

From: Heather Gallagher [REDACTED]
Sent: 06 January 2017 10:45
To: Planning LDF
Cc: Matthew Williams
Subject: PSP Suggested Modifications Consultation | Representation on behalf of Crestbridge (c/o Ellandi LLP)
Attachments: Comments Form_6 January 2017_SM37.pdf; Comments Form_6 January 2017_SM44.pdf; Comments Form_6 January 2017_SM48.pdf; Comments Form_6 January 2017_SM49.pdf

Dear Sir / Madam

Please find attached our response to the Suggested Modifications to the Submitted Policies, Sites and Places Plan (PSP Plan) Consultation on behalf of Crestbridge Corporate Trustees Ltd and Crestbridge Trust Ltd as Trustees of the Yate Shopping Centre Unit Trust (Crestbridge) (c/o Ellandi LLP).

In addition to the comments made within the attached forms, we wish to make the following observations / suggestions:

- We have previously articulated concern that Draft Policy PSP31 does not seek to meet identified retail needs in full, instead it identifies town centres where identified needs can be met up to 2021. The Council's response to this concern is that retail needs post-2021 will be subject to change due to housing and population growth being brought forward in the West of England Joint Spatial Plan (JSP) and the New Local Plan. In addition, the retail need assessment post-2021 has acknowledged robustness issues and carries little certainty. In combination, these two factors require a revised retail study and retail need figure for the period post-2021, this will inform the distribution of further A1 retail within the New Local Plan for South Gloucestershire.

We acknowledge this response, however the intention to revisit this capacity through the JSP and New Local Plan should be clearly articulated in the supporting text to Policy PSP31 to provide clarity and to ensure that the Plan making process is not undermined through development coming forward prior to the JSP and New Local Plan being adopted. At present, Paragraph 7.61 implies that there is capacity beyond beyond 2021 without any indication as to how this will be planned for going forward. Moreover, it refers to the need to review capacity as part of a replacement to the Core Strategy - it does not refer to the JSP or New Local Plan. It states: "*The identified need for comparison floor space is 34,000 sq. m net by 2026/27. This is based on a retail study, which demonstrates needs arising from within the District for 18,000 sq. m by 2021 and a possible further 16,000 sq. m by 2026/27. Floor space needs beyond 2021 are less certain and will be subject to a future review in line with paragraph 9.26 of the Core Strategy, as part of the replacement to the Core Strategy, which is scheduled for 2018. In the interim, any additional proposal(s) will be considered against the strategy for retail development and investment for centres, set out within this policy and national policy related to sequential and impact test requirements. The retail study did not assess a strategic need for large scale convenience retail within the district. Proposal(s) for large scale convenience retail outside of Primary Shopping Areas will be subject to the provisions of this policy, sequential and impact tests of the NPPF*". In the interests of robustness and in order to make the Plan sound, this text should be updated in order to reflect the latest position and in order to make clear what policy documents will establish and seek to meet retail needs post-2021.

We trust that these comments are helpful and look forward to receiving confirmation of their receipt.

For the avoidance of doubt, please be advised that we wish to be afforded the opportunity to participate at the oral part of the Examination and to be informed about the progress of the Plan going forward.

Our new contact details are provided below and in the attached forms (Williams Gallagher is now the Agent as opposed to Savills).

Kind regards

Heather

Suggested Modifications - Proposed Submission Policies, Sites and Places (PSP) Plan June 2016

The Council is inviting comments on the Suggested Modifications to the submitted Policies, Sites and Places Plan (PSP Plan). The suggestions cover policies, supporting text, Local Green Space designations and the Policies Map.

All comments received by 7pm on the 6th January 2017 will be passed to the Inspector for consideration as part of the examination process.

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- [Suggested Modifications \(November 2016\) to the Policies Sites and Places Plan Proposed Submission \(June 2016\) \(OS1\)](#)

Further details can be found in the following documents:

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Making Comments

All comments should be made using this response form below. A [guidance note](#) for completing this form is available from: www.southglos.gov.uk/PSPsubmission. Completed forms should be submitted to the Council using the contact details below.

Email:	planningLDF@southglos.gov.uk
Post:	Strategic Planning Policy & Specialist Advice Team Environment and Community Services Department PO Box 299 Civic Centre Bristol BS15 0DR

If you have any questions regarding this invitation to make comment or would like any further information, please contact the Strategic Planning Policy & Specialist Advice Team on 01454 863464.

Comments should only be submitted once i.e. by email or by post.

All comments must be received by no later than 7.00pm on 6th January 2016.

Receipt of your response will be acknowledged.

Please note that all comments must refer to the relevant suggested modifications reference, local green space reference or policy map.

PART ONE- YOUR DETAILS

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Should you wish to make more than one comment, please submit a separate form for each in Part Two below clearly stating which suggested modification, Local Green Space Designation or Policy Map change you wish to comment on. (N.B. You only need to complete Part One (Your Details) once)

In circumstances where there are individuals/ groups/ organisations who share a similar view as to how the plan should change, it would be helpful if individuals/ groups/ organisations make a single response. It would also be useful if the group/ organisation state how many people the submission is representing and how the comment was authorised.

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Forename: C/o Agent	Forename: Heather
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Address: C/o Agent	Address: Studio 321, 51 Pinfold Street, Birmingham, B2 4AY
Contact No: C/o Agent	Contact No: [REDACTED]
Email: C/o Agent	Email: [REDACTED]

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PART TWO - YOUR COMMENTS

Please use a separate form for each comment made.

Q1. To which suggested modifications does this comment relate?	
Suggested Modification - Policy Reference: (e.g. SM14)	SM37 PSP31: Town Centre Uses
Suggested Modification Local Green Space Reference: (e.g. LGS1234)	-
Suggested Modification – Policy Map Reference: (e.g. MAP14)	-

For guidance on 'legal compliance' and 'soundness' please see the guidance note available from www.southglos.gov.uk/PSPsubmission.

Q2a. Do you consider the suggested modification is legally compliant

Yes

Q2b. Do you consider the suggested modification is sound?

Yes

Q3. On what grounds do you consider the modification is unsound? Is it because it is not:

N/A

Q4. Please set out what change(s) you consider necessary to make the suggested modification legally compliant or sound. Please be as precise as possible.

Your suggested change should have regard to the test you have identified at Q3 above where this relates to soundness. You should state why this change will make the Policies, Sites and Places Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

We support Modification SM37 as this serves to clarify the policy approach and application of the Retail Impact Assessment.

Please continue on a separate sheet if necessary

Q5. Do you consider it necessary to participate at the oral part of the examination?

Yes, we wish to participate at the Oral Examination.

Q6. If you wish to participate, please outline why you feel it is necessary to participate at the oral part of the examination.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

In order to ensure our client's interests are protected and to provide a response to opposing views on the recent modifications to policies relating to Yate Town Centre (where necessary).

Please continue on a separate sheet if necessary

Q7. Please indicate which, if any, of the following you wish to be notified about.

- the publication of the recommendations of the independent Inspector
- the adoption of the Plan

Please indicate as appropriate

Signature:



Williams Gallagher TPS Ltd

Date:

06/01/2017

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PART TWO - YOUR COMMENTS

Please use a separate form for each comment made.

Q1. To which suggested modifications does this comment relate?	
Suggested Modification - Policy Reference: (e.g. SM14)	SM44 PSP31 – Policies Map – Primary Shopping Area Extent (Removal of B&Q from PSA)
Suggested Modification Local Green Space Reference: (e.g. LGS1234)	-
Suggested Modification – Policy Map Reference: (e.g. MAP14)	-

For guidance on 'legal compliance' and 'soundness' please see the guidance note available from www.southglos.gov.uk/PSPsubmission.

Q2a. Do you consider the suggested modification is legally compliant

Yes

Q2b. Do you consider the suggested modification is sound?

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N/A

Q4. Please set out what change(s) you consider necessary to make the suggested modification legally compliant or sound. Please be as precise as possible.

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We fully support and welcome this Modification. As we have previously stated, under any reasonable interpretation, the B&Q store does not adjoin and is not closely related to the primary shopping frontages of Yate Town Centre in either the draft PSP Plan or the 2006 Local Plan. It is a considerable distance from the core retail area with significant barriers to movement. Moreover, the Council itself acknowledges that the B&Q store and surrounding area is not a town centre site (i.e. within the primary shopping area) as it is described in Table 4 of the draft town centre profile as an edge of centre area. Therefore, B&Q's removal from the PSA is considered to be wholly appropriate and necessary to make the PSP Plan sound. It will ensure that any redevelopment proposal for the B&Q is properly assessed having regard to its impact on the vitality and viability of Yate Town Centre.

Please continue on a separate sheet if necessary

Q5. Do you consider it necessary to participate at the oral part of the examination?

Yes, we wish to participate at the Oral Examination.

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Q7. Please indicate which, if any, of the following you wish to be notified about.

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PART TWO - YOUR COMMENTS

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Q1. To which suggested modifications does this comment relate?	
Suggested Modification - Policy Reference: (e.g. SM14)	SM48 PSP 33 Policies Map Yate – New Secondary Shopping Frontages (Inclusion of Riverside Cinema in SSF)
Suggested Modification Local Green Space Reference: (e.g. LGS1234)	-
Suggested Modification – Policy Map Reference: (e.g. MAP14)	-

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Q2a. Do you consider the suggested modification is legally compliant

Yes

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Yes

Q3. On what grounds do you consider the modification is unsound? Is it because it is not:

See comments below.

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We do not object to the inclusion of the remainder of the Riverside development in the Secondary Shopping Frontage. However, in order for the Plan to be Sound, it is necessary to extend the Primary Shopping Area southwards to reflect this extended boundary and to be consistent with the remainder of the Riverside development which is already identified as a Secondary Shopping Frontage and included in the PSA.

Annex 2 to NPPG confirms that the Primary Shopping Area is a: “*defined area where retail development is concentrated (generally comprising the primary and those secondary frontages which are adjoining and closely related to the primary shopping frontage*” (emphasis added). In this case, it is considered entirely appropriate to include the extended secondary frontage in the PSA as it is closely linked to the more traditional shopping areas which are identified as Primary Shopping Frontages on the Yate Policies Map.

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Suggested Modification Local Green Space Reference: (e.g. LGS1234)	-
Suggested Modification – Policy Map Reference: (e.g. MAP14)	-

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Your suggested change should have regard to the test you have identified at Q3 above where this relates to soundness. You should state why this change will make the Policies, Sites and Places Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

We fully support and welcome this Modification which removes 39 South Parade, Yate, South Gloucestershire, BS37 4BB from the Secondary Shopping Frontage (SSF) of Yate Town Centre.

Residential use in this peripheral location is entirely appropriate and will contribute not only to the District's 5 year Housing Land Supply, but also the overarching objective to introduce more residential uses in to Yate Town Centre. It is also in line with the NPPF which encourages LPAs to recognise that residential development can play an important role in ensuring the vitality of Centres and set out Policies to encourage residential development on appropriate sites.

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