

**Thanet Local Plan Examination
Matter 12
Town and District Centres**

**Hearing Statement
On behalf of
CD10 Properties Limited
(Respondent No: 494)**

May 2019



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Appendix 1 – Location Plans

Introduction

- 1.1 This Statement is submitted on behalf of CD10 Properties Limited, the owner of Westwood Gateway Retail Park and Westwood Retail Park¹ at Westwood (as identified on the plans at Appendix 1) and addresses Matter 12, Issue 1 – Q2 to Q7; and Issue 2 – Q1 and Q2.

Issue 1 - Thanet's Town Centres - Policy SP06

Q2. Is the hierarchy of centres justified and clear to decision-makers, developers and local communities? Are the town centre boundaries illustrated on the policies maps for Westwood, Margate, Ramsgate and Broadstairs?

- 1.2 The hierarchy is justified by the explanatory text at paragraphs 2.3 – 2.9 in the Plan which appropriately identifies Westwood at the top of the hierarchy of centres.
- 1.3 Given that paragraph 2.4 explains that a major factor in determining the role of centres has been the catchment they serve and paragraph 2.5 states that Westwood has a catchment that covers the whole of the district and areas outside of it, paragraph 2.9 creates some ambiguity in stating that the retail hierarchy is “*not designed to favour one centre over another and does not in itself direct investment decisions.*”
- 1.4 The hierarchy does actually reflect that Westwood is the preferred location for accommodating retailers that require to serve a district wide catchment and the allocation of the majority of the identified comparison goods retail need to Westwood in Table 1 also reflects its preferred status. Paragraph 2.15 also refers to Westwood as the preferred location for “*the large format style of retailing*” favoured by the national chains.
- 1.5 The Policies Map does not specifically identify the “*Town Centre*” boundary at Westwood (or for the other town centres) but it is evident e.g. from Policy E05, that the “*Westwood Primary Frontage*” and “*Westwood Secondary Frontage*” areas together are intended to represent the “*Town Centre*” area at Westwood.

¹ The original Westwood Retail Park and adjoining East Kent Retail Park have been rebranded to be collectively known as Westwood Retail Park

- 1.6 To be consistent with NPPF 2012 paragraph 23, the Policies Map should specifically identify the “*Town Centre*” boundary around the perimeter of the areas identified as “*Westwood Primary Frontage*” and “*Westwood Secondary Frontage*” at Westwood.

Q3. Is the Plan consistent with paragraph 23 of the Framework which, amongst other things, states that Local Plans should define the extent of town centres and primary shopping areas?

- 1.7 To be consistent with the NPPF 2012 (Annex 2, Glossary) the “*Town Centre*” area defined on a Local Plan proposals map should include the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area.
- 1.8 “*Primary Shopping Areas*” are defined in the NPPF 2012 (Annex 2, Glossary) as an area where “*retail development is concentrated*” (generally comprising the primary and those secondary frontages which are adjoining and closely related to the primary shopping frontage).
- 1.9 The definition of “*Primary Shopping Areas*” is relevant to the operation of the sequential test because the Framework defines “*edge of centre*” for retail purposes as a location that is well connected to and up to 300 metres from the “*primary shopping area*”; and for all other main town centre uses, edge of centre is defined as a location within 300 metres of a “*town centre boundary*”. However, there is no reason in principle why the Primary Shopping Area and the Town Centre cannot be defined by the same boundary.
- 1.10 Policy E05 refers to the “*designated town centres of Margate, Ramsgate, Broadstairs and Westwood, comprising the primary and secondary frontages*”.
- 1.11 At Westwood, the Policies Map identifies “*Westwood Primary Frontage*” and “*Westwood Secondary Frontage*” as hatched areas rather than linear frontages which are not defined. At Westwood the “*Westwood Primary Frontage*” and “*Westwood Secondary Frontage*” are evidently intended to represent the “*Primary Shopping Area*”.

- 1.12 To be consistent with NPPF 2012 paragraph 23, the Policies Map should specifically identify the “*Primary Shopping Area*” boundary around the perimeter of the areas identified as “*Westwood Primary Frontage*” and “*Westwood Secondary Frontage*” reflecting that (as set out in Policy E04 and Policy E05) this is the preferred location for accommodating retail needs at Westwood.
- 1.13 Certainly, to be effective, any “*Primary Shopping Area*” defined at Westwood must include Westwood Gateway Retail Park and Westwood Retail Park given that these areas, along with Westwood Cross Shopping Centre, form the area where “*retail development is concentrated*”.

Q4. Is Westwood identified as a centre at the top of the retail hierarchy? If so, what is the justification for this?

- 1.14 See comments at Q2 above.

Q5. Is the retail strategy (set out in paragraph 2.10 of the Plan) to retain Thanet’s market share of retail expenditure in the sub region, and not increase it, the most appropriate strategy for the area? Is it justified by appropriate available evidence?

- 1.15 The Plan refers to 84% of “*retail*” expenditure “*currently*” being retained within the District. The 84% retention figure is actually for “*comparison goods*” expenditure and is based on shopping patterns surveyed in 2012 (see CD3.1 paragraph 3.29 and 3.43; CD3.4 paragraph 2.10).
- 1.16 Given the increasing influence of internet shopping (which may have been underestimated in the evidence base²), which affects local expenditure retention and the demand for bricks & mortar stores, the retail strategy to seek to retain (rather than increase) Thanet’s 2012 market share of retail expenditure (i.e. 84% of comparison goods expenditure) appears to be reasonable having regard to the current evidence base.

² The comparison goods floorspace capacity calculations in CD3.4 are based on Special Forms of Trading (SFT) (adjusted for sales from stores) being 13.5% at 2016 and 17.8% at 2031 (Retail Planner Briefing Note 15, December 2017). The latest Experian projections (Retail Planner Briefing Note 16, December 2018) are for non store SFT to account for 21.5% of comparison goods spending at 2031

- 1.17 The retail strategy, i.e. to safeguard and sustain Westwood's role in preventing retail expenditure leaking outside the district is clearly important in achieving the strategic objective of retaining Thanet's market share of retail expenditure.
- 1.18 As reflected in the evidence base, Westwood Town Centre as a whole (i.e. the area defined in the Plan as Westwood Primary and Secondary Frontages and identified as Westwood Cross Town Centre at CD3.2, Appendix 3, Section A) makes a significant contribution to the retention of retail expenditure in the District (e.g. CD3.2, Appendix 5, Table 5B, shows that based on 2012 shopping patterns, 62.5% of the total retained comparison goods spending in the District is spent at Westwood, including Westwood Gateway Retail Park and Westwood Retail Park).
- 1.19 CD3.3 (paragraph 3.60) notes the important role of Westwood Retail Park and Westwood Gateway Retail Park in accommodating "*major national multiple retailers*" which underscores the justification for including Westwood Gateway Retail Park and Westwood Retail Park within the Westwood Town Centre/Primary Shopping Area boundary as part of the preferred location for meeting retail needs.

Q6. What are the figures in Table 1 based on? Are the figures for convenience and comparison goods accurate and robust? Are the figures net or gross?

- 1.20 See comments under Issue 1, Q5 above, and Issue 2, Q1 below.

Q7. What is the justification for stating that the quantitative level of retail need should be regarded as a 'guide' rather than a 'target'? Does the Plan allocate a range of suitable sites to meet the scale and type of retail needs as required by paragraph 23 of the Framework? How does the Plan ensure that the needs for retail will be met in full and will not be compromised by limited site availability?

- 1.21 See comments under Issue 2, Q1 below.

Issue 2 – Westwood – Policy SP07

Q1. What sites have been identified to meet the need for comparison retail goods at Westwood? How will the identified need be met over the plan period?

- 1.22 The Policies Map does not identify any specific sites at Westwood to meet the retail need identified in Table 1.
- 1.23 Paragraph 2.16 refers vaguely to “*Some of this floorspace is already taken up by recent permissions*”. CD3.4 (paragraphs 2.26 – 2.29) refers to comparison goods floorspace permissions at Westwood which Paragraph 2.16 in the Plan is presumably referring to.
- 1.24 The Plan needs to be clearer on how the identified need will be met at Westwood, i.e. by revising the figures in Table 1 to deduct permissions that have been implemented and have actually taken up some of the identified capacity; and identifying on the Policies Map the site(s) which (with or without extant planning permissions) are to be allocated for new retail development.
- 1.25 It is apparent from CD3.4 and Paragraph 2.16 in the Plan, which refer to reoccupation of vacant shop units and accommodating floorspace need at Westwood by way of redevelopment and reconfiguration amongst the existing town centre development, that if the Plan is to be effective in meeting retail needs in full and retaining market share it is justified in defining the Town Centre/Primary Shopping Area at Westwood to include Westwood Gateway Retail Park and Westwood Retail Park where such needs can be accommodated.

Q2. What is the justification for identifying Primary and Secondary retail frontages at Westwood? Do the frontages reflect the retail role, character and function of the centre at present?

- 1.26 As noted above, at Westwood the “*Frontages*” are represented by areas rather than by linear defined frontages.

- 1.27 Policy SP07 is not justified in terms of its reference to “*direct*” retail development to the “*core town centre area*” as defined by the primary frontages and to “*accommodate complementary town centre uses*” within the wider town centre defined by the secondary frontages.
- 1.28 This Policy could be misinterpreted as giving locational preference to the proposed “*Primary Frontages*” in accommodating retail development, which is clearly not intended as this would be inconsistent with Policy E04 and Policy E05 (which support retail development in the Primary and Secondary Frontages area); would not be justified or effective in terms of the strategy to retain market share; and would not reflect the retail role, character and function of the centre at present.
- 1.29 In terms of Westwood’s retail role, character and function, as noted above in connection with the definition of Primary Shopping Areas, the area where retail development is concentrated at Westwood is not confined to the proposed Primary Frontage area and clearly also includes Westwood Gateway Retail Park and Westwood Retail Park.
- 1.30 The Plan does not define a “*core town centre area*” at Westwood and this reference in Policy SP07 appears to be derived from the adopted Local Plan 2006 Policy TC2 which identified a core town centre (where Westwood Cross Shopping Centre was subsequently developed) where defined uses were to be supported and other uses were not to be supported (e.g. bulky goods retail warehouse stores; large foodstores) reflecting the aim that the Westwood Cross Shopping Centre part of the Town Centre should complement other uses that already existed at Westwood when the 2006 Plan was being prepared. As reflected in Local Plan 2006 Policy TC3, once Westwood Cross Shopping Centre was “*substantially completed*” the town centre core was to be expanded to include the Westwood Gateway Retail Park site reflecting that the town centre was always intended to function, as it now does, as a wider retail area than just Westwood Cross Shopping Centre.³

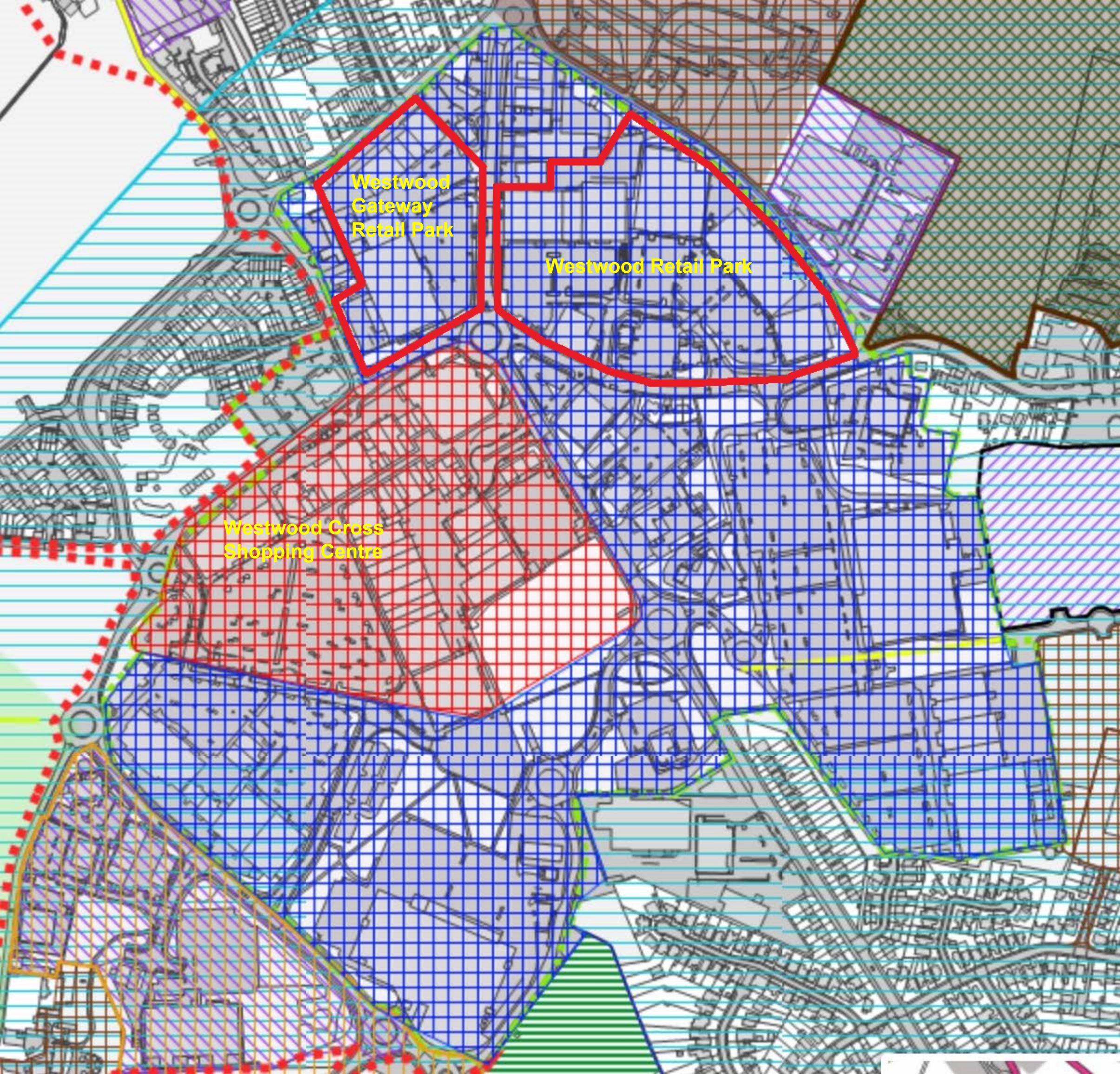
³ Thanet Local Plan 2006 Policy TC2 and TC3 were not saved and expired in June 2009

- 1.31 As Paragraph 2.15 in the submitted Plan recognises, Westwood has evolved to become “*highly successful*” in retaining expenditure in the District not just because of the development of the Westwood Cross Shopping Centre part of the Town Centre but also because of “*numerous developments at and improvements to the surrounding retail parks*”. These “*developments*” and “*improvements*” include the development of Westwood Gateway Retail Park; and the redevelopment of the original Westwood Retail Park to be integrated with the adjoining East Kent Retail Park and now collectively branded as Westwood Retail Park, which accommodates a wide range of Class A1 retail uses within Westwood Town Centre (as shown on the Plan at Appendix 1).
- 1.32 Supporting text to Policy E04 at paragraph 8.2 indicates that the Primary and Secondary Frontages are intended to provide control over the number and location of non-retail businesses within the “*main shopping area*”.
- 1.33 NPPF 2012, Annex 2: Glossary states that Primary frontages are likely to include a high proportion of retail uses which may include food, drinks, clothing and household goods. Secondary frontages provide greater opportunities for a diversity of uses such as restaurants, cinemas and businesses.
- 1.34 However, despite the stated intentions behind Policy E04, the Policy does not actually seek to control the proportion of non-retail (i.e. non Class A1) uses in the identified Primary Shopping Frontage area.
- 1.35 The actual purpose/effect of defining the Primary and Secondary Frontages at Westwood (albeit currently as areas and not linear frontages) is to support, under Policy E04, Use Classes A1 – A5 in the Primary Frontages and Secondary Frontages; residential and Class B1(a) offices above ground level only in the Primary Frontages; and all “*other town centre uses including hotels and residential*” in the Secondary Frontages, but provided “*this would not fragment or erode the commercial frontages to a degree that compromises footfall or otherwise undermines the function of the centre*”.

- 1.36 It is not clear if the assessment of whether a proposal would fragment or erode “*commercial*” frontages in the Secondary Frontages is intended to relate only to residential proposals (i.e. which would be classed as non-commercial) or also to hotels and non-Class A town centres uses (which would actually be “*commercial*” uses).
- 1.37 It is also unclear how an effective assessment could be made of fragmentation/erosion of “*commercial frontages*” and the impact on footfall and the function of the centre.
- 1.38 While CD10 Properties supports the principle of flexibility to allow all town centre uses at Westwood Gateway Retail Park and Westwood Retail Park, the reality is that the use of these parts of the Town Centre will remain primarily Class A1 and complemented by Class A2 – A5 uses and Class D2 uses.⁴ Therefore, the flexibility to accommodate “*other town centre uses*” that may be provided by the Secondary Frontage designation is not actually necessary to support the function of this part of the Town Centre or the important contribution that Westwood Gateway Retail Park and Westwood Retail Park make to the vitality and viability of the Town Centre as a whole.
- 1.39 In fact the designation of Secondary Frontages at Westwood generally does not appear to be justified in terms of supporting the vitality and viability of the Town Centre as a whole and the policy approach could be simplified by only designating a Primary Shopping Area as referred to above which, to be effective in meeting retail needs and supporting the vitality and viability of the Town Centre must include Westwood Gateway Retail Park and Westwood Retail Park within its boundary.
- 1.40 The intention behind the designation of Secondary Frontages also appears principally to be to support cultural, leisure, arts and heritage uses in the “*coastal town centres*” as referred to in paragraph 8.2. The need for cultural, leisure, arts and heritage uses at Westwood is not identified in the Plan and if such needs exist and are to be planned for, then specific sites at Westwood can be allocated on the Policies Map to accommodate them.

⁴ Change of use of the rear part of Unit 4 at Westwood Retail Park from Class A1 use to Class D2 use was permitted in January 2019

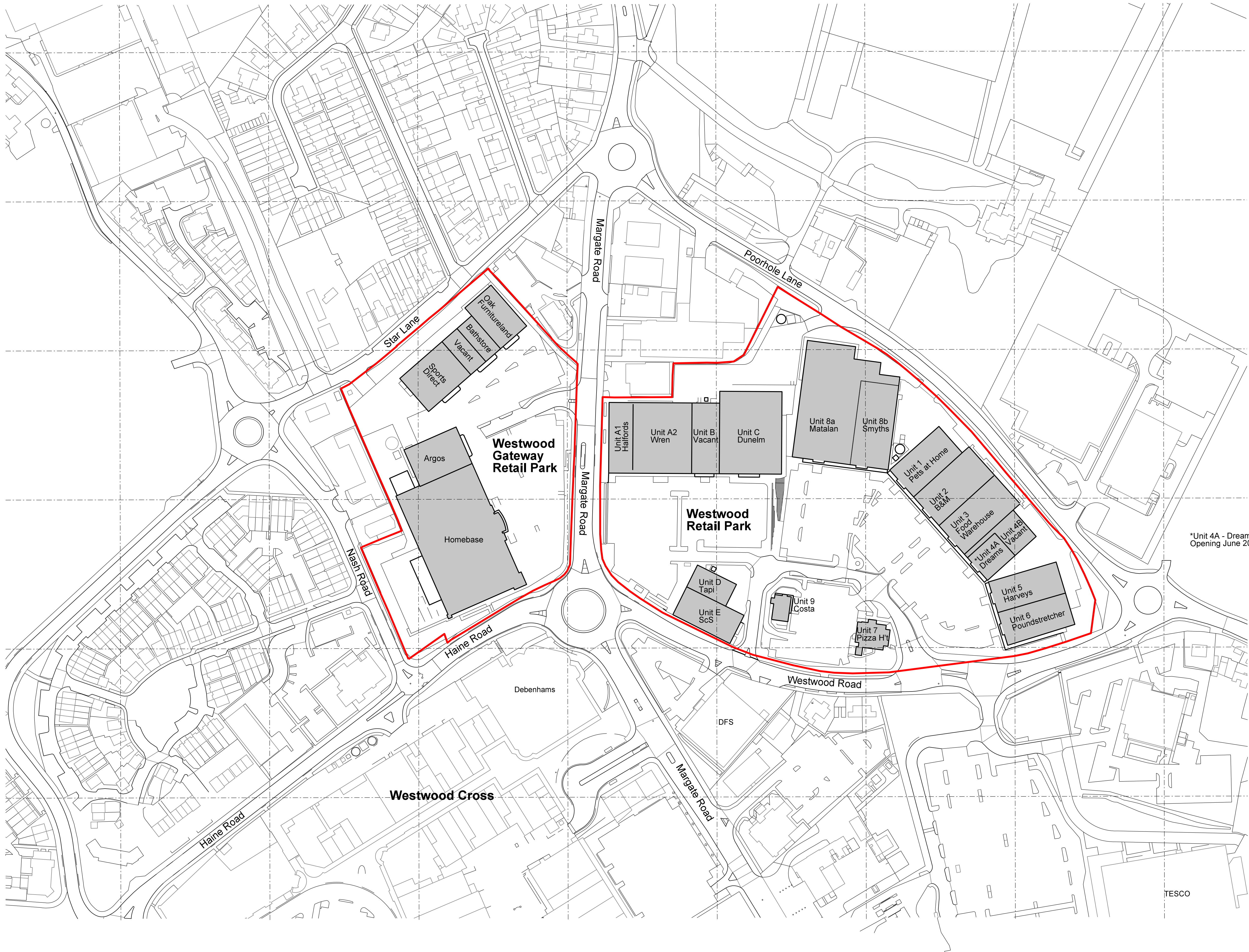
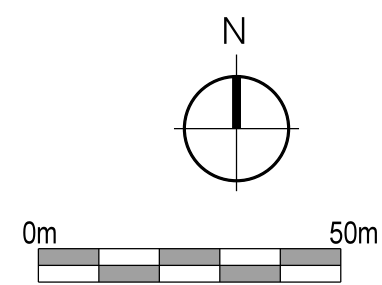
APPENDIX 1



Westwood
Gateway
Retail Park

Westwood Retail Park

Westwood Cross
Shopping Centre



*Unit 4A - Dreams
Opening June 2019

B	02.05.19	UNIT REFS UPDATED	DM
A	02.05.19	GENERAL AMENDMENTS	DM
REV.	DATE	NOTES	INT.

CLIENT / PROJECT
CD10 PROPERTIES LTD
WESTWOOD GATEWAY RETAIL PARK
& WESTWOOD RETAIL PARK
DRAWING TITLE
LOCATION PLAN

STATUS
PLANNING

DATE	10.08.18	DRAWN	MS	SCALE @ A1	1:1250/1:2500
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PROJECT NUMBER	UNIT	CL / SPS	CODE	TYPE A	REVISION
					NUMBER LETTER

DRAWING NO.	10592	L	01	B
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Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Profile Colour	C

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