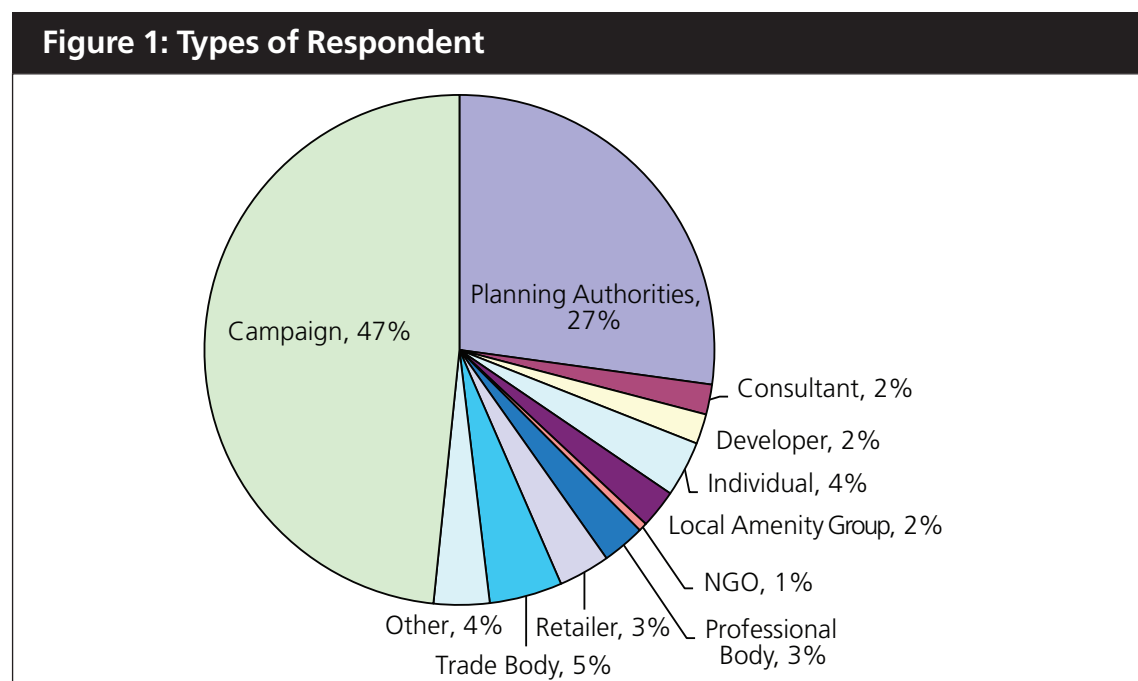
- strong support for the continuation of the ‘town centre first’ policy, and agreement that the proposed changes would support town centre investment
- support for the positive approach to planning at the local level but concerns regarding a potentially weakened regional role in respect of town centre policy
- broad support for the new impact test in terms of the criteria proposed, the flexibility in its application and its robustness as a means of assessing the impact of development
- significant support for consumer choice and retail diversity as considerations when assessing proposals, provided that they do not undermine town centres or small shops
- a need for a stronger policy approach to small shops, independent retailers and small businesses
- the absence of practice guidance setting out how the policy should be interpreted makes it difficult to comment on policy proposals. Guidance is crucial to the effective and consistent implementation of the proposed changes
- significant capacity, resource and skills issues arising from the proposed changes and
- concerns over the quality of data available to support the development of robust evidence bases

## 2. Introduction

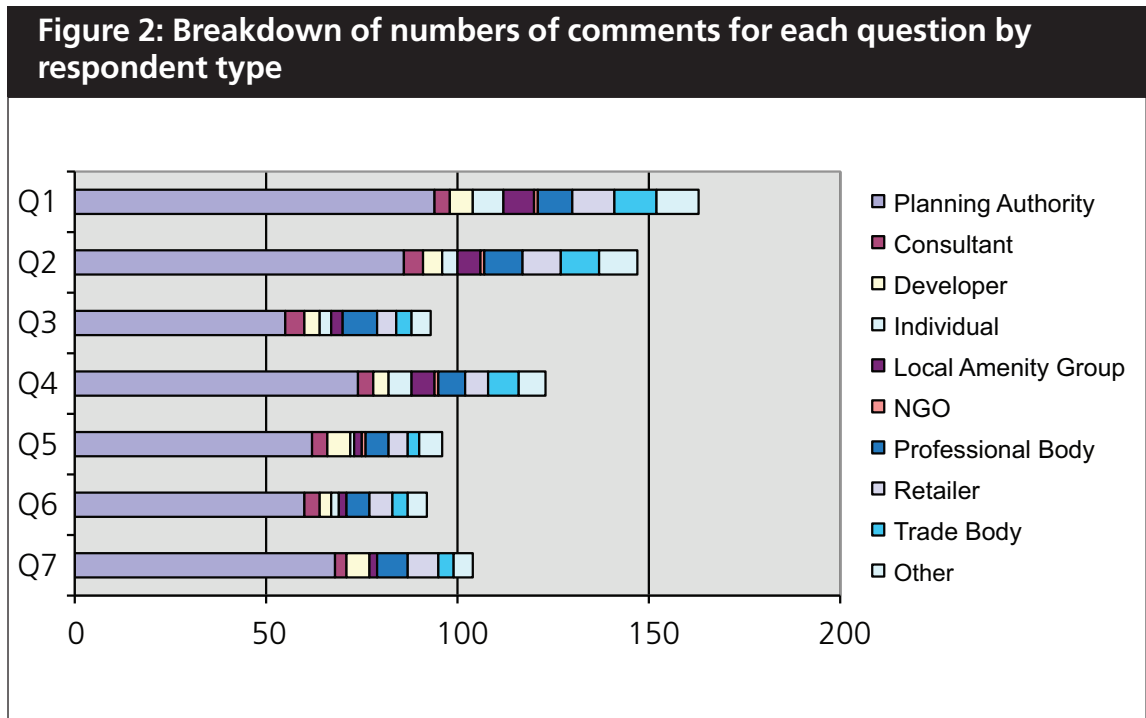
Planning Policy Statement 6: *Planning for Town Centres* was published in 2005. The consultation document *Proposed Changes to Planning Policy Statement 6: Planning for Town Centres* was issued by the Department for Communities and Local Government on 10 July 2008. This was the fulfilment of a commitment in the 2007 Planning White Paper, *Planning for a Sustainable Future*, to improve the effectiveness of the policy by removing the need test for development control. Reflecting the White Paper, the proposed changes document set out how the ‘need’ and impact tests would be replaced with a new test with a strong focus on the Government’s ‘town centre first’ policy, which promotes competition and improves consumer choice, avoiding the unintended effects of the current need test. The consultation period ended on 3 October 2008.

The total number of responses received was 368, of which 190 were detailed. A breakdown of types of respondents is set out in figure 1 below. One hundred planning authorities responded, together with 17 retailers and various other commercial, amenity and professional groups. As noted above, a further 178 identical responses were received requesting greater control over the grocery market (see **annex A**).

A detailed breakdown of the 190 responses in terms of the nine questions posed in the consultation document is shown in figure 2 overleaf (and in table form in **annex B**). As figure 2 illustrates, questions 1 and 2 attracted the greatest number of responses, the majority coming from planning authorities. The group labelled ‘Other’ ranged from financial to political organisations to other miscellaneous respondents who fell outside the other categories.



\* Percentages are rounded up to the nearest percentage



### Structure of Analysis

The analysis in this summary is structured around the chapters in the consultation document, which means that the responses to the nine questions posed are not presented in numerical order. Comments were invited not only on the consultation questions, but also on the draft policy revisions set out in the consultation document. It is not the intention of this document to summarise every comment and view, but to identify the key points made by respondents.

Not every respondent replied specifically to all the questions or provided a response that related to the particular question. Where possible, responses have been considered against the question to which they best relate, and are classified as 'Yes', 'Yes with reservations' or 'No', and recorded as such in the statistical tables and charts which form the basis for this analysis. However, even where this has not been possible, any key points made in response to the consultation document have been taken into account in compiling this summary. It is important to stress that the responses, and the alternative or additional text which some consultees offered, have all been gratefully received and will be given full consideration as part of developing policy.

References to 'PPS4' relate to the draft Planning Policy Statement 4: *Planning for Sustainable Economic Development*, on which the Government also consulted between December 2007 and March 2008. A summary of responses to that consultation can be viewed on the Communities and Local Government website at [www.communities.gov.uk](http://www.communities.gov.uk)

## 3. General comments

Overall, respondents broadly agreed that the proposed changes would support town centre investment, noting that a strong impact test was crucial to ensuring that proposals for out-of-centre development are properly assessed for their impact on town centre vitality and viability. Whilst there was general agreement that the need test had not worked well in practice, particularly in terms of unintended consequences, there was some concern that its removal could potentially undermine regeneration schemes by allowing development outside town centres, reducing control over extensions to retail development and reducing certainty for town centre investors.

Whilst the stronger plan-led approach promoted by the changes was considered appropriate, there were concerns that a perceived reduction in the regional role in relation to town centre policy could result in greater concentration of investment in larger centres.

A number of respondents noted that market towns and smaller centres would be most affected by the proposed changes, especially in light of the current and likely future economic conditions. It was argued that the difficult economic climate was likely to result in modest economic growth in the coming years, which suggested that there should be less emphasis on retail-led regeneration, and more on strengthening local economies and protecting small shops and independent traders.

The consultation document posed a number of general questions, to which the response was as follows.

### Question 1: Will the proposed changes support current and prospective town centre investment?

#### Key messages

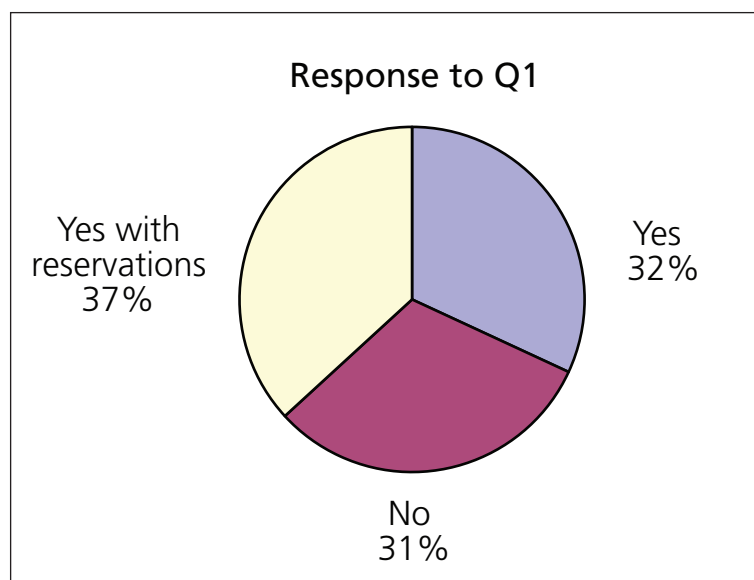
- broad support for the proposed changes in terms of supporting current and future town centre investment
- some respondents perceived a risk that the changes could undermine the confidence of town centre investors and certain regeneration schemes, which were thought to have been given some protection by the existing need test and
- many respondents supported retaining the 'town centre first' approach or commented that removal of the need test could lead to more edge-of-centre and out-of-centre development

## Main issues

Some respondents expressed concerns regarding the perceived weakened regional role in respect of town centre policy. Other comments made included:

- changes should say more in terms of place shaping and the role the proposed policy would play in this respect
- a few concerns about the implications of the commitment, mentioned in the consultation paper, to 'streamline national policy'
- the need to ensure changes in parking policy do not disadvantage town centres and
- the need for a clearer explanation of how retail 'need' should be addressed in the context of plan-making

## Statistical analysis



- this question attracted the most responses
- 163 out of the 190 detailed responses answered this question
- 32% of respondents agreed, and 37% agreed with reservations, that the proposed changes will support current and prospective town centre investment
- 31% disagreed
- Planning authorities made the most responses (94) followed by retailers (11), trade bodies (11) and 'others' (11)
- 36% of planning authorities and 36% of retailers said 'yes'
- 55% of 'others', 45% of retailers and 45% of trade bodies said 'yes with reservations' and
- 75% of individuals and 27% of planning authorities said 'no'

## Question 8: Other comments on the scope of the proposed changes

### Key messages

- the Government's approach to the Competition Test should have been set out in the consultation document
- changes proposed are perceived to increase the complexity of the policy, and require a large evidence base, and the quality of data needed for consistency may not be available
- need for a stronger policy approach to small shops, reflecting the Ministerial foreword in the consultation document
- significant resource and skills issues arising from the proposed changes, and
- concerns that the proposed changes would increase the market share and power of the large supermarket chains

### Main issues

Many respondents were concerned about the relationship between the Competition Test proposed by the Competition Commission and the proposed changes, and felt that the consultation paper should have addressed the Commission's findings (see also **annex A**)<sup>1</sup>. Also, there was some support for the retention of the need test, whilst respondents also questioned how the proposed changes related to rural areas. Other issues raised included:

- more clarity needed as to how the proposed changes relate to office development and financial services. Concern that 'town centre first' is not consistent with the flexible approach to economic development set out in draft PPS4
- no policy being proposed for existing out-of-centre development, especially shopping centres
- proposals should explain the process for engagement between local planning authorities and applicants in respect of town centre development
- welcome for the emphasis on high quality design and climate change, although there was perceived to be some duplication with Planning Policy Statement 1 and its Climate Change Supplement
- need to consider the problems relating to the possible expansion of suburban centres, and
- guidance was felt to be required in order to clarify and define how local planning authorities are expected to assess issues around the 'range', 'type' and 'quality' of goods involved in new proposals

<sup>1</sup> The Government's response to the Competition Commission's investigation into the groceries market can be found at <http://www.berr.gov.uk/whatwedo/businesslaw/competition/market-studies/supplyofgroceries/index.html>

Question 9: We are committed to producing policy that promotes equality of opportunity and good relations between people of different racial groups and eradicates unlawful discrimination. We would welcome views on whether the changes we are proposing to PPS6 will impact differently on people from different ethnic groups, on people with disabilities and on men and women? We particularly welcome the views of organisations and individuals with specific expertise in these areas.

### **Key messages**

- proposed changes will be beneficial in improving access for all groups providing they do not undermine 'town centre first'

### **Main issues**

Some respondents were concerned that any increase in edge-of-centre or out-of-centre development would increase reliance on the car, undermine investor confidence, disadvantage certain groups and affect community life. It was also suggested that consideration should be given to the impact of the proposed changes upon small businesses, not just small shops, as these can be of benefit to ethnic minorities.

## 4. Comments on chapters 1 and 2

Overall, respondents supported the Government's proposed refined objectives in respect of planning for town centres, and the positive approach to planning at the local level. However, concerns were expressed over the approach to planning for town centres at the regional level, which many felt could be perceived as a weakening of the existing PPS6 approach, and could in turn result in more investment being focused in larger centres at the expense of market towns and smaller centres.

No specific questions in the consultation document related to these chapters.

### A. The government objectives

#### Key messages

- support for the Government's proposed revised objectives, with the key objective being economically successful town centres

#### Main issues

Respondents noted the difficulties in translating the proposed revised objectives into plan policies given the dynamic economic market conditions being currently experienced. That said, many felt that a key objective should be to ensure economically successful town centres.

Other points made by respondents included:

- Government objectives should include addressing health and obesity issues
- the role of Business Improvement Districts needed emphasising and
- objectives should discourage car use, promote linked trips and integrate town centre uses with public transport accessibility

### B. Positive planning for town centres

#### Key messages

- support for the proposed revised approach to positive local planning, although concerns were expressed that the regional approach in respect of town centre policy was less clear compared to the current policy

## Main issues

The plan-led approach to planning for town centres was generally welcomed, although the emphasis on improving the economic performance of cities and regions was not felt to sufficiently recognise the important role of town centres as the drivers of economic growth. Several respondents felt the proposed changes to the regional planning role could result in the concentration of investment in larger centres at the expense of the smaller towns. Other points made by respondents include:

- because the details of development proposals are unlikely to be known at plan-making stage, it will be difficult to apply all the impact considerations to Local Development Frameworks
- reference to plans having regard to the strategic objectives of Regional Economic Strategies is problematic, as not all strategies recognise town centres
- need to be clear exactly what is meant by 'market information' and 'price signals' and
- approach should provide scope to differentiate between those centres accessible on foot which can meet people's everyday needs, and larger centres accessible by public transport which can accommodate growth

## 5. Comments on chapter 3

Overall, respondents supported the proposed changes to development control policy set out in chapter 3. Whilst many felt unable to comment in detail on the proposed impact test, citing the absence of supporting practice guidance, there was broad support for the test both in terms of the range of considerations, the flexibility in its application and its robustness as a mechanism to assess the impact of development outside town centres. However, concerns were expressed that the complexity of the test, by requiring an increased local evidence base, could cause capacity, skills and resource issues for local planning authorities, resulting in delays to planning applications.

There was support for considering consumer choice and retail diversity as part of assessing the impact of development, although many respondents felt that the proposals failed to provide sufficient advice in respect of the needs of small shops and independent retailers.

Responses to relevant questions in the consultation document are set out below.

**Question 2: Does the scope of the new impact test achieve the right balance and is it robust enough to thoroughly test the positive and negative impacts of development outside town centres?**

### Key messages

- although the new impact test was broadly supported, concerns were expressed regarding its scope and whether it would be sufficiently robust to support town centres
- there was support for the range of considerations proposed under the impact test, and agreement that it would provide a more consistent, robust and transparent assessment framework
- without the supporting practice guidance, it was difficult to comment in detail on the proposed test. It is essential that this guidance brings consistency and certainty to impact assessment
- the perceived complexity of the new test could cause delay, increase costs and lead to more planning appeals and challenges and
- removal of the need test, combined with the proposed impact test, could lead to more edge-of and out-of-centre development

## Main issues

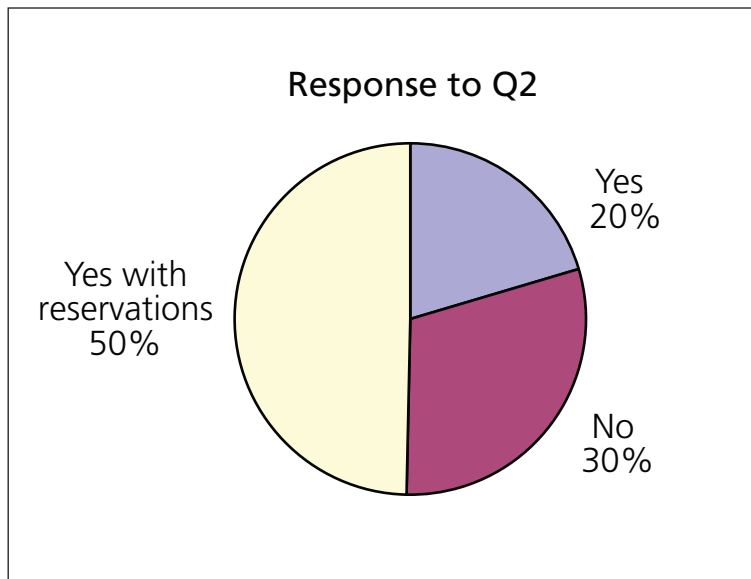
To assess the effectiveness of the proposed impact test, many respondents felt that it was essential for the Government to make available a draft of the proposed supporting practice guidance, as this would be crucial to its effective implementation in terms of consistent decision-making and application of the assessment criteria in plan making.

Several respondents emphasised the importance of considering impact in the way proposed as part of the plan making process, in particular assessing the positive and negative impacts of development as part of identifying suitable locations for growth. They noted, however, the risks for local planning authorities, which, following local government boundary restructuring, or recently completed retail studies, may not have up-to-date plans with robust town centre policies.

Other points raised by respondents include:

- concern whether planning authorities would have the capacity and knowledge to apply the proposed test, which could result in larger, more resource intensive, assessments. In particular it was felt that qualitative considerations will require more work and that the information requested to support the impact test should be proportionate to the size of development
- concerns as to whether the test is robust enough to thoroughly assess the positive and negative impacts of development outside centres
- the need for more clarity on the relative status of the impact considerations, especially the relative weight to be attached to 'key' and 'other' impact considerations
- reduction in trade\turnover was felt to be insufficient as an impact criterion, and the policy needed to set out the level at which it was appropriate to refuse permission on this basis
- accessibility should be a key impact consideration not a wider issue
- guidance was required as to how local planning authorities when considering planning applications can judge what level of impact is unacceptable
- concerns over the quality of data available to support the consideration of impact
- when considering applications, increased weight should be given to the economic benefits (in line with draft PPS4) and the potential cumulative impact of proposals on policies and strategies for town centres
- With regard to plan-making, how does the proposed impact test fit the requirement to carry out Sustainability Appraisal/SEA?
- In respect of development control, how does the proposed test relate to Environmental Impact Assessment (EIA)?

## Statistical analysis



- 147 out of the 190 detailed responses answered this question
- 20% of respondents agreed, with a further 50% agreeing with reservations, that the scope of the new impact test achieves the right balance and is robust enough to thoroughly test the positive and negative impacts of development outside town centres
- 30 % disagreed
- planning authorities made the most responses (86) followed by professional bodies (10), retailers (10) trade bodies (10) and 'others' (10)
- 22% of planning authorities, 30% of professional bodies and 40% of developers said 'yes'
- 100% of NGOs, 80% of trade bodies and 60% of consultants said 'yes with reservations' and
- 22% of planning authorities, 50% of professional bodies and 83% of local amenity groups said 'no'

**Question 3: Is there scope to simplify and streamline the various impact considerations further?**

## Key messages

- respondents were almost equally divided as to whether there was scope for streamlining the impact considerations or not and
- of those supporting simplification, several options were proposed as to how this could be achieved

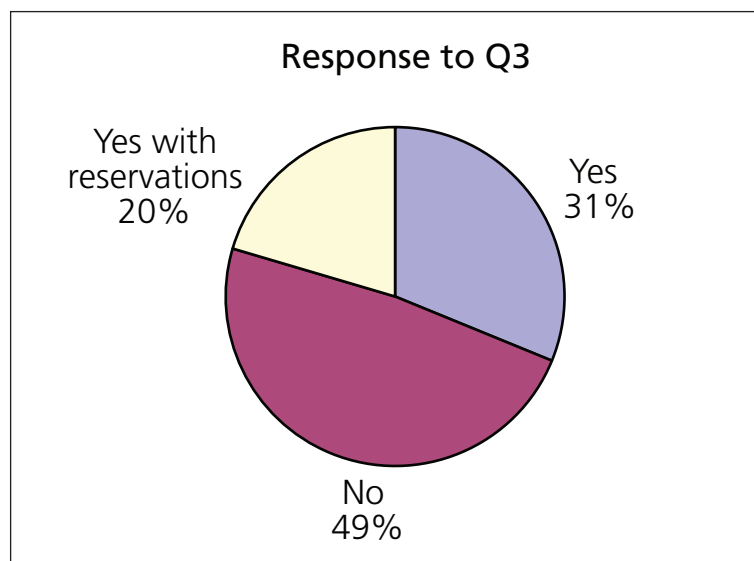
## Main Issues

Whilst there was some support for simplifying the proposed impact considerations, particularly in the light of the Killian Pretty Review<sup>2</sup>, many respondents felt unable to answer this question fully in advance of the supporting practice guidance providing further clarification. Others felt that further simplification could reduce the effectiveness of the ‘town centre first’ policy if important considerations were no longer required to be considered.

Options for simplifying the impact considerations identified by respondents included:

- replacing ‘key’ and ‘wider’ impact considerations with a single list of considerations
- use of ‘scoping’ and ‘screening’ to identify impact considerations most relevant to a particular local circumstance
- the impact considerations could be grouped in some way eg social, environmental factors etc
- restricting the test to retail-specific impact considerations and
- replacing the proposed test entirely with a presumption against development not in accordance with an up-to-date development plan or when located out-of-town

## Statistical analysis



- 33 out of the 190 detailed responses answered this question
- 31% of respondents agreed, and a further 20% agreed with the reservations that there is scope to simplify and streamline the various impact considerations further

<sup>2</sup> <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/reformplanningsystem/killianprettyreview/>

- 49% disagreed
- planning authorities made the most responses (55) followed by professional bodies (9)
- 22% of planning authorities, 56% of professional bodies, 60% of consultants, 75% of developers and all individuals said 'yes'
- 50% of trade bodies, 33% of professional bodies and 22% of planning authorities said 'yes with reservations' and
- 56% of planning authorities and all local amenity groups said 'no'

**Question 4: Is the consideration of consumer choice and retail diversity as part of assessing the impact of a proposal appropriate and will it be sufficient to help promote competition?**

### Key messages

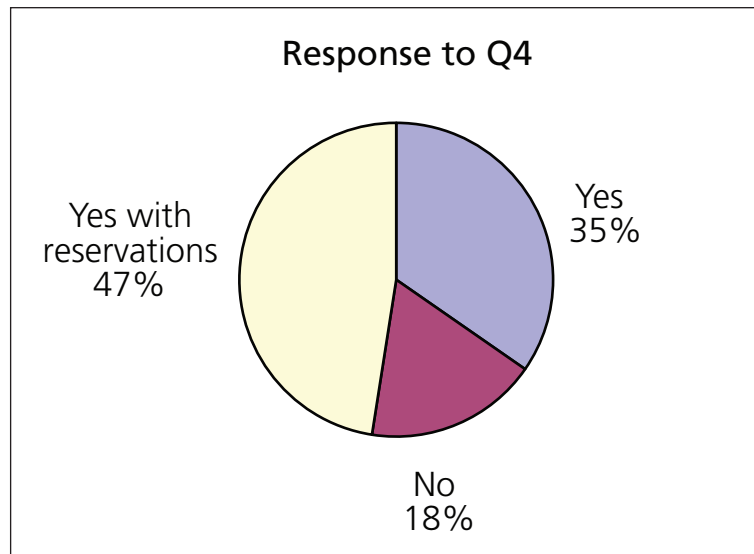
- significant support for consumer choice and retail diversity being considerations in the assessment of a proposal, providing this does not undermine town centres and small shops and independent retailers and
- linked to above, proposals should fully deliver on the Ministerial foreword in the consultation document. Respondents felt that genuine consumer choice and diversity means a range of shops, especially small shops, not just large stores like supermarkets

### Main issues

Whilst choice and retail diversity were supported as important considerations, many respondents expressed concern as to the future health of small shops and independent retailers, and the growth of 'clone' towns. Other points raised by respondents include:

- need to be clear what is meant by 'consumer choice' and 'retail diversity', particularly how they can be measured in practice. In particular, choice should not be defined in terms of 'goods' only
- recognition of links between changes in terms of promoting consumer choice and the draft PPS4 approach to economic development
- increased choice should not result in more superstore and/or out-of-centre development
- policy must be flexible, as consumer requirements and markets can change quickly and
- guidance was needed on retail diversity, the weight to attach to new entrants into local markets, and how planning can promote consumer choice

## Statistical analysis



- 123 out of the 190 detailed responses answered this question
- planning authorities made the most responses (74) followed by trade bodies (8), professional bodies (7) and 'others' (7)
- 35% of respondents agreed, and 47% agreed with reservations, that consumer choice and diversity should be considered as part of assessing the impact of a proposal
- 30% of planning authorities said 'yes' to the question
- 71% of professional bodies and 55% of planning authorities said 'yes with reservations' and
- 50% of the local amenity groups, 50% of individuals and 16% of others said 'no'

**Question 5: It has been suggested by some stakeholders that we should consider limiting impact assessments to larger development proposals and that it should be confined to retail developments. PPS6 and our proposed revisions maintain a flexible approach to the preparation of impact assessments for all main town centre uses and do not limit assessments to larger developments or retail proposals. Do you think our flexible approach should be retained?**

## Key messages

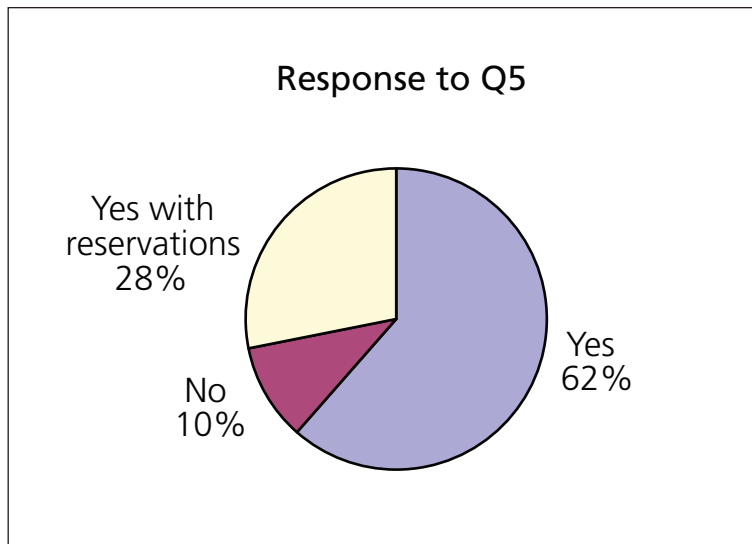
- strong support for retention of the flexible approach to relating impact assessments to development proposals, as in current PPS6, and
- mixed views on applying the impact test to retail uses only; slightly more support for applying test to all town centre uses

## Main issues

Respondents supported maintaining a flexible approach to applying the impact test, with many noting that the extent of impacts is influenced by the size and nature of proposals. As to the appropriate threshold at which impact should be assessed, respondents generally felt that assessments should not be restricted to just larger developments. There was considerable support for more local discretion, allowing local planning authorities to set their own criteria according to local circumstances. Other points raised by respondents include:

- lower thresholds could help to protect small centres, as smaller proposals will impact upon vulnerable smaller centres
- need to explain what is meant by 'significant' and 'substantially', and should remove 'occasionally' in terms of applying the 2,500 sqm threshold, as set out in paragraph 3.19b of the consultation document
- How does the 2,500 sqm threshold relate to rural areas ?
- guidance required on how to apply thresholds to different types of town centre use

## Statistical analysis



- 96 out of the 190 detailed responses answered this question
- 62% of respondents agreed, and a further 28% agreed with reservations, that a flexible approach to assessing impact should be maintained
- 10% disagreed
- planning authorities made the most responses (62) followed by developers (6), professional bodies (6) and 'others' (6)
- 68% of planning authorities said 'yes'
- 50% of NGOs and 33% of local amenity groups said 'yes with reservations' and
- 33% of developers and 33% of the professional bodies said 'no'

## 6. Comments on chapter 4

**Question 6: Are the existing health check indicators in Chapter 4 sufficient to enable informed judgments to be made about the various impact considerations which have been identified?**

### Key messages

- there was broad agreement that the scope of the health check indicators was reasonable, with recognition of their benefits as a positive planning tool
- health check indicators were sufficient to make informed judgements about impact, although some doubts were expressed as to the reliability of the new indicators proposed and
- concerns regarding resource implications, and the skill requirements for the additional indicators proposed

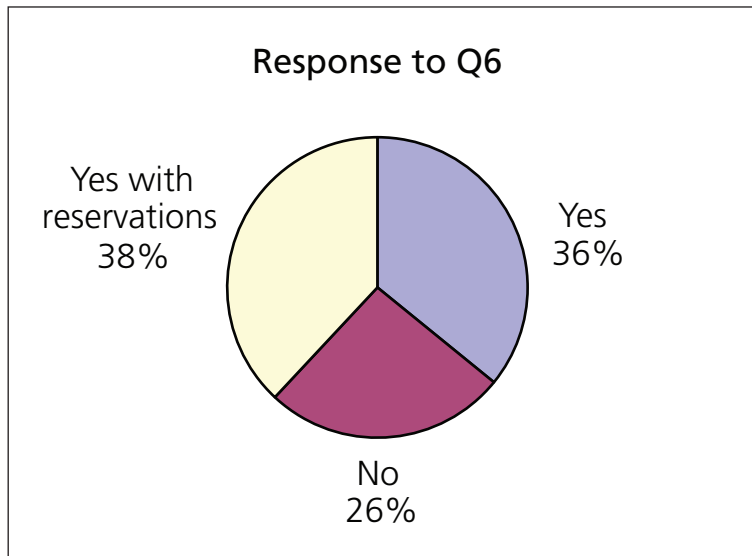
### Main issues

Linked to concerns over resources and skills, respondents requested more guidance in terms of how indicators should be applied, as well as noting that the range of indicators that is appropriate may vary between different types of centre.

Other points raised by respondents include:

- the usefulness of the indicators depends on the quality of available data
- where local planning authorities are working with the private sector, there may be issues of commercial confidentiality
- the new land value indicator is meaningless if there have been no recent land or property transactions in the area, and land values can be disproportionately affected by a single major transaction, development or business closure
- it is difficult to measure the length of time property is empty (for the purposes of the vacancy indicator)
- an indicator related to the threat of terrorism would be hard to judge and quantify, and may not be appropriate for smaller centres and
- further indicators put forward include existing or planned town centre initiatives, the accessibility of a centre by public transport, footfall, public realm quality, active frontages in a centre, retail diversity, size of units and Business Improvement Districts

## Statistical analysis



- 92 out of the 190 detailed responses answered this question
- 36% of respondents agreed, and 38% agreed with reservations, that the existing health check indicators were sufficient to enable informed judgements to be made about the various impact considerations
- 26% disagreed
- planning authorities made the most responses (60) followed by professional bodies (6) and retailers (6)
- 35% of planning authorities, 50% of retailers and 67% of developers said 'yes'
- 50% of local amenity groups, individuals, professional bodies, retailers and trade bodies said 'yes with reservations' and
- 25% of planning authorities and 75% of consultants said 'no'

# 7. Comments on proposed approach to practice guidance

Question 7: Do you agree with the proposed approach to the practice guidance which will support PPS6?

## Key messages

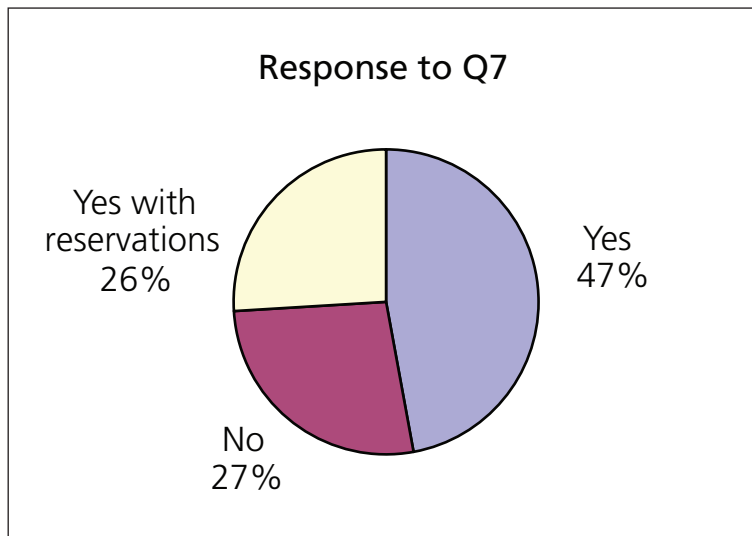
- significant support for the proposed approach to the practice guidance
- strong agreement that practice guidance is crucial to the effective and consistent implementation of the proposed changes, and
- must be published alongside finalised policy to ensure effective policy implementation

## Main issues

Many respondents felt that the draft guidance should have been issued for consultation alongside the proposed changes, and should in any event be made available in draft form prior to the policy being finalised. In addition, this guidance must provide clear, unambiguous advice in a concise format. Other points raised by respondents include:

- the guidance should include checklists, advice on potential problems and good practice examples
- support for the idea of technical notes underpinning the practice guidance
- avoiding a prescriptive approach in terms of methodologies, the guidance must provide flexibility to reflect local circumstances
- advice should be provided on how the proposed changes can be flexibly applied from a plan-making and development control perspective
- the sequential approach was generally supported although respondents wanted more advice in respect of disaggregation
- the guidance needs to include agreed definitions and
- the guidance should be supported with training events, seminars for local planning authorities/developers and councillors

## Statistical analysis



- 104 out of the 190 detailed responses answered this question
- 47% of respondents agreed, and 26% agreed with reservations, with the proposed approach to the practice guidance
- 27% disagreed with the approach
- planning authorities made the most responses (68) followed by professional bodies (8) and retailers (8)
- 87% of planning authorities either agreed or agreed with reservations
- 59% of planning authorities said 'yes'
- 50% of trade bodies, 40% of 'others' and 33% of developers said 'yes with reservations' and
- 67% of developers and all consultants said 'no'

## 8. Comments on Partial Impact Assessment

Only a few comments were made about the Partial Impact Assessment (PIA), mostly related to policy considerations or specific points of detail. No quantitative evidence was submitted by respondents, although some raised concerns about the removal of the need test and about the evidence base used to justify its removal. Points made by respondents include:

- the proposed changes and the PIA suggest a primary focus on creating new opportunities for large format major retailing, to the detriment of other sectors of the market. PPS6 and PPS4 should underline the economic rationale for focusing development in centres, and for creating and maintaining economically successful centres as key economic drivers
- changes do not go far enough as they are only concerned with retail development. Should consider the economic impacts of constraining other types of commercial development for which a town centre location is neither desirable nor economically viable, and which, by locating outside a town centre, may support other sustainable locations and economic prosperity
- despite the PIA conclusions, the impact test and Annual Monitoring Reports will place additional resource and skill pressures on local planning authorities for which should funding should be found by Government or additional planning fees and
- the PIA contains no sense of the complex and potentially fulfilling social and cultural function which town centres and their commercial and leisure activity can have for the community

# ANNEX A

## STANDARD CAMPAIGN RESPONSES

In addition to the detailed responses to the nine questions and draft policy revisions in the consultation document, 178 identical responses were received which used text supplied by the 'Tescopoly' internet campaign<sup>3</sup>. These read as follows:

*I am writing to support the Commission's proposals<sup>4</sup> to introduce stricter rules to ensure farmers and suppliers at home and overseas are treated fairly.*

*I would like to see a new independent watchdog appointed to ensure the grocery market is operating in the interests of consumers, suppliers and small retailers. This watchdog must have the power to impose stricter rules to curb supermarket power and treat complaints from farmers and suppliers confidentially. Alongside, the appointment of a new watchdog I would like to see a stronger and legally binding Supermarket Code of Practice to govern supermarket behaviour.*

*I am concerned by your proposals to free-up the planning system to allow more supermarkets to be built as this will increase the market share and power of the Big 4 supermarkets and thus increase the power they are able to exert on their suppliers.*

*Please will you take my views into account as you consult on possible remedies and prepare your final report.*

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<sup>3</sup> See <http://www.tescopoly.org/> for further information.

<sup>4</sup> The Competition Commission reported the conclusions of its UK groceries market investigation on 30 April 2008. One recommendation was that the Government introduce a 'competition test' into the planning system, requiring local authorities to assess every planning application for new grocery floorspace over 1,000 square metres for its impact on competition, in consultation with the Office of Fair Trading.

# ANNEX B

## RESPONDENT NUMBERS

<b>THE NUMBER OF CONSULTATION RESPONSES (excluding 'campaign' responses)</b>		
Category of Respondent	No of respondents	Percent
Planning authority	100	53%
Consultant	7	4%
Developer	7	4%
Individual	13	7%
Amenity society or local amenity group	9	5%
Non-governmental organisation (NGO)	2	1%
Professional body	10	5%
Retailer	12	6%
Trade body	17	9%
Other	13	7%
<b>Total</b>	<b>190</b>	<b>100%*</b>

\* Figures are rounded up to the nearest percent

<b>BREAKDOWN OF NUMBERS OF RESPONDENTS PER QUESTION</b>										
	Planning Authority	Consultant	Developer	Individual	Local Amenity Group	NGO	Professional Body	Retailer	Trade Body	Other
Q1	94	4	6	8	8	1	9	11	11	11
Q2	86	5	5	4	6	1	10	10	10	10
Q3	55	5	4	3	3	0	9	5	4	5
Q4	74	4	4	6	6	1	7	6	8	7
Q5	62	4	6	1	2	1	6	5	3	6
Q6	60	4	3	2	2	0	6	6	4	5
Q7	68	3	6	0	2	0	8	8	4	5



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