

Commons Hansard Written Answers text for

Thursday 11 Feb 1999

Planning Policy

Mr. Alan Johnson: To ask the Secretary of State for the Environment, Transport and the Regions if he will make the need for new retail and leisure developments a material consideration to be taken into account by local planning authorities in determining planning applications.

Mr. Caborn: Our policy on town centres, including retail and leisure development, is set out in Planning Policy Guidance note 6: Town Centres and Retail Development (PPG6). This aims to sustain and enhance the vitality and viability of our existing town centres by focusing new investment, particularly for retail and leisure uses within city, town and district centres. This statement is intended to add to and clarify the guidance in PPG6 in the light of a number of issues raised in recent litigation which concern the interpretation of PPG6 and Government policy.

PPG6 advises local planning authorities to adopt a positive, plan-led approach to handling planning applications involving new retail and leisure developments. It advises them, in preparing planning strategies and policies, to consider the need for new retail and leisure development in the plan area over the lifetime of the plan. Having established that such need exists, local planning authorities should then adopt a sequential approach (as explained in PPG6) to identify suitable sites. If there is no need for further developments, there will be no requirement to identify additional sites.

Proposals for new retail and leisure development which accord with an up-to-date plan strategy or are proposed on sites within an existing centre, should not be required to demonstrate that they satisfy the test of need because this should have been taken into account in the development plan.

However, proposals which would be located at an edge-of-centre or out-of-centre location and which:

- Are not in accordance with an up-to-date development plan strategy; or
- Are in accordance with the development plan but that plan is out of date, is inconsistent with national planning policy guidance, or otherwise fails to establish adequately the need for new retail and leisure development and other development to which PPG6 applies, should be required to demonstrate both the need for additional facilities and that a sequential approach has been applied in selecting the location or the site.

In the context of PPG6 and this additional guidance, the requirement to demonstrate 'need' should not be regarded as being fulfilled simply by showing that there is capacity (in physical terms) or demand (in terms of available expenditure within the proposal's catchment area) for the proposed development. Whilst the existence of capacity or demand may form part of the demonstration of need, the significance in any particular case of the factors which may show need will be a matter for the decision-maker.

In the circumstances referred to above, the need for such proposals should be considered carefully when determining planning applications. A failure to demonstrate both the need for such proposals and that a sequential approach has been applied in selecting the application site would normally justify the refusal of planning permission unless there were weighty additional material considerations.

In applying the sequential approach, the relevant centres in which to search for sites will depend on the nature and scale of the proposed development and catchment that the development seeks to serve. The scale of such proposals should also be appropriately related to the centre--whether town, district or local--the development seeks to serve.

The policy set out in PPG6, and the guidance above should be applied equally to proposals for extending existing edge-of-centre and out-of-centre development which creates additional floor space. Local planning authorities should consider the need for further retail or leisure facilities and then apply the sequential approach to identifying where any such development should take place. Where proposals for such extensions to existing developments are put forward, the Government will expect applicants to demonstrate the need for additional facilities, and that such additional facilities could not be accommodated on sites in more central locations, in accordance with the sequential approach. Need in this context, as in PPG6 generally, should be interpreted as already explained above. Local planning authorities should therefore treat extensions to existing retail and leisure facilities in edge-of-centre and out-of-centre locations as if they were new development.