

Our ref: GLH

Your ref:

22 February 2018

Dear Sir/Madam

**Representations to the Central Bedfordshire Council Local Plan 2035  
Pre-submission, January 2018**

**Introduction**

These representations are submitted on behalf of our client Quadrant SC Propco B.V, owners and managers of the Quadrant Shopping Centre which anchors Dunstable town centre.

The Quadrant Shopping Centre performs an important function within the town centre, contributing to the character and appearance of the town and to the quality of its shopping experience.

However, like many town centre shopping locations across the UK Dunstable has suffered in recent years as a result of the economic downturn and changes in consumer behaviour through the prevalence of out-of-centre retail/leisure locations and out-of-centre proposals.

Since purchasing the Quadrant in September 2014, Quadrant SC Propco B.V have engaged and implemented various asset management initiatives for the shopping centre including: reconfiguration of units; reduction in vacancy levels; and securing new tenants. This represents a significant amount of investment.

Quadrant SC Propco B.V are assessing their future investment proposals and it is critical that a consistent and informed approach is taken in the Pre-submission Local Plan (PSLP) to development to ensure the creation of a vital and vibrant heart to Dunstable town centre. Preparation of the Local Plan is therefore welcomed.

In this context Quadrant SC Propco B.V considers it extremely important to ensure that the prevailing conditions for existing retailers within the town centre are as strong as possible and that emerging planning policy is properly prepared and consistent with National Planning Policy Framework (Framework).

As a key stakeholder in Dunstable town centre, Quadrant SC Propco B.V are supportive of the plan led system and welcome the publication of the PSLP.

These representations focus upon the Retail and Town Centres section of the PSLP (Chapter 13) particularly: Draft Policies R1 (Ensuring Town Centre Vitality) and R3 (Town Centre Development); and the associated supporting text.

Having reviewed the PSLP and the supporting evidence base Quadrant SC Propco B.V are supportive overall of the emerging policy in so far as it relates to the 'town centre first' approach (paras 13.2.1 and 13.2.4).

Quadrant SC Propco B.V particularly welcome recognition:

- Of the important role town centres play in supporting the local economy (para 13.1.1) and Dunstable's identification as a 'Principal Centre' (Table 13.1);
- The establishment of a retail hierarchy to ensure new retail development is directed to appropriate locations (para 13.1.2); and
- Of the need to focus upon improving the vitality and viability of existing centres (para 13.1.3); the contribution retail and leisure can make in achieving this (para 13.1.5); and the increasing role of A3 uses (para 13.1.5).

## Representations

The Framework (para 182) requires Local Plans be 'sound' and identifies four tests against which soundness is assessed, namely:

- Positively prepared – the Plan should be prepared based on a strategy which seeks to meet objectively assessed development requirements;
- Justified – the Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- Effective – the Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- Consistent with national policy – the Plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

As drafted we do not consider the Plan has been positively prepared, is justified or consistent with the Framework. It is therefore not sound and requires modification. This is expanded upon below.

The Framework requires local planning authorities to define a network and hierarchy of centres. **Table 13.1** (Retail Hierarchy) identifies such a retail hierarchy with Dunstable (Leighton Buzzard and Biggleswade) classified as Principle Town Centres. However there should be specific reference in Draft Policy R1 confirming the hierarchy with Dunstable at the apex, given its existing role.

**Policy R1** (Ensuring Town Centre Vitality) confirms that the scale of development in town centres should relate to the retail hierarchy. Notwithstanding our comments above, this acknowledgment is supported.

**Policy R1** also seeks to address the approach to further town centre use developments not within existing centres i.e. the sequential approach. In so doing it states that the sequential test will be applied to proposals *"for main town centre uses that are not within a designated town centre boundary."*

The Framework (para 24) states:

*"Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered."* (our emphasis)

Annex 2: Glossary to the Framework identifies edge of centre, for retail purposes, as:

*"...a location that is well connected and up to 300 metres of the primary shopping area. For all other main town centre uses, allocation within 300 metres of a town centre boundary."* (our emphasis)

As drafted Policy R1 is open to misinterpretation as the 'town centre' boundary referred to is likely to cover a larger geographical area than that identified in the Framework as an 'edge of centre' locations. Policy R1 should therefore be reworded to reflect the Framework's approach to the sequential test.

It would also appear that the PSLP fails to identify the extent of Dunstable town centre's Primary Shopping Area (PSA). Without this designation it is impossible to identify which locations would be in, edge or out of centre. Whilst Quadrant SC Propco B.V welcomes the inclusion of a locally set impact threshold, the failure to accurately describe the PSA has far reaching implications when considering the interpretation of Draft Policies R1 and R3, particularly when assessing the retail impact (which as currently drafted refers to proposals outside the 'designated town centre' boundary). This is not consistent with the Framework and would appear to be a serious shortcoming of the PSLP.

Finally in regard to **Policy R1** recognition that the impact test contained within the Framework (para 26) contains two strands: impact upon the vitality and viability of a centre; but also:

*"...the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal".*

This should be reflected in Draft Policy R1 to ensure it is consistent with the Framework.

Whilst not policy, Quadrant SC Propco B.V is concerned by reference in the PSLP (para 13.4.7) to the possibly that:

*"...attention might need to shift beyond the town centre offer to nearby locations, such as the Grove Theatre".*

It continues:

*"Another location is the already well-established White Lion Retail Park which has both larger footprint stores accommodating big box retail."*

The Council's retail evidence base was prepared in 2012 with a subsequent addendum, focusing upon convenience floorspace, produced in 2013. This is now 5 years old and may not reflect what is actually happening on the ground in terms of shopping patterns, market shares, turnover and leakage.

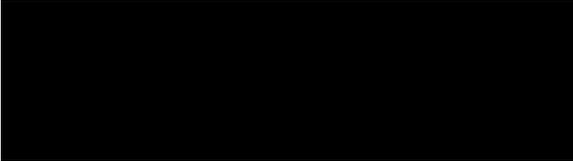
Where Councils are considering identifying sites outside of existing centres to accommodate retail growth they must ensure that their evidence base is up to date and that the identified need cannot be met in full within existing centres during the Plan period. The National Planning Policy Guidance (NPPG) also offers some helpful advice on how such strategies should be formulated.

- Any such strategy should be based on evidence of the current state of its town centres and opportunities to meet development needs and support their viability and vitality (003 Reference ID: 2b-003-20140306).; and
- Any proposed main town centre uses which are not in an existing town centre are in the best locations to support the vitality and vibrancy of town centres, and that no likely significant adverse impacts on existing town centres arise, as set out in the Framework (para 26) (006 Reference ID: 2b-006-20140306).

No such assessments have been undertaken as part of the PSLP consultation and it would therefore be premature to begin contemplating the sequential preference of edge or out of centre locations at this time. This strategy has not been positively prepared and is not justified.

In conclusion whilst Quadrant SC Propco B.V are broadly supportive of the SPLP, Draft policies R1 and R3 need to reflect the Framework. In the absence of an up to date evidence base and comprehensive strategy, reference to edge or out of centre locations being sequentially preferable location for retail should be removed. As drafted the PSLP does not satisfy the tests of soundness and requires further modifications.

We trust these representations will assist the Council and look forward to discussing the issues raised if hat would assist.



Nick Diment  
Director

cc: James Neathercoat – Quadrant SC Propco B.V