

Post Title: 6.0 Introduction

Response Number	365	Respondent Number:	2654	Comment Author:	Historic England	Client		Web Link			
Paragraph Number:		Table/Figure:		Comment Content	It is noted that this section predominantly features the hierarchy and uses issues for the subject matter. It fails to address any importance attached to the historic market towns and villages where heritage can assist with regeneration and this is disappointing. It is noted that facades to public places and the design of shop fronts and signage is included in Policy 4: Design of New Development.		Officer Comment:	Section 6 focuses upon the delivery of main town centre uses, including retail development across the Plan Area. While it is acknowledged that heritage can assist with regeneration, it would be more appropriate for this to be identified in Policy 25 and its supporting text.			
Policy Number:		Map Number:						Officer Recommendation:	No change to the Local Plan is required.		
Site Allocation Number:											
Do you consider that this part of the Local Plan is Legally Compliant <input type="checkbox"/> Soun <input type="checkbox"/> Prepared in accordance with Duty to Cooperate <input checked="" type="checkbox"/>		Do you consider that the Local Plan is unsound because it is not: Positively Prepared <input type="checkbox"/> Justified <input type="checkbox"/> Effective <input type="checkbox"/> Consistent with national policy <input checked="" type="checkbox"/>									
Compliant, Sound, Duty to Cooperate explanation:											
Proposed changes to make compliant or sound:											
Participate in Examination:	<input type="checkbox"/>										
Why wish to participate											

Post Title: 6.0 Introduction

Response Number	532	Respondent Number:	1187	Comment Author:	Spalding and District Civic Society	Client		Web Link	
Paragraph Number:		Table/Figure:		Comment Content	Chapter 6 is neither legally compliant nor sound, as it does not comply with or have regard to Paragraph 58 (bullet point 2) of the NPPF. This requires local plans to "establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit. There are no requirements or proposals or encouragements for the Local Authority to preserve, enhance or create a safe and attractive ambience and environment in town centres through, for example, hard and soft landscaping in its public spaces, Well-designed street furniture, removal of clutter, etc. As a means of increasing footfall, and hence the vitality and viability of the centres.				
Policy Number:		Map Number:		Officer Comment:	The intention of section 6.0 is to provide a framework for the protection and enhancement of town centre uses, including retail development over the plan period. Other policies in the Local Plan including Policies 3, 4 and 25 provide the basis for establishing an attractive and comfortable town centres. Policy 4 provides significant detail relating to the design of new development which would include hard and soft landscaping etc.				
Site Allocation Number:		Do you consider that this part of the Local Plan is		Do you consider that the Local Plan is unsound because it is not:		Officer Recommendation:			
Legally Compliant	<input type="checkbox"/>	Positively Prepared	<input checked="" type="checkbox"/>	No change to the Local Plan is required.					
Sound	<input type="checkbox"/>	Justified	<input type="checkbox"/>						
Prepared in accordance with Duty to Cooperate	<input checked="" type="checkbox"/>	Effective	<input type="checkbox"/>						
		Consistent with national policy	<input checked="" type="checkbox"/>						
Compliant, Sound, Duty to Cooperate explanation:									
Proposed changes to make compliant or sound:	Include in the chapter a policy or paragraph to the effect described above.								
Participate in Examination:	<input type="checkbox"/>								
Why wish to participate									

Post Title: 6.1 The Retail Hierarchy

Response Number	331	Respondent Number:	2320	Comment Author:	ID Planning	Client	UBS Triton Property Fund	Web Link	
Paragraph Number:		Table/Figure:		Comment Content	Officer Comment:		Officer Recommendation:		
Policy Number:	21	Map Number:		These representations are submitted on behalf of UBS Triton Property Fund, owners of Springfields Outlet and Festival Gardens in Spalding. In representing the interests of Springfields and in the absence of sequentially preferable sites, our client has sought to assist the Council in meeting the need identified in the December 2013 Town Centre and Retail Capacity Study for additional comparison floorspace in Spalding. Policy 21 addresses the Retail Hierarchy including the application of the sequential and impact tests for development outside primary shopping areas of defined centres, other than where provided for under Policy 23. The supporting text sets out the reasoned justification for the policy. Paragraphs 6.1.9 to 6.1.12 deals with the Sequential Test and Impact Assessment. Paragraph 6.1.10 refers to the need to apply the sequential test to proposed developments outside the primary shopping area, unless justified by Policy 23. Paragraph 6.1.11 deals with the need for impact assessments to be provided in support of proposals outside primary shopping areas. We consider the same clarification as provided in paragraph 6.1.10 should be included in paragraph 6.1.11 to include the proviso that an impact assessment would not be required where a proposal is justified by Policy 23. Without this minor text amendment we consider the plan is not fully justified or effective and therefore not sound.	Comments noted. For clarity and consistency a minor modification will be made to paragraph 6.1.11. Change paragraph 6.1.11 to: Additionally, for retail development, an impact assessment may be required (unless justified by Policy 23)...		Further consideration of this matter will be necessary as part of the Examination.		
Site Allocation Number:		Do you consider that this part of the Local Plan is							
Legally Compliant <input checked="" type="checkbox"/> Sound <input type="checkbox"/> Prepared in accordance with Duty to Cooperate <input checked="" type="checkbox"/>	Do you consider that the Local Plan is unsound because it is not:		Positively Prepared <input type="checkbox"/> Justified <input checked="" type="checkbox"/> Effective <input checked="" type="checkbox"/> Consistent with national policy <input type="checkbox"/>		Compliant, Sound, Duty to Cooperate explanation:		Proposed changes to make compliant or sound:		
Participate in Examination: <input type="checkbox"/>		Why wish to participate:		Not necessary to appear at the Examination Hearings to address this point.					

Post Title: 6.1 The Retail Hierarchy

Response Number	543	Respondent Number:	2689	Comment Author:	United Lincolnshire Hospitals NHS	Client		Web Link		
Paragraph Number:		Table/Figure:		Comment Content	<p>This policy states that new development within the Sub-regional, District and Local Centres will be expected to: "1) be of an appropriate scale taking into account the role of the centre." Reference to a scale test should be removed as this is not consistent with the requirements of the NPPF. In line with NPPF guidance, local plan policies should set out the tests for retail applications to be assessed against. These tests comprise the sequential approach and impact. It is also stated that a retail impact assessment will be required for any retail proposal that provides 250 sq.m (net) or more floorspace outside Spalding and the District and Local Centres. Clarification is required on the definition of Spalding. At present it is unclear whether this refers to Spalding town centre or the settlement boundary of the town. Justification should also be provided for the threshold of 250 sq.m (net) which is considered to be too low. We consider that this threshold will place an onerous burden on applicants seeking to promote appropriate economic development.</p>			Officer Comment:	<p>Further consideration of this matter will be necessary as part of the Examination.</p>	
Policy Number:	21	Map Number:		Officer Comment:	<p>It is acknowledged that national guidance does not require scale to be considered for new development within town centres. The Town Centre Centres and Retail Capacity Study 2013 provides the evidence for the impact assessment threshold (detailed in paragraph 6.1.11). Paragraph 6.1.11 states that the impact assessment should apply to the Local Authority area within which the town centre is situated. Delete criterion 1 from Policy 21 to accord with national policy.</p>					
Site Allocation Number:				<p>Do you consider that this part of the Local Plan is</p> <p>Legally Compliant <input checked="" type="checkbox"/></p> <p>Sound <input type="checkbox"/></p> <p>Prepared in accordance with Duty to Cooperate <input checked="" type="checkbox"/></p>		<p>Do you consider that the Local Plan is unsound because it is not:</p> <p>Positively Prepared <input type="checkbox"/></p> <p>Justified <input checked="" type="checkbox"/></p> <p>Effective <input type="checkbox"/></p> <p>Consistent with national policy <input checked="" type="checkbox"/></p>				
Compliant, Sound, Duty to Cooperate explanation:										
Proposed changes to make compliant or sound:	Changes to the wording of policies 21, as set out above.									
Participate in Examination:	<input checked="" type="checkbox"/>									
Why wish to participate	The issues of retail need and capacity and site selection are sufficiently complex to warrant discussion at the EIP.									

Post Title: 6.1 The Retail Hierarchy

Response Number: 544 Respondent Number: 2383 Comment Author: Indigo Planning Client: Web Link:

Paragraph Number: Table/Figure: Comment Content: Officer Comment: Officer Recommendation:

Policy Number: 21 Map Number: Site Allocation Number: We support draft Policy 21 in its identification of a retail hierarchy which outlines a locational focus for the development of town centre uses in the sub-regional centres of Boston and Spalding. We acknowledge the proposed lower threshold of 250 sqm (gross) for retail impact assessments outside the primary shopping area and the district and local centres in Spalding. Although this threshold is substantially lower than the threshold of 2,500 sqm threshold set by the NPPF, we consider that a lower threshold is justified in this instance and the town centre of Spalding is afforded a high level of protection against out of centre retail floorspace from coming forward. Spalding Town Centre boundary The draft Local Plan states that town centre boundaries define the areas within which the majority of retail development and other main town centre uses are concentrated, and where additional provision should go over the Local Plan period, to ensure that their role in providing a range of local shops and services is safeguarded and enhanced. It also states that Boston and Spalding town centres will be the focus for the majority of new main town centre uses over the Local Plan period, particularly for comparison goods floor space (see Policy 23). We consider that this approach is appropriate. However, the NPPF requires local planning authorities to undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites in order to accommodate its retail needs. To this end, we consider that the town centre boundary for Spalding should be extended to the north of the Holland Market and Winfrey Avenue Retail Parks and east of Winfrey Avenue to include land between the retail parks and King's Road in order to allow for the further expansion of the town centre and to assist in meeting the identified retail needs of Spalding. We note that land to the west of Winfrey Avenue has now been included within the town centre but consider that the Council should take this further by including land to the east of Winfrey Avenue to ensure that an opportunity to extend the town centre in a suitable location is provided to meet the retail needs of the town. Primary shopping area Policy 21 states that the vitality and viability of centres in the retail hierarchy will be maintained and enhanced. Proposals for retail use outside the Primary Shopping Areas as identified on the Policies Map, or for other main town centre uses, outside the town centre boundaries and where not provided for under Policy 23, will be required to demonstrate their suitability through Support for Policy 21, and the 250sqm impact assessment threshold is noted. Support for the approach taken to the town centre boundary is noted. The land to the east of Winfrey Avenue is a playing field and no evidence has been submitted that the owners/trustees intend to release the land for town centre uses over the plan period. It is considered that the land to the west of Winfrey Avenue (located within the town centre boundary) provides opportunities to accommodate retail/town centre development in the longer term. Therefore the town centre boundary (which includes land to the west) is appropriate. Support for the policy emphasis in relation to the sequential test is noted. Primary shopping areas are defined in the NPPF as 'defined areas where retail development is concentrated (generally comprising the primary and those secondary frontages which are adjoining and closely related to the primary shopping frontage)'. The South East Lincolnshire Town Centres and Retail Capacity Study (2013) does not define a secondary shopping frontage, so the extent of the PSA is drawn where the transition from the highest concentrations of retail (in the primary shopping frontage) meets areas where retail development is still concentrated albeit with a lower number of units in retail use. This includes the Station Street/New Road/Swan Street area which separates the Retail Parks from the Primary Shopping Area. Therefore, Holland Market Retail Park is considered to fall within the town centre boundary and not the PSA, but still would have an appropriate level of protection to enable its ongoing successful operation. Extending the town centre boundary to include the land to the west of Winfrey Avenue ensures that sufficient expansion of the retail provision can be accommodated within the town centre, which is an appropriate and suitable location for town centre development. However it is not appropriate to allocate a site as the precise boundary is not known at this stage. Policy 21 is consistent with national policy; it requires that any out of centre retail development over 250sqm should have an impact assessment undertaken to consider the impact on Spalding town centre (as evidenced by the Town Centres and Retail Capacity Study). This would include any potential impact upon Holland Market as it lies within the town centre.

Do you consider that this part of the Local Plan is

Do you consider that the Local Plan is unsound because it is not:

Legally Compliant	<input checked="" type="checkbox"/>	Positively Prepared	<input checked="" type="checkbox"/>
Sound	<input type="checkbox"/>	Justified	<input checked="" type="checkbox"/>
Prepared in accordance with Duty to Cooperate	<input checked="" type="checkbox"/>	Effective	<input checked="" type="checkbox"/>
		Consistent with national policy	<input checked="" type="checkbox"/>

Compliant, Sound, Duty to Cooperate explanation:

Proposed changes to make compliant or sound: The expansion of Spalding Town Centre boundary to the north of the Holland Market and Winfrey Avenue Retail Parks and east of Winfrey Avenue to include land between the retail park and King's Road allowing for the further expansion of the town centre and assisting meeting the identified retail needs of Spalding. The expansion of Spalding Primary Shopping Area to include the Holland Market and Winfrey Avenue Retail Parks, which performs an important role given that it is responsible for 67% of the total convenience turnover of Spalding town centre.

Participate in Examination:

Why wish to participate: To articulate and present the justification for the alternative retail allocation put forward in the attached representations.

Post Title: 6.1 The Retail Hierarchy

a sequential test in line with the National Planning Policy Framework. We support the emphasis of the policy in terms of the need for retail developments outside of the primary shopping area to provide and satisfy the sequential test as part of any planning application. However, the primary shopping area should be expanded to include both the Holland Market and Winfrey Road Retail Parks, which perform an important role within Spalding town centre and are a key generator of footfall there. This is evident from the South East Lincolnshire Town Centre and Retail Capacity Study (December 2013), which identifies that the Holland Market and Winfrey Avenue Retail Parks are responsible for 67% of the total convenience turnover of Spalding town centre. Although the breakdown of comparison goods floorspace in the town centre is not provided, the retail parks make an important contribution to the town centre's overall offer. The parks also provide the majority of the town centre's car parking provision (which is free of charge). Any retail impact on the retail parks as a result of out of centre schemes will ultimately impact on the success of the primary shopping area given the connectivity between the two and the high level of linked trips generated. Given the role that the retail parks play in the success of the town centre, it is vital that they are afforded the highest level of policy protection through the extension of the primary shopping area to include the existing floorspace. This would ensure that any out of centre retail development over the threshold of 250sqm would need to consider the impact on the existing floorspace on the retail parks.

Post Title: 6.2 Primary Shopping Frontages

Response Number	299	Respondent Number:	1272	Comment Author:	theatrestrust2	Client		Web Link	
Paragraph Number:		Table/Figure:		Comment Content	We recognise the importance of safeguarding retail space, though the temporary use of vacant premises for community and cultural purposes should be encouraged to ensure active street frontages are maintained which will support vibrant town centres and stimulate wider centre activity.		Officer Comment:	Most community and cultural facilities are classified as main town centre uses so would be appropriate within Spalding and Boston town centres. While the aim of Policy 22 is to promote A1 use in the primary shopping frontages, the policy does allow for change of use to non A1 use subject to certain criteria being met. This is considered sufficiently flexible to support community and cultural facilities on short term leases.	
Policy Number:	22	Map Number:						Officer Recommendation:	No change to the Local Plan is required.
Site Allocation Number:									
Do you consider that this part of the Local Plan is Legally Compliant <input checked="" type="checkbox"/> Sound <input checked="" type="checkbox"/> Prepared in accordance with Duty to Cooperate <input checked="" type="checkbox"/>		Do you consider that the Local Plan is unsound because it is not: Positively Prepared <input type="checkbox"/> Justified <input type="checkbox"/> Effective <input type="checkbox"/> Consistent with national policy <input type="checkbox"/>							
Compliant, Sound, Duty to Cooperate explanation:									
Proposed changes to make compliant or sound:	To support vibrant town centres and make use of vacant premises to stimulate wider centre activity, we recommend adding the following clause: The temporary and meanwhile use of vacant buildings and sites by creative, cultural and community organisations will also be supported, particularly where they help activate and revitalise town centre locations and the public realm.								
Participate in Examination:	<input type="checkbox"/>								
Why wish to participate									

Post Title: 6.2 Primary Shopping Frontages

Response Number	524	Respondent Number:	1187	Comment Author:	Spalding and District Civic Society	Client		Web Link	
Paragraph Number:		Table/Figure:		Comment Content	Officer Comment:		Officer Recommendation:		
Policy Number:	22	Map Number:		<p>The Plan is not sound, as Policy 22 and Paragraph 6.1.6 will not be effective in achieving their aim. The Society warmly welcomes the concept of dead frontages and the Plan's concern to deal with the problem of their potential to undermine the vitality and viability of town centres. However, we believe the Plan does not go far enough in its defining of such frontages to achieve its aim of preserving the health of town centres within the plan period. Just as damaging to footfall and retail vitality (and indeed visitor attraction) as clusters of takeaways or estate agents are shop windows blanked out by vinyl film or other means. Such frontages are equally dead. The Plan needs to cover this relatively new threat to town centre vitality and viability. Otherwise, protection from the adverse effect of dead frontages will not be achieved within the plan period.</p>	<p>Primary shopping frontages have been defined consistent with national policy. With the changes to national legislation relating to Permitted Development Rights and the focus of national policy to promote thriving town centres it is considered that Policy 22 provides a flexible but realistic approach for applications for change of use and new development to be assessed in the existing legislative framework in Spalding and Boston town centres. The use of vinyl on the outside of windows is not controlled by planning legislation. Bricking up of windows will be assessed on a site by site basis reflecting the content of a planning application.</p>		<p>No change to the Local Plan is required.</p>		
Site Allocation Number:		<p><i>Do you consider that this part of the Local Plan is</i></p> <p>Legally Compliant <input checked="" type="checkbox"/></p> <p>Sound <input type="checkbox"/></p> <p>Prepared in accordance with Duty to Cooperate <input checked="" type="checkbox"/></p>							
Compliant, Sound, Duty to Cooperate explanation:									
Proposed changes to make compliant or sound:	<p>Policy 22 - after §5 add:- The blanking-out of shop windows by vinyl film or other means, by the rear of display cabinets or by bricking up will not be permitted.</p> <p>Paragraph 6.1.6, insert- .. And the blanking-out of shop windows by vinyl film or other means</p>								
Participate in Examination:	<input type="checkbox"/>								
Why wish to participate									

Post Title: 6.2 Primary Shopping Frontages

Response Number	545	Respondent Number:	2383	Comment Author:	Indigo Planning	Client		Web Link	
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Paragraph Number:		Table/Figure:		Comment Content	Officer Comment:	Officer Recommendation:
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Policy Number:	22	Map Number:	
Site Allocation Number:			

Do you consider that this part of the Local Plan is

Legally Compliant	<input checked="" type="checkbox"/>
Sound	<input type="checkbox"/>
Prepared in accordance with Duty to Cooperate	<input checked="" type="checkbox"/>

Do you consider that the Local Plan is unsound because it is not:

Positively Prepared	<input checked="" type="checkbox"/>
Justified	<input checked="" type="checkbox"/>
Effective	<input checked="" type="checkbox"/>
Consistent with national policy	<input checked="" type="checkbox"/>

Compliant, Sound, Duty to Cooperate explanation:

Proposed changes to make compliant or sound:

Participate in Examination:

Why wish to participate

<input checked="" type="checkbox"/>	To articulate and present the justification for the alternative retail allocation put forward in the attached representations.

Draft Policy 22 states that "The Primary Shopping Frontages of Boston and Spalding, as designated on the Policies Map, are where the majority of A1 uses will be focussed over the Local Plan period." We support this policy as drafted on the basis that it is important for the primary shopping area to retain a core retail frontage which remains predominately in use by traditional retail (Use Class A1) use. However, it does not mean, and should not be interpreted to mean, that most new A1 development will take place in these primary shopping frontages as there are clearly insufficient suitable sites within these locations to meet the retail needs of the district. If the aim is to maintain a situation in which uses within these areas are retained predominantly in A1 use, then we support it this policy. However, as outlined in Policy 23: Additional Retail Provision, there is a substantial need for additional convenience and comparison goods floorspace within the district and specifically in Spalding. In its current form, the Primary Shopping Area within which the primary shopping frontage lies, is not fit for purpose as it does not: 1. Provide the appropriate policy protection for the existing retail floorspace within the town centre as it does not cover all the main retail areas within the town centre, and 2. Is not appropriately drawn to enable sufficient expansion of the retail provision with the town centre as it fails to accommodate any planned provision for new retail floorspace. The consequence of the above means that key retail provision located at the Holland Market and Winfrey Avenue Retail Parks does not benefit from the full protection afforded by local and national planning policy. Applications for significant new retail floorspace outside of defined centres will not need to consider the retail impact of the proposed scheme on the retail parks. Given the significant contribution to footfall and retail spend that the retail parks make to the wider town centre, any impact on this floorspace will also impact on the wider success of the town centre. By failing to redraw the primary shopping area to extend it to include new opportunities for retail expansion of the town centre, the Council limits the opportunities to direct new retail floorspace to the most appropriate and suitable locations (ie existing centres). This results in new floorspace being directed to less suitable locations outside of the town centre on the edge of Spalding. The consequence of this is that footfall is directed away from the town centre with no opportunity to encourage linked trips. The resultant

Policy 22 does not intend to suggest that most new A1 development should take place in the Primary Shopping Frontage. It is acknowledged that frontages are not able to provide sufficient sites to accommodate retail need over the plan period, although ongoing use for A1 will be supported.

For clarity change the first sentence of Policy 22 to: The Primary Shopping Frontages of Boston and Spalding, are designated on the Policies Map.

Further consideration of this matter will be necessary as part of the Examination.

Post Title: 6.2 Primary Shopping Frontages

redirection of footfall and retail expenditure to locations outside of the town will have a direct impact on local traders and retail outlets which will harm the vitality and viability of the town centre and is in direct conflict with the aims of the NPPF.

Post Title: 6.3 Additional Retail Provision

Response Number	324	Respondent Number:	2777	Comment Author:	Spalding Town Retailers Associatio	Client		Web Link	
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Paragraph Number:		Table/Figure:		Comment Content	Officer Comment:	Officer Recommendation:
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Policy Number:	23	Map Number:	2
Site Allocation Number:	SHR010		

Do you consider that this part of the Local Plan is		Do you consider that the Local Plan is unsound because it is not:	
Legally Compliant	<input type="checkbox"/>	Positively Prepared	<input type="checkbox"/>
Sound	<input type="checkbox"/>	Justified	<input checked="" type="checkbox"/>
Prepared in accordance with Duty to Cooperate	<input checked="" type="checkbox"/>	Effective	<input type="checkbox"/>
		Consistent with national policy	<input checked="" type="checkbox"/>

Compliant, Sound, Duty to Cooperate explanation:

Proposed changes to make compliant or sound:

Participate in Examination:

Why wish to participate

Please accept this letter as formal notice on our concerns and objections to the South East Lincolnshire Local Plan that is currently within the publication (pre-submission) consultation phase. Having been made aware of some of the recommendations within the plan, which we are fundamentally in disagreement with; we made representations to Cllr Roger Gambba-Jones who subsequently along with another council representative attended a meeting with a small section of Spalding town centre retailers, as representatives of the Spalding Town Centre Retailers Association (STRA) and explained some of the process to date and why some of the recommendations exist as they are. He also explained why as a body we had not been consulted, that being at the beginning of this process, STRA as an association independent of the Spalding Chamber of Commerce had not been formed. STRA was formed in April 2014. We have since requested a copy of the Retail Study 2013 that has formed the basis of the supposed deficit in retail capacity to which the Local Plan seeks to provide options on how this retail capacity can be met. Given recent changes in retail without having the opportunity to study this report, we cannot as yet comment as to whether we agree with the assessment that there is a need for 10,810 sqm of comparison goods floor space in Spalding by 2031. Therefore we have concentrated for the moment on how and where this space can be delivered. In summary we object in the strongest regards that most of this expansion should be provided for at Springfields. Firstly Springfields is an out of town centre and therefore does not meet the criteria of town centre first. Secondly the existing Springfield centre is designated as a retail outlet and exhibition centre. Any proposal that this should be allowed to expand and change designation from an outlet centre to open retail use would have a serious detrimental impact on the existing Spalding town centre. The Springfields outlet when opened in 2005 was acknowledged at that time to be likely to be detrimental to the town centre. Planning conditions put on the development at that time were meant to restrict goods and products sold and ensure the centre traded as an outlet centre only. SHDC themselves have recently written in the local press that such conditions have not been enforced and the council takes a relaxed attitude to them. The outlet centre may bring many tens of thousands of visitors to South Holland but the Spalding town centre has not enjoyed benefits of this footfall into the town centre shops and

Springfields is an established edge of settlement retail destination, in a highly accessible location with good road, public transport, cycle and footpath links to Spalding built up area and the town centre. This is consistent with the NPPF which requires that Local Plans 'if sufficient edge of centre sites cannot be identified, set policies for meeting the identified needs in other accessible locations that are well connected to the town centre.' The Local Plan does so in Policy 23 which provides the basis for additional retail provision. The allocation does not propose changing the outlet centre to open retail use. The outlet centre will remain as is - only the allocation for 5400sqm will be promoted for A1 use to meet the identified need. The permission for the extension to Springfields included planning conditions that restricted the use as a factory outlet centre used for the purposes of specialist retailing: specialist retailing is defined as clearance stores operated by manufacturers, retailers who do not normally manufacture but who either own their own brand or retail branded goods or the franchise or licensees of such manufacturers or retailers. The condition adds that discounted prices means prices at least 20% below either the recommended retail price(if available) or if that price is not available the price at which such goods have been offered for sale at manufacturers or their retailers high street outlet. These conditions reflect those of the original permission granted by the Secretary of State in 2001. The Council has investigated alleged breaches of the above conditions, but there have been no complaints received since 2009. An investigation in 2007 did reveal a small breach in relation to some products sold in a couple of stores but was quickly resolved. The Council has not made any decision regarding not enforcing the above planning conditions. It is the case that there has not been any reason to investigate as no allegations have been received that the outlet centre is in breach of the planning conditions. The Spalding Retail Paper, March 2017 quotes the promoters of Springfields: 'the expansion of Springfields would provide an opportunity to enhance sustainable links to the town centre through a range of potential measures that would also serve the tourist economy e.g. Measures to enhance bus services; improvements to the water taxi service; cycleway improvements to the town centre; provision of a cycle hire scheme to the town centre and other tourist attractions in Spalding; contributions to fund plans the Horticultural Society

No change to the Local Plan is required.

Post Title: 6.3 Additional Retail Provision

businesses. Our retailers believe that footfall has declined and continues to do so. The Springfields development at the time of the initial planning permission was further deemed to be likely to have an adverse impact on the town centre and in the region of one million pounds of s106 money was paid by the developer to be used to offset the negative impact on the town centre. The use and allocation of these funds cannot be deemed to have been successful as the Spalding town centre has suffered from a lack of direct investment and promotion. STRA therefore believes that any further expansion of Springfields will be further detrimental to the Spalding town centre. It also wishes that a fundamental review on the enforcement of existing planning conditions and why such conditions written as protection to existing town centre businesses by the planning department have proved so ineffective and unable to be enforced if indeed there has been any attempts during the past 12 years of enforcement. There should be a distinction between an outlet centre and unrestricted retail use and Springfields is an outlet centre and any general unrestricted retail expansion there will only seek to shift the focus of the primary shopping area within a town centre to out of town. STRA also strongly believes that there are potentially sequentially preferable sites that have been overlooked or discounted by the Local Plan, which would meet a town centre first policy. The site we consider to be most suitable is the site listed within the Spalding Retail Paper (March 2017) as Drapers Place/Gore Lane. This is a currently vacant lot, currently used as surface car parking. It is right in the heart of the Spalding town centre running parallel to the market place and is adjacent to the Crescent both of which form much of the primary shopping area of the town. Surrounding this site are individual car parking spaces behind existing town centre market place businesses, which would suggest the existing area could be expanded further. We are unable to wholly identify the boundaries of the site but we do believe there is considerable scope, as it is in the heart of the town centre and offers tremendous potential for retail use. We believe this site above all others is suitable and should be designated for retail use and should be the preferred location for retail expansion. STRA also believe that some existing SHDC car parks close to and adjacent to the town centre should be considered for future retail expansion. The loss of car parking spaces could be recreated through the expansion of existing car parks or from some of the smaller ad hoc sites on or around the periphery of the town centre that were considered and discounted as

have for a new pedestrian/cycleway along the River Welland; creation of a tourist trail linking Ayscough, Springfields and the town centre.' It is considered that these proposals (intended to be secured via a s106 agreement) would promote more linked trips between the town centre and Springfields and help increase footfall in the town centre and to other local attractions. It should be noted that the perceived decline in footfall in the town centre could also be attributed to changing retail patterns, the demand for a more leisure based retail offer from shoppers and the increase in use of the internet for shopping. The lack of direct investment and promotion of the town centre is not a Local Plan matter. It is necessary to identify a site in the Local Plan to meet the immediate need for comparison goods floorspace, otherwise the Plan will be open to challenge and may be unsound. All allocations should be suitable, available and achievable. The Drapers Lane site was considered and discounted because it is not suitable: access could be problematic and the site size is constrained, reinforced by the representation which acknowledges that there are difficulties in identifying a boundary; and, the site is not available - the owner has not submitted the site for consideration. Broad Street car park was assessed and it (and any adjacent land in the same ownership) is not available - the owner has not submitted the site for consideration. The Spalding Retail Paper considers two sites in Winfrey Avenue: both are not available (they are not within the promoters ownership) and no evidence has been submitted to indicate otherwise. Therefore, all of these sites are not achievable in the short term (to meet the immediate identified need), whereas the Springfields allocation would be available to meet the short-medium term need (up to 2026). Policy 23 adds that after 2026 the outstanding retail requirement of 5410sqm should be accommodated in Spalding town centre or at an edge of centre location, which would enhance the town centre offer. Point 7 (made by the Springfields promoters) states that 'the addition of further retail in this location would mean that those travelling to Springfields would be able to benefit from the wider choice and retail offer that could be provided. This would enable an existing shopping trip to be used for the purchase of other goods at the same time in the same location thus providing more sustainable shopping patterns. If a new retail destination was established in Spalding, this would create more retail trips split between an additional location leading to a greater spread of trips and less sustainable shopping patterns.' Reference to a new retail destination is taken to mean a new location (i.e.

Post Title: 6.3 Additional Retail Provision

retail site options. STRA are also of the understanding that SHDC also owns some further land close to the Spalding Broad Street car park, which was acquired with s106 money for the purpose of linking car parking off Westlode Street with the Broad Street site. Our knowledge and facts on this is not complete but we believe that the Broad Street car park should certainly be under consideration as a retail site option as it is central and adjacent to the town market place. A site that has been considered is the Winfrey Avenue/Swan Street/Holland Market/Bus Station area. Expansion of Holland Market would further pull the retail offer from the traditional market place and primary shopping area. However, in the overall plan there is scope which could involve the relocation of the bus station, changes in traffic flows etc. This would not be preferable to the previous areas highlighted, but in addition to and with the provision in the scheme to improve the present link-way between the Holland Market area and the primary retail areas, this could have some merit and may be worthy of further investigation. We do believe that Drapers Place firstly and Broad Street second provide suitable retail site options. Within the Local Plan we have read with great interest that the site SHR010, the expansion at Springfields, is considered the preferred site and should be taken forward as retail allocation for at least half the proposed expansion in capacity required. The vast majority of the comments noted on this option within the retail paper could apply to any expansion within the town centre, for example comment 3, the creation of new jobs offering progression with national retailers for a wide range of people at different levels and spin off with additional spend in the local economy. The impact of Springfields to date, we believe, has been detrimental to our town centre and a further expansion could render our existing town centre unviable if leading retailers chose to open at Springfields as opposed to the town centre. This has been happening in recent years. We wish for the town centre to create an environment and retail conditions that will mean our council can promote and attract such retailers to our town centre as opposed to an out of town outlet centre and thus helping to enhance and protect our existing town centre. We could choose to remark upon every comment that supports the Springfields site as the preferred site for retail expansion within the paper. However, in this letter to try to be concise we have chosen not to, but for many of these comments the same benefits would accrue given a site within the existing town centre, i.e. Visitor attractor, retail jobs, brownfield development, peripheral

Not the town centre of Springfields) - the promoters are suggesting that additional retail at an established retail destination is preferable to a third location, as shoppers could make linked trips which would be more sustainable than travelling between three or more sites in Spalding. The Local Plan does not favour Springfields: following a robust assessment of 14 sites, Springfields is considered to be the only one that is suitable, available and achievable in terms of delivering the short-medium term comparison goods need. By promoting the town centre/edge of centre as a location for retail development in the medium-long term the Local Plan takes a realistic, balanced and pragmatic approach to meeting retail needs over the plan period. The Retail Study does not provide a detailed assessment of the difference between outlet goods and general retail goods. Collectively Policies 21, 22 and 23 provide a robust strategy to protecting, enhancing and supporting the ongoing operation and expansion of Spalding town centre over the plan period.

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employment opportunities etc. We do take exception to comment 7 suggesting that if a new retail destination was established in Spalding this would create more retail trips and a less sustainable shopping pattern. This narrative indicates that if a new retail destination was created in Spalding it would be detrimental to Springfields, surely a town first policy should be exactly that and the commercial considerations of an out of town outlet centre should not be deemed preferential to a vibrant town centre? The Local Plan therefore seems to indicate that the town centre is being sacrificed for the commercial benefits of Springfields. Our interpretation of the retail capacity deficit was that the intention was for a split increase in retail capacity, some within the town centre at unspecified sites and the preferred site at Springfields. This comment (no.7) contradicts such a statement giving the impression that it is Springfields only that is being considered and by default appearing to favour Springfields to the detriment of the town centre. And again is it the proposal that the additional retail capacity being suggested for Springfields should be outlet based or general retail goods without any restriction? Does the Retail Study 2013 differentiate and indeed is this a consideration within the Local Plan? To conclude we believe that there would be a hugely adverse impact upon the Spalding town centre should Springfields be allowed the retail expansion and this impact would be much greater if there is no new retail sites opened with the existing town centre. We believe there are suitable options within our town centre that should be considered and designated as areas for future retail expansion, some that have been discounted by the Local Plan and another within the control and ownership of SHDC that has not been brought into the Local Plan. Furthermore, we believe Spalding already has serious issues over declining footfall, to which we have been lobbying our councillors to work with the town traders, to seek to work forward to address but allowing further expansion out of town retail could prove terminal to our town centre.

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Response Number: 332 Respondent Number: 2320 Comment Author: ID Planning Client: UBS Triton Property Fund Web Link:

Paragraph Number: Table/Figure: Comment Content: Officer Comment: Officer Recommendation:

Policy Number: 23 Map Number: Site Allocation Number: The support is noted and welcomed. No change to the Local Plan is required.

Do you consider that this part of the Local Plan is

- Legally Compliant
- Sound
- Prepared in accordance with Duty to Cooperate

Do you consider that the Local Plan is unsound because it is not:

- Positively Prepared
- Justified
- Effective
- Consistent with national policy

Compliant, Sound, Duty to Cooperate explanation:

Proposed changes to make compliant or sound:

Participate in Examination:

Why wish to participate

No changes required to the Plan in relation to this representation

An appearance may not be necessary to address this element of the Local Plan unless there are any parties seeking to raise objection to the proposed allocation for additional comparison floorspace at Springfields. If the matter is dealt with at any Examination Hearings as part of the wider consideration of retail issues then we request attendance to provide the views of our client, UBS Triton Property fund. We would, in any event, request attendance at any Retail Policy hearings if there are included on the programme of hearings. As an important stakeholder in the local economy we consider it important that the views of our client are heard on retail issues, should these be addressed through any Hearing.

These representations are submitted on behalf of UBS Triton Property Fund, owners of Springfields Outlet and Festival Gardens in Spalding. In representing the interests of Springfields and in the absence of sequentially preferable sites, our client has sought to assist the Council in meeting the need identified in the December 2013 Town Centre and Retail Capacity Study for additional comparison floorspace in Spalding. Policy 23 deals with additional retail provision in South East Lincolnshire having regard to the Council's evidence base provided by the Town Centres and Retail Capacity Study (2013). The latter identified the need for up to 10,810 m2 net of additional comparison goods floorspace in Spalding by 2031. Policy 23 states that approximately 5,400 m2 net is to be allocated at Site SHR010: Springfields Shopping and Festival Gardens and brought forward on a phased basis as follows:

1. 2,508 m (net) floorspace in the period 2016-2021; and
2. A further 2,892 m2 (net) floorspace in the period 2021-2026

After 2026 the remaining need identified should be met by development in or on the edge of Spalding town centre. Whilst this is noted, clearly if there are no suitable or available sites in or on the edge of Spalding town centre by 2026 then other locations could be appropriate. Our client welcomes the provision of scope for additional investment at Springfields, some of which can be brought forward in the short term to make the location a more attractive visitor destination. This would draw more people to Spalding, adding to the 2.3 million visitors already using Springfields each year, with resultant potential spin off benefits for the town in terms of more local employment, enhanced links between Springfields and the town centre, and more people potentially using other shops and services in the town. All supporting the local economy. We consider the approach adopted by the Council in reaching a conclusion on the proposed allocation to be sound and in line with relevant guidance. In this context the Council went through a process which included the commissioning of the evidence base (2013 Town Centres & Retail Capacity Study) before considering how the need identified could be met in Spalding. In considering the location of new retail development to meet the identified need, the Council approached the

Post Title: 6.3 Additional Retail Provision

matter in line with the sequential test set out in the NPPF; namely, the search for suitable and available sites considered whether there were any such sites in or on the edge of Spalding town centre before considering out of centre sites.

This started with consideration of three sites in the town centre identified by the 2013 Retail Study, before considering if there were any edge of centre sites that would be suitable and available, particularly and initially to meet the immediate need for additional comparison floorspace to 2021.

This process was under regular review with publication of the July 2016 Background Retail Paper which identified and assessed 8 potential sites. One site was suggested but Members of the JSPC resolved the site was not appropriate for comparison goods development and the preferred approach was to issue a call for retail sites as part of the July-August 2016 public consultation. Representations were made to that consultation on behalf of Springfields indicating that it was considered this location could accommodate some of the comparison floorspace in the short to medium term. The assessment of potential sites to accommodate the comparison floorspace need that has been identified has been updated by the Council following the July/August 2016 call for sites.

The updated Spalding Retail Paper reviews the original sites (July 2016 Retail Background Paper) and additional sites put forward during the July/August 2016 consultation. A total of 14 sites are assessed. The assessment of the merits of individual sites is summarised in the updated March 2017 Spalding Retail Paper which provides part of the supporting documentation for the Publication Version of the Local Plan.

Comments on various sites examined are also provided by officers in the Schedule of Responses to the South East Lincolnshire Local Plan 2011-2036 Draft for Consultation July 2016.

In this context representations were made by Indigo Planning on behalf of the owners of Holland Market and Winfrey Avenue Retail Parks located on the edge of Spalding town centre. Indigo promoted land for retail uses north of the established retail parks.

However, we agree with the officer's assessment of the availability of the sites suggested which included the existing football ground, water tower and existing bus station. In this context the officer's comments and recommendation on the proposed edge of centre sites were that there was insufficient evidence relating to the availability of the sites to the east and west of Winfrey

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Avenue.
Given the complexities associated with each site and potential lead in times, officers concluded that neither site could be considered available to meet the immediate need for comparison goods floorspace. We agree with this assessment and in our view there is no evidence to suggest those locations could realistically address any short and medium term need identified. Having reviewed the approach taken by the Council, we consider their assessment of potential sites to accommodate the retail need identified in the evidence base to be:

- Positively prepared - in the assessment of 14 sites and the conclusions drawn that the short to medium term need would be most appropriately met by Springfields;
- Justified - in that the Council have assessed all potential retail sites in relation to the sequential approach and the merits of each site assessed against a variety of criteria;
- Effective - in that the proposed allocation of additional comparison floorspace at Springfields will ensure deliverability of the floorspace in the short to medium term and therefore enable the identified retail need to be met; and
- Consistent with national policy - in relation to the process and approach adopted in evaluating all 14 sites put forward during various consultation events.

Having regard to the above we consider the proposed allocation of additional comparison floorspace at Springfields under Policy 23 to be sound. Indeed we consider the allocation will provide substantial benefits and is the most appropriate location to address the identified comparison floorspace need in the short to medium term in Spalding.

In this respect and as highlighted by the officer's assessment of the ID Planning July 2016 submission, the expansion of Springfields in this planned manner would:

- Enhance the tourist offer in Spalding drawing in more visitors from a wide area;
- Enhance the retail and visitor offer at Springfields;
- Help attract more visitors to Spalding with potential spin-off benefits;
- Provide additional employment opportunities to add to the 500 currently provided at Springfields;
- Lead to a range of economic spin-off benefits including provision of new opportunities for local supply chains and other businesses;
- Reuse existing brownfield land for new development in line with national guidance;
- Provide new development in a location that is accepted not to be of high environmental value;

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- Provide new development in a sustainable location accessible by a choice of transport mode including good public transport connections;
 - Provide the opportunity to support and enhance sustainable transport links to Spalding town centre;
 - Provide development in a location well screened from the A16 and therefore with minimal visual impact; and
 - Help meet the identified retail need in Spalding on a site that is available in the short term.
 In conclusion, our clients support the allocation of comparison retail floorspace at Springfields through Policy 23 of the Local Plan.

Response Number	414	Respondent Number:	1843	Comment Author:	Neil Kempster	Client		Web Link	
Paragraph Number:		Table/Figure:		Comment Content	Officer Comment:		Officer Recommendation:		
Policy Number:	23	Map Number:		We support the conclusions of this policy indicating that there is no quantitative need for additional convenience good floor space before 2021, with limited smaller units thereafter to support Sustainable Urban Extensions. There is an existing permissions in place for further convenience space as part of Q1, which is an integral part of the delivery of this important strategic development enabling the delivery of key community benefits. This should not be undermined by additional permissions being granted if no needs are identified.	Any additional retail development (to that consented) would need to be supported by an impact assessment demonstrating that there is a need for additional floorspace in the area. Existing permissions should be taken into account (guidance is provided by national policy) to ensure that those permissions are not undermined.		No change to the Local Plan is required.		
Site Allocation Number:									
Do you consider that this part of the Local Plan is		Do you consider that the Local Plan is unsound because it is not:							
Legally Compliant	<input checked="" type="checkbox"/>	Positively Prepared	<input type="checkbox"/>						
Sound	<input checked="" type="checkbox"/>	Justified	<input type="checkbox"/>						
Prepared in accordance with Duty to Cooperate	<input checked="" type="checkbox"/>	Effective	<input type="checkbox"/>						
		Consistent with national policy	<input type="checkbox"/>						
Compliant, Sound, Duty to Cooperate explanation:									
Proposed changes to make compliant or sound:									
Participate in Examination:	<input type="checkbox"/>								
Why wish to participate									

Post Title: 6.3 Additional Retail Provision

Response Number	519	Respondent Number:	2342	Comment Author:	Ashley King Developments	Client		Web Link	
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Paragraph Number:		Table/Figure:		Comment Content	Officer Comment:	Officer Recommendation:
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Policy Number:	23	Map Number:		Policy 23 also specifies that future retail provision, making up the balance of the 10,810 sq m required, should only be met by development in Spalding town-centre or an edge of centre location. However, the Council's own evidence, in the Retail Paper, identifies that there are considerable constraints to the delivery of the town centre and edge of centre sites which have been identified following two calls for sites. Other sites are not suitable for development, for instance due to flood risk issues or a lack of capacity. The only site which is both available and has been positively assessed by Officers in the development of the Local Plan is Lincs Gateway.	The Lincs Gateway is an out of settlement site, with poor access to Spalding built up area. Identification of retail development in this location would be contrary to national policy and the planning permission for the site. The Local Plan allocates sufficient accessible, sustainable land in a sequentially preferable location to accommodate the identified retail need to 2026. It is considered that there is sufficient land within the town centre boundary (to the west of Winfrey Avenue) capable of accommodating the identified retail need post 2026. This land has not been formally allocated because the precise site area is not known at this stage.	No change to the Local Plan is required.
Site Allocation Number:						

Do you consider that this part of the Local Plan is

Legally Compliant	<input checked="" type="checkbox"/>
Sound	<input type="checkbox"/>
Prepared in accordance with Duty to Cooperate	<input checked="" type="checkbox"/>

Do you consider that the Local Plan is unsound because it is not:

Positively Prepared	<input checked="" type="checkbox"/>
Justified	<input checked="" type="checkbox"/>
Effective	<input checked="" type="checkbox"/>
Consistent with national policy	<input checked="" type="checkbox"/>

Compliant, Sound, Duty to Cooperate explanation:

Proposed changes to make compliant or sound:

Participate in Examination:

Why wish to participate

In light of this, we believe that the final paragraph of Part A of Policy 23 should be replaced with the following wording: The outstanding requirement of 5,410 sq m (net) floor space will be required after 2026, and an assessment of potential locations will be required well in advance of this, to allow for timely provision.

Because the issues raised in this representation would be best explained to the Inspector in the format of a round-table discussion.

Policy 23 also specifies that future retail provision, making up the balance of the 10,810 sq m required, should only be met by development in Spalding town-centre or an edge of centre location. However, the Council's own evidence, in the Retail Paper, identifies that there are considerable constraints to the delivery of the town centre and edge of centre sites which have been identified following two calls for sites. Other sites are not suitable for development, for instance due to flood risk issues or a lack of capacity. The only site which is both available and has been positively assessed by Officers in the development of the Local Plan is Lincs Gateway.

In this context, it may well not be possible to provide new retail development within or on the edge of the town centre. Our separate representations concerning Lincs Gateway explain that the site is able to accommodate retail development. They also explain that we have doubts over the potential to satisfactorily accommodate the full requirement for retail development on the limited space available at the Springfield Outlet. The matter of where such provision should be made can be considered in the context of either a review of the Local Plan, or a planning application later in the plan period, which would need to be subject to a sequential test and retail impact assessment. These tests would ensure that, if planning permission were granted, it would be on the basis that the site was the most appropriate option available. If necessary, wording to this effect could be included within the policy.

We also believe that the Local Plan is wrong to seek to put off decisions over the location of the further retail development required until after 2026. This representation is accompanied by a specialist assessment of the issue by Chase & Partners, included at Appendix 1 [provided by email], which whilst it was prepared for the previous Local Plan consultation remains entirely relevant to the latest draft of the Local Plan and our representations. Chase and Partners are clear in their view that the Local Plan should identify potential locations which may deliver the required level of retail development, as this type of development can take time to come to fruition. Delaying this decision, as was previously proposed, would risk failing to meet the need for retail within the Plan period. The failure to meet the projected need for retail development could have serious implications for Spalding as a retail centre.

The Lincs Gateway is an out of settlement site, with poor access to Spalding built up area. Identification of retail development in this location would be contrary to national policy and the planning permission for the site. The Local Plan allocates sufficient accessible, sustainable land in a sequentially preferable location to accommodate the identified retail need to 2026. It is considered that there is sufficient land within the town centre boundary (to the west of Winfrey Avenue) capable of accommodating the identified retail need post 2026. This land has not been formally allocated because the precise site area is not known at this stage.

No change to the Local Plan is required.

Post Title: 6.3 Additional Retail Provision

Where retail demand is unmet, shopping habits can soon change, with people seeking the services they require elsewhere, for instance in Peterborough. Where these habits change, they can soon become fixed and difficult to change. It is therefore essential that the Local Plan should proactively plan for the provision of retail, to avoid a delay in provision.

Post Title: 6.3 Additional Retail Provision

Response Number: 520 Respondent Number: 1187 Comment Author: Spalding and District Civic Society Client: Web Link:

Paragraph Number: Table/Figure: Comment Content: Officer Comment: Officer Recommendation:

Policy Number: 23 Map Number: Site Allocation Number: Policy 23 is neither legally compliant nor sound (consistent with national policy), specifically Paragraphs 155 and 23 (bullet points 1 and 10). The expansion of Springfield is an addition to the Plan that is completely new and for which there has therefore been no public consultation. It is an extraordinary proposal. It contradicts the principle of town centres first elsewhere in the plan; 6.3.7 admits it will have an adverse effect on the vitality and viability of Spalding town centre; 6.3.5 even sees it as a virtue (!) that it will take shoppers away from the town centre. It flouts the requirements of the NPPF: where town centres are in decline, local authorities should plan positively for their future to encourage economic activity. (Paragraph 23) The justification offered is that there is no suitable land in or near the town centre for further retail space though it will somehow have mysteriously appeared by 2026 (Policy 23). It's difficult, however, to recognise this so-called lack of retail space. Besides the present empty shops and the new ones which are part of the former Paul Taylor development now under way, there are at least two substantial brownfield sites in the very heart of the town (the former Sorting Office and the Adam's Car Park behind the Crescent, along with another not far away. Most extraordinary of all is the order of retail expansion proposed: Springfield first, then Spalding town centre after 2026. It should be the reverse: Spalding first (there's the space, as shown above), Springfield second. Springfield wouldn't suffer (With 2.3m visitors a year as it is). Spalding would, on the order proposed. 2026 would be too late to rescue what might well by then have become failed town centre. Collectively Policies 21, 22, and 23 provide the framework for retail over the plan period. Although the allocation for comparison goods floorspace is not in a town centre, the overarching emphasis of the policies is town centres first, therefore it is important that the policies are read collectively. The NPPF paragraph 23 also states at bullet points 6 and 7 that LPAs should undertake an assessment of sites to meet retail needs, using the town centres first approach and where this is not possible provide policies for needs in other accessible locations. The Spalding Retail Paper 2017 sets out an assessment of 14 sites and concludes that only one is suitable, available and achievable to meet the immediate short term need - Springfields. For a site to be allocated in the Local Plan it must meet these three tests otherwise the Local Plan would be open to challenge and may not be sound. The two brownfield sites identified are not available or suitable; the former PO is a very small site and may not be capable of accommodating a unit to meet modern day retail needs and the car park site has access and heritage issues that may make delivery complex. Therefore they would not be able to contribute to the retail need particularly in the short term. Policy 23 takes a pragmatic approach to comparison goods provision: about half the floorspace requirement is to be allocated at Springfields to meet the short-medium term need and post 2026 any additional requirement is directed to the town/edge of centre. The town centre boundary has been expanded to include land to the west of Winfrey Avenue which has been promoted as an option, however this is not currently available. However this approach gives the promoters time to put together a masterplan and secure land disposal for the site. 6.3.7 does not state that the allocation will have an adverse impact upon the vitality and viability of the town centre - when read with the rest of the reasoned justification it says that only half of the comparison goods floorspace requirement is to be provided at Springfields. Allocating any more (i.e. the full requirement) would have an adverse impact. Paragraph 6.3.7 goes on to say that the approach taken will leave a quantum of floorspace which could be taken up in the town centre after 2026. 6.3.5 does not say that Springfields will take shoppers away from the town centre; it says that development would help promote multi-purpose trips making use of sustainable and public transport links between Springfields and the town centre, which could in fact lead to a higher level of

Do you consider that this part of the Local Plan is

Legally Compliant

Sound

Prepared in accordance with Duty to Cooperate

Do you consider that the Local Plan is unsound because it is not:

Positively Prepared

Justified

Effective

Consistent with national policy

Compliant, Sound, Duty to Cooperate explanation:

Proposed changes to make compliant or sound: Policy 23, Section A reverse the order of retail expansion, with Spalding first and Springfield second, the figures adjusted to match. Paragraph 6.3.4 and those following and all other references in the Plan to the Springfield proposal should be modified as above or deleted.

Participate in Examination:

Why wish to participate:

No change to the Local Plan is required.

Post Title: 6.3 Additional Retail Provision

footfall and visitor numbers than exists currently. The approach highlighted by Policy 23 (and that contained within Policy 21 and 22) does plan positively for the future of Spalding town centre, by taking a realistic approach to comparison provision in the short term. The land to the west of Winfrey Avenue is within several ownerships and none indicated their support for the development of the site in the short term. An additional period of time will give the owners the opportunity to work with the promoter to provide a scheme capable of accommodating floorspace post 2026 - this is not an unusual approach. Policy 21 provides a framework for new development in the town centres. Should any of the sites identified as unavailable become available in the plan period, they would be in a sequentially preferable location so their re-use for retail would be supported provided the criteria of Policy 21 is met. The Spalding Retail Paper was consulted upon as part of the Preferred Sites consultation in 2016, when the JPU issued a call for retail sites (as no appropriate sites had been promoted up to July 2016). The Springfields site was identified as a result of the July 2016 consultation therefore it was not possible to consult upon it prior to that date. The consultation for the retail allocation took place as part of the Publication consultation. It is appropriate for sites to be consulted upon at Publication stage.

Post Title: 6.3 Additional Retail Provision

Response Number	542	Respondent Number:	2689	Comment Author:	United Lincolnshire Hospitals NHS	Client		Web Link	
Paragraph Number:		Table/Figure:		Comment Content	Officer Comment:				Officer Recommendation:
Policy Number:	23	Map Number:		This policy states that there is no quantitative need for additional convenience goods floorspace in the Local Plan area before 2021. It states that there is an expected need for an additional 3,365 sq. m (net) floorspace by 2031 and that such provision should be provided as "small-scale units of up to 500 sq.m (net)". There is no basis for this prescriptive policy requirement that all proposals for Convenience goods floorspace should be of a small scale and under 500 sq.m (net). Retail planning applications should be assessed against the relevant tests set out in the NPPF. The quantitative need for convenience goods floorspace has also been understated. Table 5 'Sub-Regional Centres Convenience and Comparison Goods Floorspace Requirements 2031 states that 895 sq.m (net) of convenience floorspace will be required in Spalding up to 2021. This figure is incorrect, as the 'Spalding Convenience Goods Need Analysis' in the 2013 Retail Study defines a need for 1,519 sq.m (net) of convenience goods floorspace in Spalding up to 2021 (Table 18, Technical Appendix), In line with para. 23 of the NPPF, Local Plans should allocate sites to accommodate identified needs in full. The former Welland Hospital site, Holbeach Road is an accessible site that is well connected to the town centre, and should be allocated in part for retail use (see attached plan), specifically for the sale of convenience goods, to meet an element of the forecast retail need for Spalding. Please refer to our separate comments regarding Policy 23. The National Planning Policy Framework (NPPF) explicitly states that in plan making, Local Planning Authorities need to allocate a range of sites to meet their retail needs in full (para. 23). If sufficient town centre or edge of centre sites cannot be identified, other accessible locations that are well connected to the town centre should be considered (own emphasis). It is very clear that this site forms the most sustainable site for retail development of the sites assessed in the Retail Paper (March 2017). It is the closest suitable site to the town centre. The site is an accessible previously developed site, within Spalding's settlement boundary located 1.2 km from the town centre. In the absence of any suitable sites within or on the edge of Spalding town centre as accepted by the Joint Strategic Planning Committee, this site would be appropriate for retail development in line		The Town Centre Centres and Retail Capacity Study 2013 identifies a need for 2286 sqm convenience goods floorspace by 2031, which should be provided to serve new residential development and underserved neighbourhoods possible to anchor new local centres. It does not identify the need for allocations for convenience floorspace. It is expected that the two SUEs identified in Spalding (Holland Park and the Vernatts SUE) will provide for new Local Centres, with convenience floorspace anchors. In order to accommodate these and to enhance retail provision in other underserved areas without having an adverse impact upon Spalding town centre 500sqm is considered to be an appropriate threshold – it reflects the approximate size of a Tesco Express or similar format unit designed to meet everyday convenience goods needs. It is generally acknowledged that smaller centres such as Spalding which are more dependent on convenience retailing to underpin their function are more vulnerable to the effects of larger foodstores at edge of centre and out of centre locations. The Retail Study identifies the importance of Sainsburys and M & S Food to the vitality of the town centre. Therefore the LPA wishes to take positive steps in the Local Plan to protect the vitality and viability of Spalding town centre by providing a reasonable threshold against which applications can be assessed. Policy 21 provides the basis for a developer to demonstrate that a proposal can be provided without adversely impacting upon the town centre, by way of an impact assessment. This is consistent with national policy, and the thresholds are evidence by the Retail Study.		Minor modification - Further consideration of this matter will be necessary as part of the Examination.	
Site Allocation Number:									
Do you consider that this part of the Local Plan is Legally Compliant <input checked="" type="checkbox"/> Soun <input type="checkbox"/> Prepared in accordance with Duty to Cooperate <input checked="" type="checkbox"/>		Do you consider that the Local Plan is unsound because it is not: Positively Prepared <input checked="" type="checkbox"/> Justified <input checked="" type="checkbox"/> Effective <input checked="" type="checkbox"/> Consistent with national policy <input checked="" type="checkbox"/>							
Compliant, Sound, Duty to Cooperate explanation:									
Proposed changes to make compliant or sound:	Changes to the wording of policies 23, as set out above. Allocation of part of the former Welland Hospital site, Holbeach Road for retail use (see attached map) [map provided by email]								
Participate in Examination:	<input checked="" type="checkbox"/>								
Why wish to participate	The issues of retail need and capacity and site selection are sufficiently complex to warrant discussion at the EIP.								
						The convenience floorspace figure in Table 5 for Spalding for 2021 is an error. It should be 1519sqm. Paragraph 23 of the NPPF adds that 'if sufficient edge of centre [or town centre] sites cannot be identified, [the LPA] should set policies for meeting the identified needs in other accessible locations that are well connected to the town centre. Policies 21 and 23 provide a flexible framework within which convenience retail goods needs can be met over the plan period.			
						Change Table 5 Spalding convenience floorspace to 1519.			

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with the sequential test, as set out in the NPPF (para. 24), and subject to it being demonstrated that it will not have an adverse impact on the vitality and viability of Spalding town centre (para, 26). We also consider that this site can be delivered with appropriate mitigation measures in place to ensure the development does not significantly impact upon residential amenity. The site forms part of a wider site which will also be developed for housing use.

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Response Number	546	Respondent Number:	2383	Comment Author:	Indigo Planning	Client		Web Link	
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Paragraph Number:		Table/Figure:		Comment Content	Officer Comment:	Officer Recommendation:
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Policy Number:	23	Map Number:	
Site Allocation Number:			

Do you consider that this part of the Local Plan is

Legally Compliant	<input checked="" type="checkbox"/>
Sound	<input type="checkbox"/>
Prepared in accordance with Duty to Cooperate	<input checked="" type="checkbox"/>

Do you consider that the Local Plan is unsound because it is not:

Positively Prepared	<input checked="" type="checkbox"/>
Justified	<input checked="" type="checkbox"/>
Effective	<input checked="" type="checkbox"/>
Consistent with national policy	<input checked="" type="checkbox"/>

Compliant, Sound, Duty to Cooperate explanation:

Proposed changes to make compliant or sound:

Participate in Examination:

Why wish to participate

To articulate and present the justification for the alternative retail allocation put forward in the attached representations.

Draft Policy 23 identifies that 10,810 sqm (net) of additional comparison floorspace is required in Spalding by 2031, with approximately 5,400 sqm proposed to be allocated to site SHR010: Springfields Shopping Centre / Festival Gardens between 2016-2026 and later in the plan period after 2026, the outstanding 5,410 sqm provided in Spalding town-centre or an edge of centre location. Whilst we recognise the commitment to provide 5,410 sqm of comparison goods floorspace in Spalding town centre or on an edge of Centre site post 2026, we strongly object to the proposed allocation at Springfields Shopping Centre for an additional 5,410 sqm of comparison goods floorspace in the period up to 2026. We consider that the provision of additional retail floorspace at Springfields Shopping Centre on the outskirts of Spalding will have detrimental impact on the viability and vitality of Spalding town centre as it will draw trade away from the town centre and will have a significant impact on the town centre's ability to attract new investment and enhance existing footfall. The proposed allocation at Springfields is contrary to the aims of the NPPF and fails to fully consider alternative options such as the proposed extension of the Holland Market and Winfrey Avenue Retail Park which is in an entirely more sequentially preferable location and has the potential to deliver significant benefits to the town centre and Spalding. In allocating land at Springfields rather than a more suitable location adjacent within and adjacent to the town centre, the Council is choosing to prioritise improving the retail offer of an out of centre (edge of town) retail destination with no policy status over the town centre, where retail development should be directed and focused (as per the Council's own Policy 22). We consider that the proposed allocation is not justified and other alternative options should be fully considered and promoted by the Council. On behalf of SREF we have previously put forward an alternative option at the Holland Market and Winfrey Avenue Retail Park which is outlined below. The edge-of-centre option The edge-of-centre option that SREF wishes to put forward as a suitable alternative retail allocation comprises the Holland Market and Winfrey Avenue Retail Parks including land to the north (Sir Halley Stewart playing field and the land west of Winfrey Avenue identified on the submitted Existing Site Plan Ref: 9986-16) to allow the expansion of the existing retail park. As noted above, the existing retail park is well established and has an important role in the town's

The Spalding Retail Paper 2017 provides an assessment of all the potential retail sites for comparison goods floorspace, and its ability to meet the short-medium term and longer term retail need. For a site to be allocated in the Local Plan it should be suitable, available and achievable. Based on the evidence provided to date, neither of the sites at Winfrey Avenue are available to meet the immediate short term need. A balanced and pragmatic approach to retail provision has been taken: Springfields is an established edge of settlement retail destination capable of delivering the immediate need, with a package of measures proposed that should strengthen trips with the town centre and generate additional footfall. The extension of the town centre boundary ensures that any requirement after 2026 could be accommodated in the town centre to the west of Winfrey Avenue. This approach gives the landowners sufficient time to dispose of the land, plans to be put in place to re-locate the bus station and for developers to prepare a masterplan for the site. Land to the east of Winfrey Avenue is not considered to be available in the long term as the playing field is held in trust, and the trustees have not indicated that they wish to make the land available at any point. On that basis the site cannot be considered suitable, available or achievable.

No change to the Local Plan is required.

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retail provision. The retail park is well connected to the primary shopping area and makes a major contribution to footfall in the town, with the primary shopping area significantly benefitting from linked trips undertaken by visitors to the retail park. In addition, the retail parks are perfectly located in terms of accessibility by sustainable modes of transport which is unrivalled in Spalding. The bus station is located on Winfrey Avenue immediately to the north and adjacent to the existing retail park and Spalding railway station is located a short distance to the West. The immediately adjacent sites to the north of the existing retail park are the most suitable sites in Spalding for further retail development. As confirmed by the Spalding Retail Paper (July 2016), there are no other suitable or available sites within the primary shopping area. Furthermore, the sites are directly adjacent to the current town centre boundary and, in policy terms, they are the most sequentially preferable sites capable of accommodating the identified retail capacity. Given that they are adjacent to the existing Primary Shopping Area and Well served by public transport they are also the most sustainable. We have enclosed proposed site plans (Proposed Site Plan Phase 1 Ref: 998613 and Proposed Site Plan Ref: 9986-14) [provided by email] which demonstrate how a suitable site could be developed to meet the identified need. The first phase proposes a new terrace of retail units and a separate unit alongside comprising a total of 6,271 sqm (67,500sqft) of new retail floor-space alongside a drive-thru restaurant and pod unit (providing public conveniences). In terms of retail capacity, the South East Lincolnshire Town Centre and Retail Capacity Study (Dec 2013) identified a capacity of 10,810sqm up to 2031, however, a significant proportion of that (8,291 sqm) is not required to come forward before 2026 - ie for the next decade. Within the first phase of development, the proposed scheme could meet and exceed the capacity requirement of 2,508sqm up to 2021. Furthermore, the proposal would also secure a significant proportion of the 2026 requirement in the best and most suitable location for additional retail growth. We do not consider that there is any reason for the JSPC to identify other sites. Phase 2 of the scheme proposes a further 4,877sqm (52,500sqft) on land to the west of Winfrey Avenue. When combined with Phase 1, this would provide a total floor-space of 10,800sqm (116,250sqft). This effectively matches the identified retail capacity at 2031 and demonstrates that all the identified retail capacity for comparison goods floorspace within the plan period can be accommodated on the most suitable site that is very Well connected to the town centre and

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primary shopping area. Insofar as retail planning is not a precise matter and more or less floorspace might ultimately prove to be needed, considerable flexibility is available by virtue of the potential for additional mezzanine floorspace (ie they could amount to less than the 50% assumed above or more, up to almost a further 100%). The potential scheme also offers the opportunity to enhance the links between the retail parks and the Primary Shopping Area through public realm / pedestrianisation improvements and potential remodelling of units backing onto Swan Street. Sir Halley Stewart Playing Field The Sir Halley Stewart playing field is the subject of a declaration of trust requiring it to be used for the benefit of the inhabitants of Spalding. However, the matters related to the charitable status of the site were addressed by the previous scheme for a supermarket on the site and a similar agreement could be reached to secure the re-provision of enhanced and more publicly accessible sports facilities elsewhere. The playing field has been almost solely used by Spalding United Football Club since its establishment in 1921 and its access by the public is extremely limited. In re-providing sports/recreation facilities elsewhere in Spalding, the true intentions of Sir Halley Stewart could be realised by ensuring that these are genuinely accessible for public use. Land to the West of Winfrey Avenue (SHR001) The Spalding Retail Paper (July 2016) assessed the land to the West of Winfrey Avenue and the JSPC Considered that the site Was Suitable for retail development because of it being adjacent to the town centre boundary; consistent with the character of the area and the existing retail park; and accessible. The committee concluded, however, that the requirement to relocate the bus station and secure agreement from multiple owners meant that the site was unlikely to be available within the plan period and was only likely to be capable of accommodating additional growth from 2031 onwards. Despite this conclusion, we believe that allowing Phase 1 of the proposed SREF scheme to come forward would encourage earlier delivery of the water tower site. The development of Phase 1 could enable the relocation of the bus station and would encourage further retail development to be delivered once land ownership issues have been resolved. Additional benefits The provision of additional retail development at the site would result in a number of benefits for Spalding, local residents and stakeholders. Importantly, it would increase activity and footfall in the Winfrey Avenue and Swan Street areas. Given the site's proximity, this would not only strengthen the town centre but it would facilitate its future growth in

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attracting new and competing retailers. The scheme would also result in the relocation and improvement of the bus station to a more appropriate and accessible location (ie to the north of Swan Street), closer to the town centre and primary shopping area. Furthermore, significant public realm improvements would be secured as part of the scheme, further enhancing connections with the town centre. As part of these public realm enhancements, it may also be possible to pedestrianise the southern part of Winfrey Avenue to again encourage more linked trips with the town centre and this should be fully explored as part of a comprehensive masterplan for the site should the Council decide to allocate it for retail use. SREF is keen to work with the JSPC and officers to ensure major investment in the town centre takes place, resulting in the delivery of substantial benefits to Spalding as a whole. We consider that the Council's decision to allocate an alternative, out-of-centre Site at Springfields Shopping Centre will result in a significant lost opportunity for Spalding. The location of retail floor-space in an out-of-centre location would limit any potential for new retail floor-space to be provided in the town centre as the commercial attraction of doing so would be significantly diminished.