

Newport City Council
Local Development Plan

Hearing Session 8: Retail Matters

10am – Tuesday 29th April 2014



1. Policy R7 – Newport Retail Park District Centre.

- **Does policy R7 adequately reflect the existing dual role of Newport Retail Park? Is the restriction on role and function, as set out in the first paragraph of the policy, justified by the evidence? Is the text in this paragraph inappropriate for inclusion as part of the policy wording?**

1.1 The Council's understanding of the term 'dual role' is as per Stadium's representations (3160) "which is to provide retail services, and retain retailers, expenditure and jobs in Newport as well as to service the needs of the EEA". The Council agree Newport Retail Park District Centre (NRPDC), by reason of its size and location, does perform such a dual function and feel that having a stand-alone policy acknowledges this. However, the Council does not wish for Newport Retail Park to be higher in the retail hierarchy than a district centre. Indeed, this would be harmful to the City Centre.

1.2 The Collier's Retail Study and Capacity Assessment – July 2010 (SD70) provides the evidence base for the retail chapter of the LDP and includes specific policy recommendations relating to NRPDC. The main recommendations include:

Policy Recommendations – Paragraphs 8.30 -8.39

- Strong City Centre first approach.
- Primary role of the City Centre is the sale of non-bulky comparison goods and that it should be the leading destination for the sale of these goods.
- Control to be maintained over the range of comparison goods which can be sold in the district centres to ensure that they do not evolve into centres which compete with the City Centre to the detriment of its vitality and viability.
- The appropriate use of conditions to govern the range of goods which can be sold; the minimum unit size and total floor space of each unit is recommended.
- Potential for NRPDC to compete directly with City Centre for the sale of non-bulky comparison goods. Recommend sale of comparison goods to be restricted primarily to the sale of bulky goods so as to ensure that the centre does not evolve into a high street comparison goods centre which undermines the continued vitality and viability of the City Centre.
- Do not identify any significant requirement to accommodate additional food shopping within the centre.
- If 'Megabowl' proposals are implemented – further expansion of convenience retailing would change the function and character of the centre, expanding it beyond what is appropriate in a district centre and thereby changing its position in the hierarchy.

1.3 Table 1 illustrates that Newport Retail Park is the equivalent of 73% of the City Centre retail goods floorspace and that 55% of all district centre occupied retail floor space is at Newport Retail Park District Centre

Table 1 – Retail Floorspace Figures

Type of goods	City Centre	Newport Retail Park District Centre*
Comparison	24,770sq m net	17,535sq m net
Convenience	4,807sq m net	4,065sq m net
Total	29,577sq m net	21,600sq m net

Source: Colliers Report – Pages 84 & 86 and Appendix 4b(i)

*These figures are based on the larger boundary, although most units are within the LDP boundary.

1.4 Since the adoption of the UDP and Newport Retail Park’s classification as a District Centre, the changes set out in Table 2 have occurred in the City Centre. Ten national chains have closed stores on Commercial Street and adjoining shopping streets in the primary shopping area. Two have kept a presence in the City Centre by opening franchise shops within BHS, however, 9 out of the 10 have stores or franchises located at Newport Retail Park, leaving 8 of the national chains with no presence in the City Centre.

1.5 Notable moves from the City Centre to Newport Retail Park include Marks and Spencer, Sports Direct, H&M and Next. Such a shift in comparison goods and store significance in terms of customer draw from a City Centre location to a District Centre raises significant concerns for Newport Retail Park’s position in the retail hierarchy.

Table 2 – National Chain Movements

National chain stores that have closed stores in the City Centre	Comments
Dorothy Perkins	Franchise store located in BHS in the City Centre and in Outfit in Newport Retail Park.
Sports Direct	Relocated to Newport Retail Park and recently applied for planning permission for a larger store in the former ‘Megabowl’ unit in NRP DC. The Council has refused the application. The applicants might appeal the decision.
H&M	Relocated to Newport Retail Park District Centre.
M&S	Relocated to Newport Retail Park District Centre.
Next	Closed City Centre store – have a larger unit in Newport Retail Park District Centre.
Topshop	Franchise store located in Outfit in Newport Retail Park District Centre.
Monsoon	Nearest store in Cwmbran
Wallis	Franchise store in BHS in the City Centre and Outfit in Newport Retail Park District Centre.
Burton	Franchise store in Outfit in Newport Retail Park District Centre.
Chessmen	Store located in the units at the front of Tesco, Newport Retail Park District Centre.

1.6 Table 3 sets out the occupiers of Newport Retail Park District Centre in 2006 (taken from app 06/1640) and in 2014. Back in 2006 there was a greater presence of bulky goods store, such as Dreams Plc, Multi Tile Ltd, Harveys and The Range. All the comparison stores present at Newport Retail Park District Centre now are selling non-bulky goods.

1.7 The Adopted Unitary Development Plan (2006) (Policy R7) sought to see an increase in the mix of uses and remodelling at Newport Retail Park more consistent with a District Centre designation. The list of stores present in 2014 demonstrates that Newport Retail Park has successfully managed to shift the range of goods on offer from bulky goods usually associated with out-of-centre locations to District Centre comparison goods.

Table 3 – Newport Retail Park Occupiers

Occupiers of NRP in 2006	Occupiers of NRP in 2014
Tesco	Tesco
Boots	Gemilli's
Staples	Betfred
Dreams Plc	Subway
Multi Tile Ltd	O2
Kwik Save	GM Music
Poundstretcher	St Davids Hospice Care
Harveys	Chessmen
SCS	Decks
Holiday Hypermarkets	Funky Monkey
Sportsworld	The Original Factory Shop
Iceland	Boots
JJB Sports	Clinton Cards
Brantano	Peacocks
PC World	Clarks
The Range	New Look
Lidl	Asda Living
Carphone Warehouse	Outfit – Wallis, Burton, Topshop, Warehouse, Dorothy Perkins, Oasis.
Former Megabowl unit	Next
Cineworld	SCS
Peugeot & Citroen Garage	99p Store
Blockbusters	Sports Direct
Sally's Hair & Beauty	Iceland
Pizza Hut	Phones 4 U
McDonalds	Costa
Wessex Garage	Claire's
Former Volkswagen Showroom	The Perfume Shop
Dutton Forshaw	Vision Express
Matalan	Thomson Travel
	Bank (Clothes)
	JD Sports
	River Island
	H&M
	Gap
	Marks and Spencer

	Matalan Former Megabowl unit Cineworld Peugeot & Citroen Garage Kia Motors Hyundai McDonald's Pizza Hut Frankie & Benny's Sally's Hair & Beauty Harvester (Under Construction) Pizza Express Car Phone Warehouse
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1.8 Newport Retail Park has created a vibrant shopping destination attractive to both customers and stores wanting to trade from there. The Council acknowledge this success, however, future expansion and change at this District Centre has potential to prejudice the city centre. The figures and store movements noted above, highlight the scale and type of goods sold at Newport Retail Park District Centre. The defined retail hierarchy is City Centre first. The Council feel justified in controlling future retail development at the District Centre to ensure the retail floor area does not match or exceed that in the City Centre and become disproportionate to its district centre function which serves the Eastern Expansion Area and surrounding settlements.

1.9 Planning Policy Wales (Ed 6 – Feb 2014) and Technical Advice Note 4 (Nov 1996), clearly establish that there are different forms of retail centres, including town, district, local and out-of-centre centres. Past experience of retail applications submitted on NRPDC involves applicants submitting evidence defining it as a town centre for the purposes of the application of the sequential test. The opening paragraph of Policy R7 seeks to explain the definition of NRPDC so as to accurately place it in the retail hierarchy for the application of the sequential test as a District Centre and set out the approach the Council will take in assessing proposals. The Council does, however, accept that this objective does not need to be in the Policy and can be achieved by changing the paragraph to supporting text, as an introduction to the Policy. Appendix 1 sets out the suggested approach.

- **Are the caveats in policy R7 on retail development at Newport Retail Park District Centre (i) inconsistent with national policy guidance (and if so, in what way); (ii) unjustifiably prescriptive and restrictive; (iii) backed by adequate evidence?**

1.10 The approach taken to Newport Retail Park District Centre is considered to be in accordance with Planning Policy Wales – Ed 6 – Feb 2014 (Chapter 10). In particular the Inspector's attention is drawn to 10.2.1 and 10.2.9:

- Development plans should identify specialist functions and be clear about the future roles.
- Development plans should also identify changing pressures and opportunities and devise appropriate responses to them.
- Smaller scale retail provision, including appropriately sized supermarkets, leisure facilities, and other facilities such as local health centres, branch libraries, area offices of

the local authority and primary schools should preferably be located in district, local and village centres.

- 1.11 R7's criteria aim to provide clarity to developers on the scale of development the Council think is appropriate for a district centre. The figures noted in Table 1 and policy recommendations of Collier's Report (SD70) justify the Council seeking to set clear parameters on acceptable levels of development.
- 1.12 Criterion (i) is derived from the Collier's Retail Study recommendations that notes "further expansion of convenience retailing would change the function and character of the centre, expanding it beyond what is appropriate in a district centre and thereby changing its position in the hierarchy" (para 8.37). This point is expanded upon in the Collier's Supplement (February 2013) (Appendix 1 of SD 69) which seeks to ensure convenience retailing proposals that come forward are of an appropriate scale to a district centre. The threshold of 929sq m retail sales floorspace is considered appropriate as the Collier's Supplement (SD69) states, based upon the current actual retail sales floorspace of operators, it would permit smaller stores serving a local function, such as convenience stores, discounters and small supermarkets, but prevent the addition of new superstores which are likely to draw trade from a wider area.
- 1.13 With regards to criterion (ii), the policy is not restricting retail developments to an increase of 500 sq m floorspace figure, but requiring an assessment to demonstrate that there is not a more sequentially preferred site available and that it would not have an unacceptable impact on other centres. The retail floorspace figures at Newport Retail Park as set out in the Collier's Report equate to 73% of the retail space in the City Centre. The Council considers further expansion of retail floorspace is inappropriate for a District Centre and would threaten the primacy of the City Centre and therefore be contrary to national planning policy and sound planning practice. The Council considers this criterion, allows any potential expansion to be monitored to ensure it is at a scale appropriate to the district centre's position in the retail hierarchy. As noted above the justification behind allocating Newport Retail Park as a District Centre was to serve the Eastern Expansion Area, this principal function has not changed, although paragraph 8.22 reflects its wider role.
- 1.14 Collier's Retail Study (2010)(SD70) at paragraph 8.35 notes there is potential for Newport Retail Park District Centre to change the nature of the goods it sells and thereby to compete directly with the City Centre for the sale of non-bulky comparison goods. Criterion iii is therefore considered justified to be in the interest of protecting the vitality and viability of the City Centre. The sentiments of criterion iii) are the same as criterion ii) of R6. The Council has no objection to criterion iii) being reworded to that of criterion ii) of R6.
- 1.15 Criterion iv) of Policy R7 notes that other A use classes and community facilities will be supported where they primarily serve the EEA. This not considered to be too prescriptive or restrictive, but seeking to ensure that facilities are of an appropriate size for a district centre and do not compete with the City Centre.

1.16 The Council consider criterion vi) could be improved by requiring improved links to the surrounding area and not just the EEA as currently implied by the Policy. Appendix 1 sets out the suggested change.

- **Would the provisos in policy R6 Retail Proposals in District Centres (together with policy SP20) provide an adequate framework for the consideration of new retail proposals at NRPDC, consistent with national policy guidance, safeguarding of the viability and vitality of the city centre and the sequential test? If not, why not?**

1.17 Policies R6 and SP20 provide a comprehensive policy framework, consistent with national policy guidance for the consideration of retail developments in Newport and its District Centres. However, a separate policy approach to Newport Retail Park District Centre is considered justified given its size and greater potential to impact on the City Centre. The answer to question 1 above documents the retail floorspace comparisons and shift in traders from the City Centre to Newport Retail Park District Centre. Policy R7 is considered to offer greater clarity and certainty and quantifies the scale of development that will trigger assessments.

- **Does the NRPDC designation exclude land currently identified in the UDP as within the district centre designation? If so, is there an appropriate planning rationale and justification for this?**

1.18 The Adopted Unitary Development Plan (May 2006) – the subject of Newport Retail Park was discussed at Inquiry; however, no boundary was defined. The UDP does not include an inset plan of the District Centre. The LDP is now seen as the correct mechanism to define a boundary.

1.19 The East Newport Development Framework Supplementary Planning Guidance (May 2007)(SD64), includes a diagrammatic plan illustrating the proposed land use of the Eastern Expansion Area(page 14). The Land Use Framework makes a distinction between district centre and leisure uses. Cineworld, Megabowl and the 4 units opposite Cineworld are allocated as leisure uses.

1.20 An appeal relating to the Former Megabowl Unit (07/0872) accepted that the unit is situated within the District Centre. However, the Council maintained that the unit should be retained for leisure use, as indicated in the East Newport Development Framework SPG (SD64).

1.21 The preparation of the LDP is an appropriate time to review boundaries defined in the Plan and amend where the Council feels it is necessary to do so. This is in accordance with PPW (paragraph 10.2.1). Accordingly a review of all the UDP District Centre boundaries has been undertaken (see SD 69 for details) and changes made to a number of boundaries.

- **Do existing uses/permissions on land contiguous with the designated District Centre point rationally to the inclusion of these areas within the district centre boundary? Do these omissions render the Plan unsound through lack of coherence and consistency?**

1.22 The exclusion of part of larger retail park is considered appropriate. The layout and function of the area between the defined centre in the LDP and the intervening boundary with the Eastern Expansion Area is different to the proposed defined centre area. The wider area is separated from the area within the proposed District Centre boundary by the estate access road. Retail units such as Marks and Spencers back onto the area with the opportunities for full integration limited, both in visual or design terms and in terms of mixed trips on foot. The areas are physically divorced and parking is distant, meaning shoppers would drive between the two areas. The wider area functions predominantly as a car sales and leisure area dominated by three car sales showrooms, the large vacant Megabowl unit and a large cinema with smaller scale A3 users scattered around the southern end. Matalan occupies a remote position in the northern portion. Whilst it is acknowledged that the area is an established commercial and leisure area with a number of extant permissions, the Council are concerned that its inclusion in the District Centre would undermine the focus on the City Centre.

1.23 It is for the LPA to consider and review its district centre boundaries to ensure that they reflect the centre's future role in terms of current retail planning policy and the retail hierarchy. The Council has included what it feels currently reflects a reasonable and appropriate district centre boundary having regard to the centre's size, layout, location, range of uses, catchment, and current and likely function over the Plan period. This has regard to the Newport Retail Capacity Study (SD70) undertaken on the Council's behalf by Colliers International, and is consistent with the Plan's City Centre first approach in retail planning policy. A cumbersome and unduly large district centre against the backdrop of current retail planning policy poses a threat to the vitality and viability of the city centre and is unlike any other district centre in Newport in this respect. The sheer scale and retail floorspace area of the district centre as it currently stands (i.e. including Matalan, megabowl, etc) gives opportunities for new retail development pressure and curtails the implementation of retail planning policy controls and raises uncertainty amongst potential developers in sequentially preferable centres regarding the role of the district centre.

2 Policy R6 – Commercial Road District Centre

- **Is the exclusion of land forming the eastern end of the Asda car park, fronting Lower Dock Street, from the Commercial Road district centre boundary, supported by a logical and coherent rationale, which takes account of the land's existing and permitted use? What evidence supports a change from the district centre boundary as designated in the UDP?**

2.1 The District Centres boundaries defined in the Adopted Unitary Development Plan have been reviewed as part of the Plan preparation process. This approach is consistent with PPW (Ed 6 – Feb 2014) which notes at paragraph 10.2.1 that in preparing development plans it may be necessary to redefining the boundaries of centres. The results of the review are set out in the District Centre Background Paper – June 2013 (SD69).

2.2 Planning application 05/1268 granted planning permission for an Asda supermarket on the former Cattle Market site and a hotel on the north eastern corner of the site. The hotel was

seen as an important element of the scheme in protecting the visual appearance of Lower Dock Street and the wider Conservation Area generally.

2.3 The Commercial Road District Centre boundary drawn in the Deposit LDP (SD44) identified a boundary that included the Asda supermarket and associated car park, but excluded the hotel element of the scheme. This was allocated as EM2(iv) of the Deposit LDP (SD44) to offer flexibility on the proposed uses acceptable on the site, as interest in developing a hotel was minimal. Emphasis on the site's relationship to Lower Dock Street and the Conservation Area were, however, maintained as being essential considerations for the site's development. As part of the preparation of the Revised Deposit LDP and the Employment Land Review (SD65) an assessment of the Plan's employment and regeneration sites was undertaken. The EM2(iv) allocation was removed due to its small size.

2.4 The Council maintains its position that the site relates more to Lower Dock Street than Commercial Road, the latter being the focus of the District Centre. A key aim for the site's redevelopment is to provide a continuous and attractive built frontage to the Conservation Area of Lower Dock Street. Since the submission of the LDP (SD3) Newport City Council has successfully bid and been awarded £14.8million as part of the Welsh Government's Vibrant and Viable Places Grant Funding Scheme, which forms part of a £60m regeneration project. This site is identified as part of the bid for a scheme of 24 affordable apartments. While a residential scheme is not inconsistent with a district centre designation, it is not the primary focus of the retail driven policy designation and does not justify an extension to the boundary.

3 Policy R6 – Discovery Retail Park and Malpas Road District Centre

- **Is the exclusion of the Discovery Retail Park (accommodating Aldi and Wickes DIY) supported by a logical and coherent rationale, which takes account of the land's existing use and its relationship to the designated Malpas Road District Centre? What evidence supports a change from the district centre boundary as designated in the UDP? Is exclusion inconsistent with the national policy definition of a district centre provided in TAN 4?**

3.1 PPW (Ed 6 – Feb 2014) notes at paragraph 10.2.1 that in preparing development plans it may be necessary to redefine the boundaries and identify changing pressures and opportunities and devise appropriate responses to them. The Collier's Retail Study and Capacity Assessment (SD70 – page 85) provides an assessment of the vitality and Viability of the District Centres. The Council's review of the District Centre Boundaries is set out in the District Centres Background Paper – June 2013 (SD69).

3.2 With regards to the Discovery Park, the two units are not of a size or style usually associated with a District Centre and are physically separate from the traditional element of the centre, with their own access and car park arrangements. The physical form of the site and units i.e. large single level units with a large car-park, are not considered to be consistent with the definition of a District Centre in TAN 4, but relate more to the definition of retail warehouses

and out-of-centre locations. While the Collier's Retail Assessment (SD70) notes Aldi and Wikes as key anchor stores situated within the UDP defined District Centre, it notes at paragraph 6.35 that Aldi is physically detached from the main shopping frontages of the centre and does not appear to generate the same level of benefits or linked trips.

3.3 A key aim of the Plan's Strategy is a City Centre first approach to retail development, consistent with national guidance. Inclusion of an area within a District Centre clearly identifies its position in the retail hierarchy and offers it an in principle acceptance of retail development, with no requirement to demonstrate need. Exclusion of this site from the District Centre moves it down the retail hierarchy and offers the Council greater policy control in terms of future development opportunities, reducing the threat to the City Centre.

4 Policies R6/R12 – 28 East Retail Park

- **Is the non-designation of the 28 East Retail Park as a district centre supported by a logical and coherent rationale, which has regard to national policy guidance?**
- **Is Policy R12 unreasonably restrictive, in particular in relation to refurbishment of existing units where no increase in floorspace or variation in permitted range of goods is proposed?**

4.1 28 East Retail Park is not identified in the LDP as a District Centre as it is not considered to meet the definition set out in TAN 4. The retail park comprises a number of retail units, including The Range and FW homestore, organised in a 'u' shape format, fronting onto a car park. Restrictions via planning conditions are in place to limit the range of goods that can be sold at the park. The park is more appropriately defined as an out-of-centre location consisting of retail warehouses within the context of TAN 4. TAN 4 defines retail warehouses as "large single-level stores specialising in the sale of household goods and bulky DIY items, catering mainly for car-borne customers and often in out-of-centre locations". Allocation of the retail park as a District Centre would shift the centre's position in the retail hierarchy and by reason of the amount of floorspace, much of which is vacant, represents a very real threat to the vitality and viability of the City Centre.

4.2 The primary aim of Policy R12 is to ensure out-of-centre retail developments do not have an unacceptable impact on the City Centre and District Centres. The Council do not, however, wish to stifle refurbishments and improvements to stores that do not increase floorspace or the change the range of goods sold. Appendix 2 sets out a revised form of policy wording to reflect this.

5 Policy R6 – Ringland District Shopping Centre

- **Is the non-designation of Ringland shopping centre as a district centre supported by a logical and coherent rationale, which has regard to national policy guidance?**

5.1 An assessment of the District Centre's vitality and viability was carried out as part of the Retail Study and Capacity Assessment undertaken by Collier's International (SD70 – page 85). The District Centre Background Paper (SD69) offers further analysis, particularly in relation to the defined boundaries. The Collier's Retail Study recommends that the district centres be reviewed

to ensure those defined as such more closely match the TAN4 definition. Within this context, the Study concludes that Ringland be considered for reclassification as a local centre (para 8.33).

5.2 Ringland shopping centre is a purpose built centre, with shopping units fronting onto a central courtyard. The shop frontages cannot be viewed from outside the centre. Ringland is the smallest of the District Centres defined in the UDP, with convenience goods dominating the retail goods on offer, such as bakers, fruit and veg butchers, post office and newsagents. The size, goods on offer and customer base are considered to be more consistent with the definition of a local centre set out in TAN 4 (Nov , 1996).

6 Crindau regeneration site – allocation (EM2ii) and paragraph 6.22

- **Would the allocation of EM2(vii) for retail use in addition to B1, commercial and leisure uses be consistent with (i) the overall Plan Strategy; (ii) national policy guidance concerning location of new retail development? Does the absence of a retail allocation in this location make the Plan unsound?**
- **Is additional wording in paragraph 6.22 referring to the updated Crindau Masterplan taking full account of existing residential amenity and commercial operations needed in order to make the Plan sound? On what basis does this omission from the text of paragraph 6.22 result in an unsound Plan?**

6.1 The LDP sets a clear focus for a city centre first approach to retail development, consistent with national guidance which promotes established centres as the most appropriate locations for retailing uses (10.1.1). PPW (ed 6 – 2014) notes at paragraph 10.2.10 that if there is no need for further development for retail uses, there will be no need to identify additional sites. The Collier’s Retail Study and Capacity Assessment (SD70) does not identify any additional retail need outside of the City Centre, new retail allocations are therefore not considered necessary or desirable. This recommendation is not considered to make the Plan unsound. The allocation of additional retail sites will further threaten the City Centre’s vitality and viability.

6.2 Issues of residential amenity and commercial operation will be assessed against the General Development Principles Policies, in particular GP2 – General Amenity and GP5 – Natural Environment. The suggested additional wording is not considered necessary to make the Plan sound.

Appendix 1

Newport Retail Park

Newport Retail Park is a District Centre, as defined by TAN 4, to provide local shopping facilities for the eastern expansion area. The scale of existing retailing and other facilities in and around the Newport retail park has the capacity to perform a much wider role. In order to achieve the policy objective, the boundary of the District Centre has been defined. Existing facilities outside of this boundary will be regarded as being out of centre.

R7 Retail Proposals in Newport Retail Park District Centre

PROPOSALS IN NEWPORT RETAIL PARK WILL BE PERMITTED PROVIDED THAT EACH OF THE FOLLOWING CRITERIA ARE MET WHERE APPLICABLE:

- i) THERE WILL BE NO MORE THAN ONE LARGE CONVENIENCE STORE WITH A FLOORSPACE IN EXCESS OF 929 SQ M RETAIL SALES FLOORSPACE* IN THE DISTRICT CENTRE; OTHER SMALLER CONVENIENCE STORES SERVING A LOCAL FUNCTION WILL BE ACCEPTABLE;**
- ii) CLASS A1 RETAIL DEVELOPMENT WHICH INCREASES THE TOTAL NET FLOORSPACE IN THE DISTRICT CENTRE (AS MEASURED IN JANUARY 2013) BY MORE THAN 500 SQ M WILL BE REQUIRED TO DEMONSTRATE THAT THEY ACCORD WITH THE STRATEGIC OBJECTIVE OF PROVIDING LOCAL SERVICES FOR THE EASTERN EXPANSION AREA, COMPLY WITH THE SEQUENTIAL TEST AND DO NOT HAVE A HARMFUL IMPACT ON OTHER CENTRES;**
- iii) THE TYPE OR RANGE OF GOODS SOLD DO NOT HAVE AN ADVERSE IMPACT ON THE VITALITY AND VIABILITY OF THE CITY CENTRE DOES NOT THREATEN THE VITALITY OR VIABILITY OF THE CITY CENTRE;**
- iv) THE INTRODUCTION OF OTHER CLASS 'A' SERVICES AND RELATED COMMUNITY FACILITIES WILL BE SUPPORTED WHERE THEY WILL PRIMARILY SERVE THE EASTERN EXPANSION AREA AND WILL BE SUBJECT TO CONTROL TO PREVENT THEIR CHANGE OF USE TO CLASS A1 USE;**
- v) THE SITING AND DESIGN OF THE PROPOSALS SHOULD ENHANCE AND IMPROVE LINKS TO THE ADJOINING SURROUNDING RESIDENTIAL DEVELOPMENTS, PARTICULARLY FOR PEDESTRIANS AND CYCLISTS;**
- vi) THE SURROUNDING HIGHWAY AND TRANSPORTATION NETWORK HAS CAPACITY TO SERVE THE DEVELOPMENT, AND THAT ACCESS AND SERVICING ARRANGEMENTS CAN BE ACCOMMODATED IN A SATISFACTORY MANNER;**
- vii) THE PROPOSAL IS FULLY ACCESSIBLE ON FOOT, BY BICYCLE AND BY PUBLIC TRANSPORT;**
- viii) SATISFACTORY CAR PARKING ARRANGEMENTS EXIST OR CAN BE PROVIDED.**

*Retail sales floorspace is defined as follows: the area within the shop or store which is visible to the public and to which the public has access, including fitting rooms, checkouts, the area in front of checkouts, serving counters and the area behind used by serving staff, area occupied by retail concessionaires, customer service areas,

internal lobbies in which goods are displayed, customer cafés and toilet. For the application of policies in this Plan, the retail sales floorspace of shop units with a small customer area with limited display but a large back of house storage area (such as catalogue showrooms) will be treated as comprising 80% of the gross internal floorspace (GIA) of the unit.

- 8.1 Newport Retail Park District Centre has successfully developed into a centre which provides shops, jobs and helps retain retail expenditure within Newport. However, Newport Retail Park has now developed to such an extent that it has more than sufficient floorspace and types of traders present to fulfil a role as District Centre, even allowing for the significant development planned to occur in the Eastern Expansion Area of the City (see Newport Retail Study and Capacity Assessment, Colliers International, July 2010¹ and Newport Retail Park supplement, January 2013). Given its location and critical mass, further development of the District Centre will pose a threat to the viability and vitality of the City Centre, not only in terms of any additional development itself, but also in terms of increasing the cumulative attraction of the District Centre and therefore restrictions are placed on its further development.
- 8.2 A boundary for Newport Retail Park District Centre is defined in Inset Plan 25. The defined area reflects the purpose of the policy designation, i.e. to provide local shopping facilities for the Eastern Expansion Area and surrounding settlements, and to limit the potential for competition with the higher tier 'town' centre.
- 8.3 Within the boundary, Newport Retail Park District Centre will be assessed as a District Centre within the retail hierarchy for the application of the sequential test. Retail development in areas outside the defined District Centre will be subject to the sequential test, will have to demonstrate need and if those tests are met will have planning conditions restricting the range of goods sold. The application of these tests will help the vitality and viability of the City Centre and accords with National Planning Policy.
- 8.4 The Colliers International Retail Study (July 2010) does not identify any significant quantitative need for additional convenience goods floorspace in the City during the Plan period, unless it were to enhance the City Centre's retail offer. With specific reference to Newport Retail Park, the study concludes that a further expansion of convenience retailing would change the function and character of the District Centre, expanding it beyond what is appropriate in a District Centre and thereby changing its position in the retail hierarchy to the detriment of the City Centre.
- 8.5 In order to restrict the overall level of convenience store provision, additional convenience stores over 929 sqm retail sales floorspace within the centre will not be supported. This threshold is appropriate because based upon the current actual retail sales floorspace of operators, it would support smaller stores serving a local and possibly more specialised function, such as convenience stores, discounters and small supermarkets, but would prevent new superstores which would draw trade from a wider area and serve a function that is not commensurate with the District Centre's role.
- 8.6 Notwithstanding the above, all retail development that increases the net retail floorspace of the centre in excess of 500 sq m retail sales area will be subject to the sequential test and assessment of need to evaluate its impact on the City Centre and the District Centre. The threshold allows for a level of retail development that is appropriate for Newport Retail Park's justification as a District Centre, whilst provides

¹ Summary available at <http://www.newport.gov.uk/stellent/groups/public/documents/report/cont519094.pdf>

a mechanism to assess additional retail development in a manner compatible with the retail hierarchy and national retail planning policy and allow for impact on the City Centre to be minimised.

- 8.7 Retail floorspace will be measured against the position calculated by the Council at January 2013:

Unit/Source	Gross Retail Floorspace	Notes
Tesco: figures from planning app ref: 08/0407	12,765 sq m 2,486 sq m Total: 15,251 sq m	2,486 sq m are Tesco concession units with consent for A1, A2 & A3.
Stadium: source RPS info submitted for planning app: 12/1242	27,597 sq m 376 sq m Total: 27,973 sq m	376 sq m – gross ancillary floorspace for M&S and Asda café which have been added to the gross A1 as they are ancillary A3 uses not dedicated A3 units.
Total gross retail floorspace for the LDP defined District Centre	43,224 sq m	

- 8.8 When applying the Policy to planning applications quoting a gross internal area, it may be necessary to make an assumption about the net to gross ratio in order to estimate retail sales floorspace. Whilst these ratios vary from retailer to retailer, the general convention is 65-70% for large foodstores and 80-85% for retail warehouses and larger units. The Council will require clarification from applicants as to the actual retail sales floorspace being sought. Where appropriate conditions may be used to control sales floorspace.
- 8.9 The Colliers Study (July 2010) also recommends a restriction on the range of goods sold at the Newport Retail Park District Centre to avoid it evolving in a way which impacts adversely on the City Centre.
- 8.10 The primary purpose of the Newport Retail Park District Centre is to serve the Eastern Expansion area. Proposals for non-retail Class A uses will be encouraged provided they are of an appropriate scale to serve the local area.
- 8.11 The creation and enhancement of existing links between the District Centre and the Eastern Expansion Area are necessary to improve the functional connection between the two uses to justify its allocation as a District Centre. Where new development comes forward, the design and layout of the proposals should seek to facilitate and enhance movement between the District Centre and the residential development it will serve, particularly on foot and by bicycle.
- 8.12 Proposals will need to demonstrate that the highway and transportation network can cope with new development, and that delivery and servicing requirements can be satisfactorily met. An appropriate provision of car parking will also need to be provided. In common with other development, the development should be accessible by non-car modes, i.e. footpaths, cyclepaths and bus routes. Pedestrian and cycle routes linking the District Centre to the Eastern Expansion Area should form an integral part of any proposals.

R12 Development of Existing Out-of-Centre Retail Sites

OUTSIDE THE CITY CENTRE AND DISTRICT CENTRES, PROPOSALS FOR REDEVELOPMENTS OF AND EXTENSIONS TO LARGE OUT-OF-CENTRE RETAIL OUTLETS, INCLUDING AND GARDEN CENTRES, REFURBISHMENT OR REDEVELOPMENT OF EXISTING STORES AND EXTENSIONS TO EXISTING OUTLETS, AND INCLUDING INCREASES IN FLOORSPACE TO PREVIOUS CONSENTS AND CHANGES TO THE RANGE OF GOODS SOLD WILL ONLY BE PERMITTED PROVIDED THAT:

- i) NEED IS IDENTIFIED;**
- ii) THE PROPOSED DEVELOPMENT WOULD NOT, EITHER IN ITS OWN RIGHT, OR CUMULATIVELY WITH OTHER OUT OF CENTRE DEVELOPMENTS AND OUTSTANDING PLANNING PERMISSIONS, HAVE AN ADVERSE EFFECT ON DEFINED RETAIL CENTRES AS A CONSEQUENCE OF THE TYPE OR RANGE OF GOODS SOLD;**
- iii) THE SEQUENTIAL TEST CAN BE SATISFIED HAVING REGARD TO THE AVAILABILITY, SUITABILITY AND VIABILITY OF CITY AND DISTRICT CENTRE SITES, OR EDGE-OF-CENTRE SITES WHICH COULD ACCOMMODATE THE PROPOSED RETAIL USES;**
- iv) THE PROPOSAL WOULD NOT INCREASE THE AREA OF THE SITE;**
- v) THE SURROUNDING HIGHWAY AND TRANSPORTATION NETWORK HAS CAPACITY TO SERVE THE DEVELOPMENT, AND THAT ACCESSING AND SERVICING ARRANGEMENTS CAN BE ACCOMMODATED IN A SATISFACTORY MANNER;**
- vi) THE PROPOSAL IS FULLY ACCESSIBLE ON FOOT, BY BICYCLE AND BY PUBLIC TRANSPORT.**

- 8.13 The desire on the part of retailers to improve the appearance and functioning of their premises is recognised, but care is required to ensure that there are not increases in floorspace for comparison goods, including convenience stores, that could adversely affect the City Centre or other defined retail centres. This Policy will also apply to the insertion of mezzanine floors. Conditions on ranges of goods to be sold will be imposed on new permissions, both for the new development and to bring up to date any existing consent.