

SHOPPING

6.33. PARA 6.5.1 & CHANGE NO 138

Objection

554	Somerfield Stores Ltd
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Issue

Whether in the interest of sustainability the paragraph should include reference to accessibility other than by car.

Inspector's reasoning and conclusions

While I sympathise in some measure with the objection to the accent on access by car I accept this is an explanatory paragraph and that car access has been a highly significant criterion in the edge of centre and peripheral location of outlets for bulky durable goods and food retailing. It is a matter of record which PC138 clarifies for purely descriptive purposes. The intention to protect retailing in traditional locations is clear in paragraphs 6.5.5-8 of the Plan. However, I infer that 'edge' in PC138 implies 'edge of centre' and I shall recommend a further clarifying modification accordingly.

6.33.1. RECOMMENDATION

I recommend that the Plan be modified by PC138 subject to the insertion of 'of centre' after 'edge'.

6.34. PARA 6.5.3 AND CHANGE NO 139

Conditionally withdrawn objection

954	Somerset County Council
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Inspector's note

Objection 957 is conditionally withdrawn in response to PC139. I support the change which clarifies the reference to the size of the resident population in the shopping catchment area of Minehead.

6.34.1. RECOMMENDATION

I recommend that the Plan be modified by PC139.

6.35. OMISSION AND CHANGE NO 140

RETAILING IN MINEHEAD

Conditionally withdrawn objection

957	Somerset County Council
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Inspector's note

Objection 957 is conditionally withdrawn in response to PC140. I support the change which usefully adds a descriptive paragraph distinguishing the concentration of the outlets that serve the tourist from that which characterises the year-round service centre function of the town centre.

6.35.1. RECOMMENDATION

I recommend that the Plan be modified by PC140.

6.36. PARA. 6.5.4 & CHANGE NO 141

Conditionally withdrawn objection

955	Somerset County Council
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Inspector's note

Objection 955 is conditionally withdrawn in response to PC141, which I support and which recognises the service centre functions of Watchet and Williton.

6.36.1. RECOMMENDATION

I recommend that the Plan be modified by PC141.

6.37. PARA. 6.5.11 & CHANGE NO 142

Conditionally withdrawn objection

958	Somerset County Council
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Inspector's note

Objection 958 is conditionally withdrawn in response to PC142, which I support. The change clarifies the LPA's explanatory but to my mind somewhat speculative reasons for the low expenditure on comparison goods in Minehead.

6.37.1. RECOMMENDATION

I recommend the Plan be modified by PC142.

6.38. PARA. 6.5.13

Objection

1006	Tesco Stores Ltd
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Issue

The reliability of the 1997 householder survey as a basis for planning retail development

Inspector's reasoning and conclusions

The LPA's 1997 survey, based on responses from 14.5% of local households and equivalent to 10% of all West Somerset households, indicated that 92% of Minehead's convenience goods expenditure was retained within the town. By contrast, the objector's preliminary research shows three national multiple food retailers trading above their respective company averages, implying the opportunity for further quantitative and qualitative improvements in the town.

I find no reason to reject the LPA's survey findings on the basis of the size of the response, which is within a range widely used in socio-economic analysis, whereas the objector's assessments are not substantiated in any detail. I note that the LPA survey followed the national guidance in paragraphs 8 and 9 of Annex b of PPG6 and find no established justification to depart from its use in formulating policies for retailing..

6.38.1. RECOMMENDATIONS

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

6.39. PARA. 6.5.18

Objection

555	Somerfield Stores Ltd
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Issue

Whether the paragraph should explicitly confirm that there is no need for a substantial amount of new convenience floor space before 2011.

Inspector's note

Paragraph 1.6 of the Plan states that the plan period ends in 2011. There is no need to repeat that in this paragraph as is suggested in objection 555.

6.39.1. RECOMMENDATION

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

6.40. POLICY SH/1 & CHANGE NO 143

Conditionally withdrawn objections

823	Government Office for the South West
959	Somerset County Council

Supporter

556	Somerfield Stores Ltd
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Inspector's note

Objections 823 and 959 are conditionally withdrawn in response to PC143. The change removes the negative emphasis of Policy SH/1 and clarifies its application to both retail and service facilities in Minehead Town Centre. It also avoids the implication that the whole of the centre could be redeveloped.

6.40.1. RECOMMENDATION

I recommend that the Plan be modified by PC143.

6.41. POLICY SH/2 & CHANGE NO 144

Objection

245	NatWest Group Property
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Conditionally withdrawn objections

824	Government Office for the South West
960	Somerset County Council

Inspector's note

PC144 expresses the policy in a less negative form and sets alternative criteria for changes to the non-retail use of ground floor shopping premises. Objections 960 and 824 are conditionally withdrawn in response.

Issue

Whether the Plan is overly restrictive in relation to the location of Business Class A2 uses in the prime shopping area of Minehead.

Inspector's reasoning and conclusions

I have no doubt that Business Class A2 and A3 uses have an integral part to play in supporting the vitality and viability of prime shopping areas. Banks, for example, not only perform an essential business function but have traditionally been among the most prominent buildings and often those of high architectural quality in shopping streets. At the same time I sympathise with the LPA's fear of a profusion of non-retail uses crowding out shopping premises. Nevertheless, I do not regard prominence in the street scene as in criterion (i) of PC144 or the mathematical precision of criterion (ii) as suitable planning tools to ensure the viability and vitality of the relatively small prime shopping area in Minehead town centre. No evidence has been produced of the imminence or likelihood of such a threat emanating from non-retail development. In the circumstances I consider PC144 should replace the draft deposit Policy SH/2, subject to the omission of criteria (i) and (ii).

6.41.1. RECOMMENDATIONS

I recommend that the Plan be modified by PC144 , subject to the deletion of criteria (i) and (ii).

6.42. PARA. 6.5.21 & CHANGE NO 145

Conditionally withdrawn objection

961	Somerset County Council
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Inspector's note

Objection 961 is conditionally withdrawn in response to the reference in PC145, which I support, to the emerging network of linked cycle routes in Minehead.

6.42.1. RECOMMENDATION

I recommend that the Plan be modified by PC145.

6.43. POLICY SH/3 & CHANGE NO 146

Objections

356	Gliddons
557	Somerfield Stores Ltd
579	Mr A Bullen
1005	Tesco Stores Ltd

Conditionally withdrawn objection

962	Somerset County Council
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Inspector's note

Objection 962 is conditionally withdrawn in response to PC146.

Issues

- (i) Whether the Policy prohibits new retailing development outside Minehead Town Centre.
- (ii) Whether need and capacity (PPG6, Paragraph 1.10) should be explicit policy criteria.
- (iii) Whether the Policy should include potential sites for a new supermarket with a form of planning gain in Minehead, to avert leakage of trade to other areas.
- (iv) Whether the Policy is unduly restrictive regarding future investment in retailing in Minehead.

Inspector's reasoning and conclusions

Issue (i)

Policy SH/3 clearly does not prohibit new retailing development outside Minehead Town Centre but, consistently with national guidance, requires that proposals meet criteria (i) to (iv) of the Policy as changed by PC146.

Issue (ii)

I consider the questions of need and capacity are subsumed in the reference to viability and vitality in criterion (iv) of the Policy. The Policy reflects the finding of the 1997 shopping survey described in detail in paragraphs 6.5.11-18, the principal conclusion of which was that there was no need for a substantial amount of new convenience floorspace in Minehead. Any proposals will always be subject to the sequential approach as explained in paragraph 6.5.21.

Issue (iii)

While Policy SH/3 is specific to Minehead it is not a policy for allocating defined sites but sets criteria for assessing proposals for new retailing development. In any case, as I note in section 6.40 above, leakage of convenience goods expenditure from Minehead is relatively small.

Issue (iv)

The negative attitude to retailing outside Minehead Town Centre alleged in objection 1005 reflects the need to protect the present status of the town centre for shopping and services. It accords with the national guidance in paragraph 1.3 of PPG6. However, out-of-centre sites are permissible provided they can meet criteria (i) - (iv) of the Policy.

6.43.1. RECOMMENDATION

I recommend that the Plan be modified by PC146.

6.44. PARA. 6.5.23 & CHANGE NO 147 AND OMISSION OF POLICY FOR WATCHET AND WILLITON

Objection

826	Government Office for the South West
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Conditionally withdrawn objection

825	Government Office for the South West
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Objection to PC147

2357	Mr R W and Mrs M A Miles
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Inspector's note

Objection 825 is conditionally withdrawn in response to PC147 which changes the second sentence of paragraph 6.5.23, heralding a new Policy SH/4 applying the sequential test to proposals for larger scale retail development in Watchet and Williton.

Issues

- (i) Whether the Plan should set out a clear and unambiguous Policy for retail development proposals outside Minehead; particularly to ensure that development strengthens the rural centres and is of a type and scale consistent with the scale and function of the centre
- (ii) Whether existing shops in Williton would be harmed by new peripheral retailing development permitted there under (new) Policy SH/4 (PC148).

Inspector's reasoning and conclusions

Issue (i)

In my view the insertion by PC148 of Policy SH/4 relating to expressly to Watchet and Williton, together with the explanatory contextual paragraph 6.5.23 as amended by PC147, provides an appropriate policy for retailing in the two Rural Centres. They reflect the national guidance in PPG6 and the Structure Plan.

Issue (ii)

While objection 2357 arises from concern about competition from supermarkets it is not the function of planning to stifle competition. It is nevertheless concerned to support the continued viability and vitality of established centres. I consider (new) Policy SH/4 as inserted by PC148 and paragraph 6.5.23 as amended by PC147, both of which I support, appropriately provide for the safeguarding of retailing in the centres of Watchet and Williton by requiring the application of the sequential test in the assessment of proposals for retail development. Indeed, as paragraph 6.5.23 as modified by PC147 clearly states, any proposal for major new retail development in Williton would fall to be considered in similar terms to the criteria in Policy SH/3.

6.44.1. RECOMMENDATION

I recommend the Plan be modified by PC147.

6.45. POLICY SH/4 & CHANGES NOS 148 & 149

Objection

827	Government Office for the South West
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Supporter

500	Rural Development Commission
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Objections to PC149

2457	Council for the Protection of Rural England
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Issues

- (i) Whether the Policy provides a satisfactory basis for the control of retail development in rural areas, notably in respect of farm shops and shops ancillary to petrol filling stations.
- (ii) Whether the Policy should prohibit new retail development in Williton.
- (iii) Whether 'favourably consider' should replace 'permit' in PC149 as it could have the effect of not allowing other relevant considerations to be taken into account.

Inspector's reasoning and conclusions

Issue (i)

I consider the new Policy SH/5 (PC149), replacing draft deposit Plan Policy SH/4, for the improvement in the viability of village shops and public houses, provides an appropriate basis for the control of rural shops. So far as concerns farm shops and other retail outlets in the countryside I consider the appropriate criteria for assessing proposals are identified in the new Policy SH/6 (PC151).

Issue (ii)

While objection 2357 arises from concern about competition from supermarkets it is not the function of planning to stifle competition. The purpose of the Policy is expressly to resist the loss of existing shops in villages. As paragraph 6.5.23 as modified by PC147 clearly states, any proposal for major new retail development in Williton would fall to be considered in similar terms to the criteria in Policy SH/3. In terms of locally applicable policy the shopping strategy for Watchet and Williton is clearly defined by the new policy SH/4 in PC148.

Issue (iii)

'Permit' is the conventional term used in Local Plan policies whereas the objector's alternative does not convey the clarity counselled in paragraph 3.14 and Annex A of PPG12. While I understand the concern expressed in objection 2457 that the wording of PC149 may appear to establish an overriding commitment to allow the improvement of village shops such permission would nevertheless also be dependent on satisfying all other relevant policies of the Plan. In the circumstances I am not convinced of any need to change the wording of PC149.

6.45.1. RECOMMENDATION

I recommend that the Plan be modified by PCs 148 and 149.

6.46. PARA. 6.5.26 & CHANGE NO 150

Conditionally withdrawn objection

127	Council for the Protection of Rural England
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Inspector's note

PC150 corrects the inappropriate description of public houses or inns as public buildings. Objection 127 is consequently conditionally withdrawn. I support the change.

6.46.1. RECOMMENDATION

I recommend that the Plan be modified by PC150.