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## **South Gloucestershire Core Strategy**

**Review of Additional Evidence Base on  
Retail and Town Centre Matters  
and**

**Advice on Implications for Policies CS14 and CS26**

**Roger Tym and Partners**

In Association With

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**Final Report: July 2011**

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# 1 INSTRUCTIONS

- 1.1 In March 2011, South Gloucestershire Council instructed Roger Tym and Partners (RTP) to:
- i. undertake an appraisal of a report submitted to the Council by Nathaniel Lichfield and Partners (NLP), entitled South Gloucestershire Core Strategy: Additional Evidence Base on Retail and Town Centre Matters; and
  - ii. advise the Council on the implications of the NLP evidence in relation to the soundness and deliverability of Policies CS14 and CS26 of the emerging Core Strategy.
- 1.2 NLP acts on behalf of Cribbs Nominees (1) and Cribbs Nominees (2) Ltd and J T Baylis who, we understand, are the owners of the Mall, Cribbs Causeway Retail Park and the Venue.
- 1.3 In undertaking this instruction, we have:
- i. examined NLP's additional evidence base report and its representations on the pre-submission publication draft;
  - ii. drawn on our experience in advising the Black Country Consortium Authorities in respect of Brierley Hill / Merry Hill in the West Midlands and our experience in advising Thurrock Council in respect of Lakeside in the East of England;
  - iii. attended a meeting with NLP and representatives of the owners of the Mall on 7<sup>th</sup> April 2001; and
  - iv. entered into subsequent discussions with NLP and assessed its briefing note of 18<sup>th</sup> April 2011, which sets out NLP's ideas for the way forward.

## Structure of Report

- 1.4 The remainder of our report is structured as follows:
- Section 2 sets out our observations in relation to NLP's assessment of the need for additional comparison goods floorspace at the Mall, or as an extension to the Mall, as put forward in Sections 4 and 5 of NLP's report;
  - Section 3 sets out our observations in relation to NLP's representations to the pre-submission draft, and to the arguments it puts forward in Sections 3, 6 and 7 of its report;
  - Section 4 sets out the lessons drawn from our experience in advising Thurrock Council and the Black Country Consortium Authorities in respect of Lakeside and Brierley Hill / Merry Hill and the lessons drawn from our ongoing work for CLG and PAS in relation to the CIL Front Runners Project; and

- Section 5 sets out our recommendations in relation to the next steps in the formulation of the Core Strategy insofar as Policies CS14 and CS26 are concerned.

1.5 Our evaluation of the NLP evidence focuses on the need or capacity for an extension to the Mall shopping centre, given its role in meeting the needs of South Gloucestershire and the wider sub-region. We should state, from the outset, that we are not addressing the localised market demand which may arise for additional retail park floorspace in the wider Cribbs Causeway area; the retail parks and food superstores which exist are in an out of centre location for the purposes of PPS4 and do not perform a wider sub-regional function.

## 2 OBSERVATIONS ON NLP'S ASSESSMENT OF NEED FOR ADDITIONAL COMPARISON GOODS FLOORSPACE AT THE MALL

### Current Patterns of Comparison Goods Expenditure and the Role of the Mall

- 2.1 Section 4 of NLP's report sets out analysis of the Mall's comparison goods catchment area, geographical variations in the Mall's market share of comparison goods expenditure, the effect of the opening of Cabot Circus in September 2008 and the role of the Mall in the hierarchy of centres in South Gloucestershire.
- 2.2 The first point to note is that the customer exit surveys, undertaken by Millward Associates in 2008 and 2010, are very useful in recording home postcode of each respondent, their spend at the Mall, and their frequency of visits to the Mall, both prior to the opening of Cabot Circus (September 2008), and some 21 months after its opening. The information from the exit surveys relates only to visitors to the Mall, and not to visitors to any of the retail parks or freestanding retail facilities at Cribbs Causeway. Notwithstanding this limitation, the exit surveys suggest that:
- i. in 1998, the Mall drew only 47 per cent of its comparison goods trade from residents of the study area used by RTP in the South Gloucestershire Town Centres and Retail Study of 2010 (paragraph 4.17 of NLP), but that this had fallen to 42 per cent in 2010 (paragraph 4.18 of NLP);
  - ii. three quarters of the Mall's comparison trade in 2008 derived from residents of just 21 postal sectors and that, even prior to the opening of Cabot Circus, the Mall did not draw a significant amount of trade from residents of the area immediately surrounding Bristol City Centre;
  - iii. following the opening of Cabot Circus, the proportion of the Mall's trade draw from the Bristol and South Gloucestershire areas has fallen, but with a higher proportion of trade coming from North Somerset (Table 4.1 of NLP);
  - iv. the NEMS survey undertaken for RTP in February 2009 may not fully reflect the impact of Cabot Circus on shopping patterns in South Gloucestershire, and it is clear, from NLP's Table 4.2, that the Mall is now drawing more trade from the west of South Gloucestershire area and from further afield, with less trade being drawn from the east of the district and from the eastern fringe of Bristol (RTP's Zones 14 to 18);
  - v. the Mall competes primarily with Bristol City Centre and the larger centres in the region, particularly Bath, with those living to the west of the M32 tending to favour the Mall, and

those living to the east of the M32 tending to favour Bristol City Centre, Longwell Green Retail Park and Bath City Centre; and that

- vi. there is little competition between the Mall and the older centres in South Gloucestershire, such as Staple Hill, Thornbury, Downend, Hanham and Kingswood, which contain very few comparison goods multiples, and that, with the exception of Yate, all of the existing centres have limited geographical sphere of influence, with none serving the wider South Gloucestershire area.

2.3 As a consequence, it is hard to resist the conclusions which NLP reach in paragraphs 4.40 and 4.41 of its report, particularly the findings that:

- i. over 50 per cent of the Mall's comparison goods trade comes from residents beyond the RTP study area;
- ii. many of the existing town and district centres within South Gloucestershire find it hard to attract comparison goods multiples, due to physical constraints, and cannot accommodate significant growth;
- iii. many function as local providers of convenience goods and services, which are complementary to the Mall's function as a comparison goods centre of regional significance; and that
- iv. the existing town centres in South Gloucestershire have neither physical nor market capacity to meet the retail needs that have been identified, as confirmed by paragraph 7.10 of our South Gloucestershire Town Centres and Retail Study.

2.4 Thus, we agree with the conclusion reached by NLP in paragraph 4.42 of its report to the effect that South Gloucestershire's existing town centres cannot meet all of the future comparison goods shopping needs of the residents of South Gloucestershire. It is in this context that NLP proceeds, in Section 5 of its report, to assess the potential to meet some of these local needs – together with the demand from those resident further afield – through expansion of the Mall.

## **The Need for Additional Comparison Goods Retail Floorspace at the Mall**

2.5 In Section 5 of its report, NLP seeks to assess the likely future capacity, or need, for additional comparison goods floorspace at the Mall. NLP's basic stance is that the figure for additional comparison goods retail floorspace at the Mall, as put forward in Table 7.4 of our Town Centres and Retail Study, is a substantial under-estimate because the Mall draws less than half of its comparison goods trade from residents of the RTP study area. NLP proceeds, therefore, with an exercise that assesses the potential need at the Mall if account is taken of inflow of

expenditure from those residents beyond the RTP study area, and assuming, critically, that the Mall’s share of the regional cake remains constant.

- 2.6 NLP defines a primary catchment area for the Mall based on the five local authority areas of South Gloucestershire, Bristol City, North Somerset, Stroud and Monmouthshire. Residents of these five authorities account for 79 per cent of the Mall’s comparison trade in 2010 (NLP’s Table 3.2). The secondary catchment area comprises a further eight authorities (now excluding Cardiff, following the opening of St Davids 2). These eight authorities contribute only about 10 per cent of the Mall’s comparison goods trade in 2010, with the remaining 11 per cent of trade being drawn from a very wide area.
- 2.7 Thus, on the basis of constant market shares, NLP puts forward comparison goods floorspace capacity estimates for the Mall in the period 2011 to 2026, as set out in Table 2.1

**Table 2.1 NLP’s Estimates of the Need for Further Comparison Goods Retail Floorspace at the Mall**

| Scenario  | Net Comparison Goods Floorspace Requirement 2011 to 2026 |
|---|--|
| Whole of Catchment, based on 2008 survey            | 54,113 sq.m net (NLP Table 5.2)                          |
| Whole of Catchment, based on 2010 survey            | 55,688 sq.m net (NLP Table 5.2)                          |
| PCA only, based on 2010 survey                      | 49,618 sq.m net (NLP Table 5.3)                          |
| PCA and SCA, based on 2010 survey                   | 54,280 sq.m net (NLP Table 5.3)                          |
| PCA and SCA, with adjustments for major commitments | 48,866 sq.m net (NLP Table 5.5)                          |

- 2.8 Thus, in round terms, NLP’s analysis suggests a need for an additional 50,000 sq.m net of comparison goods floorspace at the Mall in the period up to 2026, of which approximately 11,000 to 14,000 sq.m net is identified in the period up to 2016. Of crucial importance, however, are:
  - i. NLP’s assumption that the Mall will achieve constant market shares in the period up to 2026, including the market share it derives from residents outside the South Gloucestershire study area;
  - ii. the fact that the residual need identified up to 2016 would be based entirely on inflow of expenditure from residents beyond South Gloucestershire, given that the turnover of existing planning commitments in Yate, Bradley Stoke and Stoke Gifford more than exceeds the anticipated growth in the amount of expenditure of South Gloucestershire residents that is retained in South Gloucestershire;
  - iii. the fact that NLP makes only minor adjustments to the market shares derived from the various authorities in the PCA and the SCA as a result of the town centre proposals identified in its Table 5.4 (please compare the final column of Table 3.3 in NLP’s Appendix 3 with the

penultimate column of Table 3.3, which sets out the market shares or penetration rates indicated by the 2010 exist survey);

- iv. the fact that NLP's estimate of growth in expenditure up to 2026 does not make clear its assumptions in relation to the per capita expenditure growth rates it uses; and
- v. the fact that NLP appears to make no adjustment for the competitive effects of future development in out-of-centre locations within the Mall's catchment area and further development which is likely to occur in town centres within the catchment, but not included in Table 5.4.

2.9 It is clear, therefore, that NLP's assessment of the need for further comparison goods floorspace at the Mall is based on the premise that it continues to operate as a retail location of regional significance and that it will retain its share of the regional expenditure cake. We are not convinced, however, that a case can be made for retention of its current market share given:

- i. the Government's intention to revoke the Regional Spatial Strategy; and
- ii. the absence, in any event, of any up to date evidence in what was the emerging RSS, as to the appropriate hierarchy based distribution of retail demand (as reflected in the complaint put forward in paragraph 8.2.12 of the Panel's Report and its recommendation at 8.2.4).

2.10 Nevertheless, we agree that the floorspace figure for Cribbs Causeway that is put forward in Table 7.4 of our South Gloucestershire Town Centres and Retail Study is based entirely on the potential need arising from residents of the South Gloucestershire study area. We agree, further, that Cribbs Causeway serves a regional function and that it would not be reasonable to seek to limit the scale of future development for retail and other town centre uses solely to that required to meet the needs of residents of South Gloucestershire. Indeed, the vision for the North Fringe of Bristol Urban Area, as set out on page 136 of the proposed changes to the Core Strategy, states that:

*'The North Fringe of Bristol Urban Area will continue to be a major economic driver in the South West region and West of England sub-region. It will continue to maintain its role as a major focus for employment, commercial and retail activity, education and learning.'*

2.11 We consider, therefore, that it would be appropriate to plan for a level of comparison goods floorspace at the Mall, or as an extension to it, up to 2026, which falls between the 20,000 sq.m sales area figure given in Table 7.4 of our Town Centres and Retail Study, and the 50,000 sq.m sales area figure called for in NLP's Additional Evidence Report. Nevertheless, our Town Centres and Retail Study found that growth in retained expenditure in the short term, up to 2016, was more than offset by commitments and growth in the floorspace efficiency of existing retailers. As a consequence, we consider that most of the need for further comparison goods floorspace at an expanded Mall should be met in the period 2016 to 2026, and subject to the caveats and conditions set out in Section 5 of this report.

### 3 OBSERVATIONS ON NLP'S REPRESENTATIONS TO THE PRE-SUBMISSION DRAFT CORE STRATEGY

#### Policy CS14 – Summary of NLP's Representation

- 3.1 NLP's representation on Policy CS14 of the pre-submission draft can be summarised as follows:
- i. there is a major discord between the policy as drafted and the evidence base (including RTP's findings) and that there is a need to extend the evidence base (so as to allow for a fuller consideration of the role and catchment area of the Mall);
  - ii. the impending revocation of the RSS means that it now falls to South Gloucestershire Council to consider the future role of the Mall in its Core Strategy DPD;
  - iii. the policies in the pre-submission Core Strategy do not meet the test of soundness set out in paragraph 4.52 of PPS12 because they are not based on a robust or credible evidence base (hence the rationale for NLP's report of 14 December 2010);
  - iv. to defer the proper consideration of the future role of the Mall would create significant uncertainty for owners and investors, so that it would undermine the likelihood of development coming forward and undermine the objective of creating a new neighborhood under Policy CS26;
  - v. the submission draft does not reflect the evidence base and, in particular, the conclusions set out in paragraphs 7.17 and 7.94 of RTP's report and, in particular, the need for the Core Strategy to *'...include policy to provide guidance as to the circumstance and triggers that are required to enable further retail provision at this location'*;
  - vi. Policy CS14 implies that new investment in main town centre uses is to be directed to existing centres, with the distribution of floorspace deferred to the Sites and Policies DPD, which is said not to be consistent with Policies EC3.1b i and EC5.1 of PPS4, particularly given RTP's conclusions that not all of the need identified in our study can be accommodated in existing centres.
  - vii. Policy CS14 does not provide an appropriate level of strategic direction to other DPDs and SPDs which might follow;
  - viii. the pre-submission version of Policy CS14 adopts a restrictive approach to new internal floorspace within the Mall, which would essentially act as a moratorium on any new retail development at the Mall, and that this would frustrate the area's role as a major economic driver and, in short;
  - ix. that Policy CS14 is not sound as it is not justified.

- 3.2 Thus, NLP is seeking more strategic direction in the Core Strategy, including the identification of the quantum of floorspace that should be accommodated at an expanded Mall and guidance as to the circumstances and triggers that are required to enable further retail provision at this location.

### Policy CS26 – Summary of NLP’s Representation

- 3.3 NLP’s representation on Policy CS26 of the pre-submission draft can be summarised as follows:
- i. it supports the objective to create a new mixed-use neighborhood at Cribbs/Patchway, but that the policy as drafted is not sound in that it is not justified and will not be effective;
  - ii. there is no reference in the policy itself to creation and designation of a new town centre, which has a wider than local function;
  - iii. it is necessary for the policy to acknowledge the contribution that can be made by a range of commercial uses as drivers of investment and in supporting improved linkages between the commercial areas and surrounding residential areas;
  - iv. Policy CS26 does not reflect the recommendations made in RTP’s report, particularly, at paragraph 7.22 and 7.94;
  - v. the future of the Mall and the wider Cribbs Causeway area must be tackled now in the Core Strategy, given the imminent revocation of the RSS;
  - vi. the infrastructure delivery plan, which is primarily intended to be funded by S106/CIL contributions from the private sector is unlikely to be deliverable because the policy does not provide clarity on what it is seeking to achieve and because there is no clear linkage between the types and quantum of development envisaged and the required infrastructure; and that
  - vii. Policy CS26 as drafted fails to meet the strategic objectives of maintaining economic prosperity and improving existing communities.

### RTP’s Initial Observations

- 3.4 So far as Policy CS14 is concerned, we consider that there is merit in NLP’s argument that it is incumbent on the Core Strategy DPD to consider the future role of the Mall and wider Cribbs Causeway area and that consideration of the role cannot be deferred to subsequent DPDs. In particular, we agree that a deferral of the proper consideration of the future role of the Mall and wider Cribbs Causeway would create an unacceptable level of uncertainty for owners and investors that may undermine the likelihood of creating a new neighbourhood centre under Policy CS26.

- 3.5 Similarly, we agree that the quantum of retail floorspace uplift for an extended Mall should not be deferred to a site allocations DPD, and that such a deferral would run counter to the thrust of the advice set out in Policies EC3.1 and EC5.1 of PPS4.
- 3.6 We recognise that the Proposed Changes to Policy CS14, of December 2010, seek to allow for new floorspace at the Mall to be considered against relevant national policies so as to maintain the vitality and viability of the Mall, meet the needs of the growing nearby population and minimise any potential adverse impact on the vitality and viability of other centres. It is particularly important to ensure that any new retail development in the period up to 2016 is relatively small in scale – probably amounting to no more than 5,000sqm sales area - with any major development occurring after 2016 once the future strategy for the Mall and the wider Cribbs Causeway area has been established.
- 3.7 Nevertheless, we are concerned that Policy CS14, as currently drafted, is potentially too restrictive in relation to the medium and long term development of retail and other town centre uses at the Mall and that this might frustrate the delivery of infrastructure that will be funded, in the main, by the private sector.
- 3.8 In our Town Centres and Retail Study, we recommended that the Core Strategy '*...should include guidance as to the circumstance and triggers that are required to enable further retail provision at this location.*' Moreover, the core strategy should make it clear that the justification for further retail development relates to the need to provide for the demand generated by residents of South Gloucestershire and on the basis of the wider regional role performed by the Mall itself. NLP has not sought to justify a need for further provision of bulky goods retail floorspace, or for any expansion of the existing food superstores.
- 3.9 So far as Policy CS26 is concerned, we have sympathy with NLP's argument that it does not provide sufficient clarity as to what the Council is seeking to achieve and that there is a lack of linkage between the types and quantum of development envisaged and the required infrastructure. In particular, we consider that there is a need for the Policy to set out the circumstances that need to prevail before significant amounts of new retail development is allowed, and with guidance, also, in relation to the likely timing and phasing of such development.
- 3.10 We turn, therefore, to some of the lessons we have learned in advising Thurrock Council and the Black Country Consortium in relation to development at Lakeside and Brierley Hill / Merry Hill respectively.

## 4 LESSONS FROM LAKESIDE AND BRIERLEY HILL / MERRY HILL

### Lakeside

- 4.1 The Lakeside Shopping Centre and surrounding area shares a number of similarities with Cribbs Causeway and the Mall in South Gloucestershire and therefore offers some useful comparisons and potential options for policy approaches.

#### *Current Situation*

- 4.2 The Lakeside Shopping Centre is a retail and leisure destination of regional significance; indeed, it has ten times the retail floorspace of Thurrock's most dominant town centre (Grays), which is the administrative centre for Thurrock and the focus for service and cultural facilities. However, Lakeside is dominated by retail uses and offers little in terms of diversity of uses and it does not currently function as a town centre. As well as the main shopping centre, Lakeside incorporates a substantial level of retail warehousing.

#### *RSS Policy Development*

- 4.3 The East of England Regional Assembly recognised Lakeside's existence as a retail expenditure destination of regional significance and it decided that the status of the centre should be determined through a single issue review to the RSS for the East of England.
- 4.4 It was considered that although Lakeside has some of the attributes of a regional centre, it fails to provide the full range of services and functions found in other regional centres such as Basildon, Cambridge and Chelmsford. Thus, it was considered necessary that the strategy for Lakeside should be enshrined in regional policy and with status given to it as a town centre so as to provide the impetus required to overcome deficiencies in services and facilities. It was noted, also, that other town centres in Thurrock were not capable of accommodating the identified retail floorspace needs, and that Lakeside was the only realistic option of meeting them.
- 4.5 Having established that 'upper tier' policy guidance was necessary for Lakeside, its status was then considered. It was determined that a clear designation as a Regional Centre was required. This would meet the policy guidance set out in the then PPS6/draft PPS4 and it was considered that such a designation would have the potential to change perceptions of the area and thereby influence future public and private investment decisions.

- 4.6 As well as identifying a status for Lakeside, the RSS incorporated guidance on the quantum of retail floorspace, so as to allow for a gain of up to 50,000 sq.m sales area. It was considered that a floorspace figure was required so as to provide confidence for investment decisions. Thus, the single issue Revision to the East of England Regional Spatial Strategy identifies the northern part of the wider Lakeside basin as a regional centre under Policy E5 and clause two of a new Policy ETG2 seeks to regenerate and remodel the wider Lakeside basin by, amongst other things:
- i. defining the boundary of the area;
  - ii. providing for a broader employment base;
  - iii. promoting a greater mix of uses;
  - iv. improving the range of services and facilities;
  - v. securing more sustainable movement patterns; and
  - vi. improved connectivity by public transport.
- 4.7 Clause three of Policy ETG2 states that the attainment of regional centre status for the northern part of the Lakeside basin is conditional upon LDDs providing, amongst other things, for:
- i. a town centre boundary, with designated primary shopping area;
  - ii. a greater mix of uses and services, including a significant increase in housing and office accommodation;
  - iii. an indicative scale of floorspace for each major town centre use;
  - iv. indicative thresholds for new retail floorspace, phased with required infrastructure; and
  - v. improved accessibility by non-car modes, and the introduction of a car parking charging regime.
- 4.8 Clause four of Policy ETG2 goes on to set a limit of 50,000 sq.m net for new comparison floorspace in the period up to 2019, and states that no retail expansion should be approved until the adoption of the appropriate LDDs, and the imposition of appropriate conditions and obligations to secure the objectives of Clauses two and three.
- 4.9 Thus, the RSS accepted that it needed to provide guidance in relation to the quantum of comparison floorspace to be delivered up to 2019, but with safeguards in place so as to ensure a wider range of uses, including office and leisure development, significant improvements to the public realm, the promotion of more sustainable transport movements and introduction of a car park charging regime.

### *Core Strategy and Sites DPD*

- 4.10 As the main issues regarding status and floorspace totals and parameters for growth were set out in the single issue review of the RSS, it was for the Core Strategy and subsequent DPDs to set in more detail the specific requirements for the area.
- 4.11 The Core Strategy seeks to ensure that the majority of new housing, employment and associated development in the Borough takes place in the Lakeside / West Thurrock Regeneration Area. This includes: 3,300 new dwellings to be located to the south and east of Lakeside; new Neighborhood Areas to be developed at West Thurrock and South Stifford; new community and health facilities, primary schools and shopping facilities.
- 4.12 Through a new DPD, the northern part of the Lakeside/West Thurrock Regeneration Area is to be transformed into a Regional Centre (town centre), which together with the wider area will provide for between 7,000 and 9,000 jobs. Development is to include a substantial expansion of retail floorspace (50,000 sq.m net of comparison floorspace) to serve sub-regional needs and additional convenience and service retail, office and leisure floorspace to broaden the mix of uses.
- 4.13 The transport network will be redesigned and improved including road improvements, a relocated bus station and environmental improvements surrounding the Shopping Centre, including road and parking alterations.
- 4.14 The DPD proposes the provision of a new railway station at West Thurrock and introduces the South Essex Rapid Transit. The DPD seeks to ensure that pedestrian access is improved and encourages the creation of new urban open spaces.

### **Brierley Hill / Merry Hill**

- 4.15 The Regional Spatial Strategy for the West Midlands was first issued in June 2004. However, in approving the document, the Secretary of State identified the need for further work to be undertaken in the Black Country. This led to the Black Country Study being undertaken for the four Black Country authorities. The study identified Brierley Hill / Merry Hill as one of four strategic locations for retail development, and it recommended that Brierley Hill / Merry Hill be given status in the region's network of 25 strategic town centres, but subject to a number of preconditions.

- 4.16 Thus, the Phase One Revision to the West Midlands Regional Spatial Strategy identifies Brierley Hill / Merry Hill as one of four strategic centres in the Black Country, together with Walsall, Wolverhampton and West Bromwich. A key objective for the Black Country is that these four centres should be developed as part of a balanced network. Of critical importance, however, is the Phase One Revision's insistence that an Area Action Plan be prepared for Brierley Hill / Merry Hill, which integrates the district centre, known as Brierley Hill High Street, with the Waterfront office and leisure complex, and the regional shopping centre at Merry Hill. Thus, the Phase One Revision to the RSS envisages that a subsequent Area Action Plan DPD will ensure that growth in main town centre uses at Brierley Hill / Merry Hill is carefully managed, so as to enable the centre to play an important role in the sustainable regeneration of the sub-region.
- 4.17 Policy PA11A designates Brierley Hill as a new strategic centre as part of a balanced network of four strategic town centres in the sub-region. However, part B of the policy requires that development is guided by an Area Action Plan that:
- i. defines the extent of the centre;
  - ii. combines the three elements of the High Street, Waterfront and Merry Hill;
  - iii. provides a clear framework for phased development and regeneration;
  - iv. provides for mixed use development, including residential and employment uses; and
  - v. promotes improvements in public transport, accessibility to and within the centre.
- 4.18 Part C of Policy PA11A goes on to provide an allocation for 51,000 sq.m gross of retail development in the period up to 2021, but with no new comparison retail floorspace brought into operation until the following conditions are met:
- i. adoption of the Area Action Plan;
  - ii. implementation of improvements to public transport so as to better connect the centre with other locations in the Black Country, and improve accessibility to and circulation within the centre by non-car modes;
  - iii. introduction of a car park management regime, including parking charges, compatible with those in the region's network of major centres.

4.19 Thus, as is the case in Thurrock Lakeside, the Secretary of State was keen to see a diversification of land uses, and improvements in the sustainability of the centre, before any new retail development was brought into operation.

## Lessons Learnt

4.20 The Lakeside and Brierley Hill / Merry Hill experiences offer a number of lessons which would seem to be pertinent to South Gloucestershire; these are that:

- ‘official’ designation as a town centre provides more certainty for both the community and investors;
- floorspace figures should be set at an appropriate level, balancing investor requirements with a need to ensure that other town centres within the catchment are not exposed to significant impact ( in our recommendations, we suggest an uplift for an extended Mall which is in the range 30,000sqm to 40,000sqm sales area in the period up to 2026, but with the overwhelming part of this uplift delivered after 2016;
- a floorspace figure is necessary to provide confidence to the investor and therefore opportunity to fund required infrastructure improvements;
- floorspace growth should be linked to achieving plan objectives, including improved infrastructure and a balanced mix of uses; and
- floorspace and centre designation should be set out in the strategic overarching plan, which, in the case of the South Gloucestershire, is now the Core Strategy, as the issues are wide ranging and affect broad areas due to the regional nature of the catchment.

## Community Infrastructure Levy (CIL)

4.21 RTP is currently engaged by CLG and PAS to assist local authorities in developing their CILs through the front runners project. This has provided us with an insight into expectations regarding the CIL and infrastructure planning in general.

4.22 It is clear from conversations with both CLG and PINs that infrastructure identification, justification and deliverability are going to be key aspects of the examination process. In particular PINs has advised that it will be looking in more detail at the deliverability of infrastructure, especially for the first five years of the Plan.

4.23 South Gloucestershire’s Core Strategy will need to be clear, therefore, about what infrastructure is required, when it is required and the justification for its requirement. We note, in this context, that the Council is currently gathering evidence to assist it in producing a Supplementary Planning Document on CIL and that it is in discussion with potential development partners regarding infrastructure delivery. The CIL will play an important part in the implementation of the provisions of the Core Strategy.

- 4.24 We envisage that the CIL will be applied to any retail, leisure and employment uses being brought forward at the Mall and in the wider Cribbs Causeway area. Subject to viability, the growth envisaged at Cribbs Causeway could realise significant infrastructure contributions.
- 4.25 The deliverability of the necessary infrastructure will be improved if costs can be spread across all development through the CIL, as opposed to the Council being reliant on Section 106 agreements, which are limited to a maximum of five contributors.
- 4.26 We note that South Gloucestershire has prepared an infrastructure delivery plan, and that it has undertaken supplementary work on infrastructure provision through the Neighbourhood Delivery Statements.

## 5 RECOMMENDATIONS

- 5.1 We have reviewed the additional evidence base prepared by Nathaniel Lichfield and Partners(NLP), and assessed its representations in respect of Policies CS14 and CS26. We have also reviewed NLP’s briefing note of 18<sup>th</sup> April 2011, and drawn on our experience in advising Thurrock and the Black Country Authorities in respect of Lakeside and Brierley Hill / Merry Hill respectively. We consider that Policies CS14 and CS26 could be improved, but we recognise that the Council should not be seeking to make substantive changes to the Core Strategy at this stage in the process.
- 5.2 We note, however, that the Inspector has asked about the implications for the Core Strategy of the Government’s recently introduced ‘Plan for Growth’, and that the announcement by BAE in relation to the proposed closure of Filton Airfield, represents an important change in circumstances. We note, also, that the Council is in the process of preparing a Topic Paper on retail policy and we understand that the recommendations of this report and findings of further work will be incorporated in the Topic Paper, perhaps including recommendations for the distribution in retail floorspace in South Gloucestershire’s other town centres.
- 5.3 We have not been instructed to put forward suggested amendments to the specific wording of Policies CS14 and CS26 and we are aware that some of the issues raised by NLP maybe capable of being dealt with through the Council’s intended preparation of a Supplementary Planning Document for the wider Cribbs Causeway area. We are aware, also, that the Council is gathering further evidence and is in the process of preparing a topic paper on retail policy issues that will clarify some of the issues. We recommend, however, that the Council considers revisions to these policies, or provides guidance, which seeks to:
- i. provide official recognition of the unique role preformed by the Mall in serving a local and sub-regional function, perhaps designating part of Cribbs Causeway area as a town centre, but subject to a number of pre-conditions having been met, the most important of which will be the need to secure a more balanced mix of town centre uses, improvements in public transport, improvements in the public realm and possibly the introduction of car parking charges;
  - ii. provide guidance on the quantum of comparison goods floorspace that should be planned for in the period up to 2026, making clear that the additional floorspace is to provide for high quality retailing, probably in the form of an extension to the Mall and setting out details of phasing, making it clear that the bulk of any additional floorspace is to be provided after 2016; the floorspace figure that is derived will represent a balance between investor requirements and aspirations, the need for infrastructure funding and the need to minimise the risk of any adverse impact on existing town centres;

- iii. ensure that the floorspace identified under ii. above is linked to achieving plan objectives, including improved infrastructure and balance of land uses;
- iv. identify the wider Cribbs Causeway area as a strategic site for the purposes of PPS12; and
- v. set out monitoring arrangements

- 5.4 We consider that items i, iii and v can be worked up as part of the Council's Supplementary Planning Documents and that item iv is a policy issue that can be worked up through the topic paper.
- 5.5 We are convinced, however, that it is for the Core Strategy to identify the quantum of retail floorspace that is planned for Cribbs Causeway, rather than a subsequent Sites and Policies DPD. For the reasons given in Section 2, we do not consider it appropriate to be planning for the addition of 50,000 sq.m net sales area, as suggested by NLP. However, we consider, also, that the floorspace figures set out in Table 7.14 of our Town Centres and Retail Study reflect only the needs of residents of South Gloucestershire, and not the wider role of Cribbs Causeway as an economic driver for the sub-region. We consider, therefore, that a retail floorspace range of 30,000sqm to 40,000 sq.m sales area in the period up to 2026 can be justified.
- 5.6 We think it unlikely that NLP will be able to provide further evidence which can justify its call for an uplift of 50,000sqm sales area since this is based on an assumption that the Mall retains its market share of the sub-regional comparison goods expenditure cake. The only possibility that we can envisage that might justify such a figure relates to viability issues and infrastructure funding. As a consequence, we consider that it would be necessary for NLP to provide a full viability appraisal if it is to pursue this line of argument.
- 5.7 However, given the existence of various planning commitments elsewhere in South Gloucestershire , we consider that only a modest amount of retail floorspace be allowed at the Mall in the period up to 2016, and probably no more than 5,000 sq.m sales area. The policy should make it clear, therefore, that the bulk of the new retail development will occur between 2016 and 2026. We do not necessarily advocate that the figure of 5,000 sqm up to 2016 is built into the wording of the Core Strategy Policies, given the flexibility that has already been introduced in the Proposed Changes to Policy CS14
- 5.8 We agree, however, with NLP's conclusion that there is a need for some guidance on the broad apportionment of floorspace between existing centres, and the RTP study provides part of the evidence base for making this apportionment. We recognise, however, that the Council is undertaking further work to assess the physical capacity of each of the centres before it can set quantum figures. As a consequence, it may be necessary for the apportionment to be in the retail topic paper, rather than in the policy itself.

- 5.9 We agree, also, that Policy CS14 should cover the 15 year time horizon up to 2026, but we accept that there may be a caveat to suggest that any floorspace uplift figure for the Mall for the period 2021 to 2026 is indicative, and subject to review.
- 5.10 Similarly, we agree with NLP's suggestion that Policy CS26 needs to refer explicitly to the intensification of retail and commercial floorspace. We agree, also, that Policy CS26 should make explicit reference to the Council's intention to provide a Supplementary Planning Document for the Cribbs / Patchway New Neighbourhood.
- 5.11 Finally, we agree with NLP's conclusion on the need for a sustainability appraisal of the amendments to the policies, and with its suggestion that the Proposals Map includes a strategic allocation for retail and commercial floorspace expansion.
- 5.12 We recommend, therefore, that the Council provides NLP with a copy of our report, so that detailed discussions can commence.