

<b>Issue 24</b>	<b>Town Centres and Retailing</b>	
<b>Development plan reference:</b>	<p><u>Chapter 3 Spatial Strategy</u> Policy TC01 Network of Centres (page 18 - 19)</p> <p><u>Chapter 4 Settlement Statements</u> Denny (pages 28 – 29) Falkirk (pages 30 – 31) Grangemouth (pages 32 – 33) Larbert &amp; Stenhousemuir (34 – 35)</p> <p><u>Chapter 5 Supporting Policies</u> Policy TC03 Retail and Commercial Leisure Development (page 57)</p> <p><u>Appendix 1 Site Schedule</u> Economic Development – Denny (a1-15) Mixed Use – Falkirk (a1-13)</p> <p><u>Proposals Maps</u> Map 1 Banknock, Bonnybridge &amp; Denny Map 2 Falkirk, Larbert &amp; Stenhousemuir Map 3 Grangemouth &amp; Polmont</p>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>The Co-operative Estates (00681) Aldi Stores Ltd (01295) Larbert, Stenhousemuir and Torwood Community Council (00440) New River Retail &amp; Cabri 3 Ltd (01265) Asda Stores Ltd (00856) George Kirk and Sons (01095) Mr John McNally (01200) A Martin (01219) Ms Liz Anderson (01218) Mrs A Thompson (01217) Ms Julie McGuckin (01216)</p>		<p>Ms Margaret McDougall (01221) E B Finlay (01222) Ms Rosemary Adams (01223) E Murray (01225) M Lamond (01232) Mr and Mrs Robert and Marion M Smith (01231) Janet Arbuckle (01226) Mr Charles Christie (01257) Naylor Opticians (01229) Royal Mail Group Ltd (01254)</p>
<b>Provision of the development plan to which the issue relates:</b>	Policies on town centres and retailing, and site-specific proposals within town centres.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Policy TC01 – Network of Centres</u></b></p> <p><b>The Co-operative Estates (00681/2001/001):-</b> Whilst the thrust of Policy TC01 on the network of centres is supported, the list of uses identified in the policy does not include residential or business uses. This is inconsistent with both Policy TC02 and with the SPP (CD01, paragraph 52).</p>		

**Aldi Stores Ltd (01295/2002/001):-** Concern is expressed about the extent of the Camelon Local Centre boundary on the Proposals Map. A logical extension would cover the established retail, leisure and community facilities immediately to the north and north west of the current boundary, but the proposed extension goes further than this into business and industrial land to the west. There is concern that this could take the role of the local centre well beyond that set out in the LDP. Accordingly, Policy TC01 (Network of Centres) should be amended to make it clear that any proposals in centres should be consistent with the intended role for that centre as described in Figure 3.3.

**Aldi Stores Ltd (01295/2002/002):-** Within paragraph 3.35, which supports Policy TC01, reference should be made to improving the range of convenience shopping in Falkirk, as well as the other locations noted.

**Larbert, Stenhousemuir and Torwood Community Council**

**(00440/2001/004):-** Policy TC01 Network of Centres should convey the fact that Stenhousemuir Town Centre is far from complete. It has too many unused shop fronts and lacks the feel of a town centre.

**New River Retail & Cabri 3 Ltd (01265/2001/002):-** The spatial strategy fails to adequately recognise Grangemouth as an established town in its own right, and fails to properly plan for the future regeneration of its town centre. Grangemouth should be defined as a 'town centre' within the retail hierarchy, rather than using the term 'district centre' which is not recognised in the SPP. This is in recognition of its established role as a traditional town centre for a substantial settlement, and to aid further investment by providing certainty to retailers and investors. Further information is provided in RD24.1

**New River Retail & Cabri 3 Ltd (01265/2001/004):-** The Proposed Plan fails to adequately reference the town centre strategy for the Falkirk area within the plan. In particular, the regeneration aspirations for Grangemouth Town Centre, as set out in the Council's Regeneration Opportunity document (RD24.2), should form a key part of the overall town centre strategy within the LDP.

**Asda Stores Ltd (00856/2001/001):-** The network of centres as set out in Policy TC01 and Figure 3.3 is supported. The majority of ASDA's stores are located in centres. Retail investment should continue to be focused on existing/committed retail locations within the centres.

**Policy TC03 – Retail and Commercial Leisure Development**

**Aldi Stores Ltd (01295/2002/004):-** In Policy TC03 (Retail and Commercial Leisure Development), the use of 'gross' as opposed to 'sales' to define the floorspace threshold for significant retail development is inappropriate. The threshold of 1,000 sqm. itself is also questioned. An amendment to the wording of the threshold definition is sought. It should be clarified that the criteria in sub-section (1) of the policy only apply to retail proposals above the threshold floorspace. Finally, bullet point 2 of sub-section (1) should be deleted as the SPP does not provide a basis for the inclusion of a test of 'need'.

**New River Retail & Cabri 3 Ltd (01265/2001/005):-** Policy TC03 does not define

what the sequential approach is, so it is necessary to refer to the SPP. A policy should be included within the plan, outlining the sequential approach and placing the town centres at the head of the hierarchy of centres which require to be assessed in relation to the policy.

### **Allocated Business Site ED02 – Church Walk, Denny**

**George Kirk and Sons (01095/2003/001):-** The text on page 28 and Appendix 1 Site Schedule for ED02 Church Walk should include a further reference requiring the need for barrier free access throughout the new development. This will affect the amount of older people accessing the town centre which most of his customers are during the week.

**Mr John McNally (01200/2002/001):-** The proposed plan for Denny Town Centre does not provide easy access for all users. By lowering the existing car park all ages and range of people with disabilities will have easier access, thereby making the town centre a vibrant town again. Also the shops are too big for smaller independent retailers to commit to. A proper consultation is required before work starts.

**A Martin (01219/2003/001):-** The stairs and ramp proposed are unsuitable for the disabled to access the town centre

**Ms Liz Anderson (01218/2002/001):-** The plans for disabled access to the new town centre are inadequate and that proper consultation with shop owners should have been carried out.

**Mrs A Thompson (01217/2002/001):-** The inclusion of steps in the proposals for the town centre redevelopment will be a problem for disabled people and those with prams. The new buildings on Stirling Street should be at the same level as the existing shops.

**Ms Julie McGuckin (01216/2002/001):-** The proposal for the town centre should have shops on both sides of Stirling Street facing each other at ground level, and have car parking at the side or back of the shops.

**Ms Margaret McDougall (01221/2002/001):-** Shops in the redeveloped town centre should be built at ground level, as had been planned by Henry Boot in 2006. The existing stairs cause problems daily for young and old people.

**E B Finlay (01222/2002/001):-** Shops in the redeveloped town centre should be at ground level with no steps, to accommodate prams and wheelchair users.

**Ms Rosemary Adams (01223/2002/001):-** Concern expressed that the current plans for the town centre include stairs and a ramp which do not suit mothers and disabled people. Shop fronts should be at same level as the shops opposite.

**E Murray (01225/2002/001):-** Shops should be at ground level as this would be more suitable for people with wheelchairs, for those who have difficulty walking and for young mothers with prams.

**M Lamond (01232/2002/001):-** Rather than at a high level, shops should be at

pavement level and that there should be no steps.

**Mr and Mrs Robert and Marion M Smith (01231/2002/001):-** Shops at ground level make much more sense. There should be no need to detour via Duke Street for those with disabilities to access Stirling Street.

**Janet Arbuckle (01226/2002/001):-** The design of the new town centre is not suitable for the elderly with excessive steps and a height difference between the front and back shops.

**Mr Charles Christie (01257/2002/001):-** Several of Mr Naylor's elderly patients have expressed concern at the design of the new town centre which requires the use of stairs or a steep incline between the shops and the library levels.

**Naylor Opticians (01229/2002/001):-** Many of Naylor Optician's customers are worried about the stairs and incline shown in the design of the new town centre between the upper and lower levels.

#### **Opportunity Area M08 – Grahamston, Falkirk**

**Royal Mail Group Ltd (01254/2001/003):-** The Royal Mail uses the Meeks Road car park as a vehicle parking area and have no plans to vacate it. This lies within the town centre regeneration area covered by Opportunity M08. Consequently, the boundary of Opportunity M08 should be reviewed.

#### **Non-Allocated Business Site – New Carron Centre, Falkirk**

**The Co-operative Estates (00681/2001/002):-** The New Carron Centre has considerable vacant floorspace. Securing a vibrant and successful future for the centre requires investment and development. As such, the centre should be included as a proposal/opportunity in the LDP.

#### **Modifications sought by those submitting representations:**

##### **Policy TC01 – Network of Centres**

**The Co-operative Estates (00681/2001/001):-** Amend Policy TC01 to include reference to residential and business uses.

**Aldi Stores Ltd (01295/2002/001):-** Amend Policy TC01 (Network of Centres) to make it clear that any proposals in centres should be consistent with the intended role for that centre as described in Figure 3.3.

**Aldi Stores Ltd (01295/2002/002):-** Amend paragraph 3.35, to make reference to improving the range of convenience shopping in Falkirk, as well as the other locations noted.

##### **Larbert, Stenhousemuir and Torwood Community Council**

**(00440/2001/004):-** Amend Policy TC01 (Network of Centres) to indicate that there remains a need to ensure active marketing and promotion of empty units and ongoing support identified for the businesses within Stenhousemuir Town Centre.

**New River Retail & Cabri 3 Ltd (01265/2001/002):-** Amend Figure 3.3 to define both Grangemouth and Falkirk as 'town centres' (with Falkirk defined as a 'Principal Centre' as necessary). There is no objection to the other district centres (Bo'ness, Denny and Stenhousemuir) also being defined as town centres. Paragraph 4.39 in the Grangemouth settlement statement should be amended to make it clear that Grangemouth is a town centre for the purposes of retail policy and the sequential approach.

**New River Retail & Cabri 3 Ltd (01265/2001/004):-** Include references to the town centre strategy and the Grangemouth Town Centre Regeneration Opportunity document within the Spatial Strategy. Include policies in the Supporting Policies Chapter relating to the town centre strategy.

### **Policy TC03 – Retail and Commercial Leisure Development**

**Aldi Stores Ltd (01295/2002/004):-** Amend Policy TC03 (Retail and Commercial Leisure Development) to change the definition of the threshold for significant retail development to '1,000 sq.m. sales floorspace or thereabouts, or which are intended to serve primarily neighbourhood needs'; to clarify that the criteria in sub-section 1 apply to 'significant' out-of-centre retail and commercial leisure proposals only; and to remove the test of need in bullet point 2.

**New River Retail \_ Cabri 3 Ltd (01265/2001/005):-** Insert new policy defining the sequential approach.

### **Allocated Business Site ED02 – Church Walk, Denny**

**George Kirk and Sons (01095/2003/001):-** Amend Proposal ED02 Church Walk by changing the site requirements to include barrier free access

**Mr John McNally (01200/2002/001):-** Amend Proposal ED02 to ensure the lowering of the car park to permit the centre to operate on one level.

**A Martin (01219/2003/001):-** Amend Proposal ED02 to ensure access is suitable for the disabled.

**Ms Liz Anderson (01218/2002/001):-** Amend Proposal ED02 to ensure access is suitable for the disabled.

**Mrs A Thompson (01217/2002/001):-** Amend Proposal ED02 by ensuring the removal of steps in the proposals.

**Ms Julie McGuckin (01216/2002/001):-** Amend Proposal ED02 to have ground level shops on Stirling Street facing existing shops, and include a square.

**Ms Margaret McDougall (01221/2002/001):-** Amend Proposal ED02 to ensure shops are built at ground level on Stirling Street

**E B Finlay (01222/2002/001):-** Amend Proposal ED02 to ensure shops are at ground level with no steps.

**Ms Rosemary Adams (01223/2002/001):-** Amend Proposal ED02 to ensure shops are at ground level on Stirling Street.

**E Murray (01225/2002/001):-** Amend Proposal ED02 to ensure shops are at ground level and access is suitable for the disabled and young mothers

**M Lamond (01232/2002/001):-** Amend Proposal ED02 to ensure shops are at ground level with no steps

**Mr and Mrs Robert and Marion M Smith (01231/2002/001):-** Amend Proposal ED02 to ensure access is suitable for the disabled

**Janet Arbuckle (01226/2002/001):-** Amend Proposal ED02 to ensure access is suitable for the elderly

**Mr Charles Christie (01257/2002/001):-** Amend Proposal ED02 to ensure access is suitable for the elderly

**Naylor Opticians (01229/2002/001):-** Amend Proposal ED02 to ensure access is suitable for the elderly and disabled

#### **Opportunity Area M08 – Grahamston, Falkirk**

**Royal Mail Group Ltd (01254/2001/003):-** Amend the boundary of Opportunity M08 (Grahamston Opportunity Area) to remove the parking area used by the Royal Mail.

#### **Non-Allocated Business Site – New Carron Centre, Falkirk**

**The Co-operative Estates (00681/2001/002):-** Insert additional proposal covering the New Carron Centre in Figure 4.8 Falkirk Proposals/Opportunities and in Appendix 1 Site Schedule.

### **Summary of responses (including reasons) by planning authority:**

#### **Policy TC01 – Network of Centres**

**The Co-operative Estates (00681/2001/001):-** Policy TC01(1) states that ‘the network of centres identified in Figure 3.3 and Map 3.3. will be promoted as the focus for retail, leisure, cultural and major community uses in the area’. The intention of this policy is to emphasise that the network of centres is the preferred location for these type of uses, i.e. that they should be located in centres, rather than more generally within the urban area. It would not be appropriate to include residential and business uses within this list since, whilst they are undoubtedly appropriate within centres, and contribute to their diversity and vitality (as stated in Policy TC02 and the SPP), they are not intended to be focused exclusively on centres. The spatial strategy for housing and business uses clearly promotes a wider distribution, with a focus on the identified Strategic Growth Areas and Strategic Business Locations. For this reason, the Council does not agree to modify the plan in response to this representation.

**Aldi Stores Ltd (01295/2002/001):-** Policy TC02 (page 57) already requires that uses within centres are consistent with their role as specified in Figure 3.3, whilst Policy TC03(1) also emphasises that development in centres 'should be of a scale and type consistent with the role of the centre in the network and commensurate with the local catchment'. There is no need to repeat this provision within Policy TC01. For this reason, the Council does not agree to modify the plan in response to this representation.

**Aldi Stores Ltd (01295/2002/002):-** The LDP's spatial strategy seeks to continue the current Structure Plan strategy of focusing new food retail development on the District Centres and outlying local centres, rather than Falkirk. Falkirk is well provided with food retail facilities, and has a notional surplus of turnover, as confirmed in Technical Paper 9: Retail and Town Centres (CD30, paragraph 7.9). There is no need for improvement of its food retail offer. Focusing significant new food retail floorspace in other centres is intended to promote a more localised and sustainable pattern of food shopping and to assist the regeneration of these centres. This strategy has been successful over recent years, with new stores developed in Stenhousemuir, Redding and Grangemouth, but needs to be continued to address ongoing deficiencies in locations such as Denny, Bonnybridge and Bo'ness. For this reason, the Council does not agree to modify the plan in response to this representation.

**Larbert, Stenhousemuir and Torwood Community Council**

**(00440/2001/004):-** The redevelopment of Stenhousemuir Town Centre, referred to in paragraph 3.34 of the LDP, was completed in 2010. Delivered by Macdonald Estates in partnership with the Council, it comprised a new Asda superstore, around 33,000 sq.ft of non-food retail floorspace, a new library, community centre and health centre, together with public realm enhancements and public art. It is acknowledged that some retail units are still vacant, and that continuing efforts need to be made to support the vitality and viability of the centre. However, the physical development phase has been completed, and further support will be through the application of planning policy to direct development to the vacant units, and promotion and marketing through town centre management.

**New River Retail & Cabri 3 Ltd (01265/2001/002):-** In the LDP, Grangemouth is recognised as an established town in its own right. Grangemouth is identified as one of four District Centres in the Network of Centres. Figure 3.3 identifies the role of such centres as being to serve the larger towns in terms of main food shopping, limited comparison shopping and services. District Centres are distinguished from the Principal Centre of Falkirk, which provides shopping and services for the whole Council area, and the Local Centres which serve smaller towns and suburbs. The term 'District Centre' has long-established usage in the Falkirk Council area as a descriptor for the four larger towns, and it is considered appropriate in the Falkirk area context. The term 'town centres' is not used because it is broad one which would be commonly applied to Falkirk Town Centre, the District Centres, and several of the Local Centres, and is not helpful in distinguishing the scale and role of the different types of centre in the network. The SPP is not prescriptive about the terminology to be used in describing networks.

The categorisation of Grangemouth as a 'District Centre' does not in any way downgrade its profile within the Council's regeneration priorities, or in terms of its

perception by retailers and investors. Indeed the Council has over the last 12 years prioritised action in the District Centres, as noted in paragraph 3.34 of the LDP. Grangemouth continues to be a part of that regeneration programme. This is reflected in the identification of Grangemouth Town Centre as Opportunity Area M12, highlighting the potential for redevelopment and extension of the existing centre.

For these reasons, the Council does not agree to modify the plan in response to this representation.

**New River Retail & Cabri 3 Ltd (01265/2001/004):-** The strategy for town centres in the Council area is clearly referenced in the LDP. For Falkirk Town Centre, whilst a formal overarching strategy is still to be put in place, the key likely components of the strategy are set out in paragraph 3.3, and key opportunity areas listed and detailed in Appendix 1. For the District Centres, as noted in paragraph 3.34, a regeneration strategy has been underway for some years, with individual regeneration initiatives being implemented in each of the centres. The Grangemouth initiative has reached the stage of a marketing and design brief having been prepared (as referenced under Opportunity Area M12 in Appendix 1 (page a1-14)). The procurement process is ongoing. It is therefore considered that the references in the LDP are adequate. For this reason, the Council does not agree to modify the plan in response to this representation.

### **Policy TC03 – Retail and Commercial Leisure Development**

**Aldi Stores Ltd (01295/2002/004):-** Policy TC03 sets out a threshold for 'significant' retail development proposals as 1,000 sq.m. gross floorspace. Proposals above this threshold should generally be located in centres, and any out-of-centre proposals would have to be justified against the specified criteria. Proposals of 1,000 sq.m. or less are not subject to these criteria and may be located more generally within the urban area.

The threshold is expressed in gross floorspace because this is easier to define and control in planning terms, being basically the footprint of the building. Sales floorspace may be changed through alterations to the internal layout of the building, without the need for planning consent. For this reason, the Council does not agree to modify the plan in response to this part of the representation.

The list of criteria in sub-section (1) of Policy TC03 is indeed intended to be applied only to proposals in excess of 1,000 sq.m. This is reasonably clear from the existing text, but if the Reporter considers that this should be further clarified as suggested by Aldi, the Council would not have an issue with this.

On the issue of demonstrating 'need', this is considered to be an appropriate criterion to apply to significant out-of-centre retail or commercial leisure proposals, which will ensure that such proposals are fully justified. This is consistent with paragraph 64 of the SPP (CD01) which states that, 'where a proposed retail or commercial development is contrary to the development plan, planning authorities should ensure that the proposal will help to meet qualitative or qualitative deficiencies identified in the development plan'. For this reason, the Council does not agree to modify the plan in response to this part of the representation.

**New River Retail & Cabri 3 Ltd (01265/2001/005):-** It is not considered necessary to repeat the SPP's description of the sequential approach within the LDP. A brief definition of the sequential approach is given in the Glossary to the LDP (Appendix 7, page a7-02), and this is considered adequate. For this reason, the Council does not agree to modify the plan in response to this part of the representation.

#### **Allocated Business Site ED02 – Church Walk, Denny**

**George Kirk and Sons (01095/2003/001); Mr John McNally (01200/2002/001); A Martin (01219/2003/001); Ms Liz Anderson (01218/2002/001); Mrs A Thompson (01217/2002/001); Ms Julie McGuckin (01216/2002/001); Ms Margaret McDougall (01221/2002/001); E B Finlay (01222/2002/001); Ms Rosemary Adams (01223/2002/001); E Murray (01225/2002/001); M Lamond (01232/2002/001); Mr and Mrs Robert and Marion M Smith (01231/2002/001); Janet Arbuckle (01226/2002/001); Mr Charles Christie (01257/2002/001); Naylor Opticians (01229/2002/001):-** The concerns raised in the representations essentially relate to detailed proposals for the site brought forward through planning applications, not the LDP proposal ED02. Proposal ED02 supports the redevelopment of Church Walk in principle, carrying forward a similar proposal in FCLP (CD10 page 125 ED.DEN01). The Council has been engaged in developing proposals for the regeneration of Denny Town Centre since 2004 and extensive consultation with the community and retailers on a number of options has been carried out since then.

At the time of preparation of the Proposed LDP the Council was considering two planning applications for the site. Application in principle P/12/0179/PPP covers the whole site and a detailed application P/12/0180/FUL covers the southern half of the site. The latter is referred to as Phase 1 in Proposal ED02 and the representations appear to refer to the detail of this scheme, relating to shop orientation and levels, barrier free access for disabled, etc. All of these issues have been addressed in the detailed proposals brought forward and were taken into account during the Council's consideration of the planning application, albeit the sloping topography of the site cannot be altered.

The detailed application was granted consent in February 2013 (CD65) and the application in principle received consent in June 2013 (CD131). The first phase of the town centre regeneration scheme, where the Council is the developer, is due to start on site in Spring 2014, well before the LDP is likely to be adopted. For these reasons the Council does not agree to modify the plan in response to these representations.

#### **Opportunity Area M08 – Grahamston, Falkirk**

**Royal Mail Group Ltd (01254/2001/003):-** The boundary of the Grahamston Opportunity Area M08 is intended to define a broad zone within which opportunities for positive land use change, beneficial town centre development, placemaking and enhancement will be investigated through a future masterplanning process. The Meeks Road car park, which lies to the north of the railway, and is owned by the Council, is underutilised, and forms an important part of the opportunity, with potential for development, and the creation of an improved public realm in the vicinity of Falkirk Grahamston railway station. The boundary of

M08 is therefore appropriate. Royal Mail's use of the car park is acknowledged, and its needs, along with the wider car parking function of the area, will be considered as part of the masterplanning process. For this reason, the Council does not agree to modify the plan in response to this part of the representation.

**Non-Allocated Business Site – New Carron Centre, Falkirk**

**The Co-operative Estates (00681/2001/002):-** Proposals within the LDP are used to denote where new development will take place rather than to highlight vacant floorspace within existing developments. It would therefore not be appropriate to identify the New Carron Centre as an opportunity/proposal. The New Carron Centre is part of the Bainsford/Newcarron Local Centre and, as such, is given policy support as a retail location by Policies TC01, TC02 and TC03. For this reason, the Council does not agree to modify the plan in response to this representation.

**Reporter's conclusions:**

**Reporter's recommendations:**