

## **16 Retail and Town Centres**

### **16.1 Introduction**

**16.1.1** East Herts' town centres play a vital role in providing for the every-day needs of residents, providing not only a varied retail offer, but also for banking and administrative needs, leisure and social opportunities. The market towns of East Herts have a rich heritage which has influenced their current form and limiting road networks, character and architectural interest. However, this historic character can also act as a constraint, prohibiting larger retailers from investing.

**16.1.2** In recent years there have been many financial pressures on town centres, with competition from larger centres including from out of town shopping centres, rising proportions of internet shopping, rising business rates and rents, restricted bank lending and a challenging economic climate. Despite this, East Herts' towns have been reasonably resilient suffering comparatively few closures.

### **16.2 Permitted Development Rights**

**16.2.1** Permitted development rights are a national grant of planning permission which allow certain building works and changes of use to be carried out without having to make a planning application. Permitted development rights are subject to conditions and limitations to control impact and to protect local amenity.

**16.2.2** Permitted development rights are set out in The Town and Country Planning (General Permitted Development) (England) Order 2015. The Order allows change of use between shops and financial and professional services, allowing the change of such uses to restaurants or leisure use. The Order is also intended to increase housing supply by allowing change of use from some business uses to residential.

**16.2.3** Not all changes of use will be permitted development. Some will be subject to a prior approval process which means that a developer has to seek approval from the local planning authority that specified elements of the development are acceptable before work can proceed. The matters for prior approval vary depending on the type of development and these are set out in full in the relevant parts in Schedule 2 to the Order.

**16.2.4** There are also a range of exclusions which apply to permitted development rights such as within Conservation Areas. Some permitted development rights are also in place for a limited period of time; again, these are set out in full in the relevant sections in Schedule 2 to the Order.

Permitted development rights are set out in The Town and Country Planning (General Permitted Development) (England) Order 2015 at: [www.legislation.gov.uk](http://www.legislation.gov.uk)

**16.2.5** Whilst acknowledging permitted development rights, the District Plan must also consider the longer term interests of the district's high streets. It is therefore important that the Council plans positively, to support town centres to generate local

employment, promote beneficial competition within and between town centres, and create attractive, diverse places where people want to live, visit and work.

### **16.3 Retail Development**

**16.3.1** In order to secure the vitality and viability of the district's retail centres, it is important for planning policy to seek to retain a high proportion of units for retail uses, but to also acknowledge the changing role town centres have in providing social and cultural experiences, both now and in the future. A mixture of uses in the right locations can encourage activity throughout the day and into the evening, providing for social as well as retail needs, thus enhancing the role of town centres. Therefore, where planning permission is required, the Council will seek to retain a high proportion of shop uses in the town centre.

**16.3.2** The following hierarchy of town centres will apply:

1. Principal Town Centre: Bishop's Stortford
2. Secondary Town Centre: Hertford
3. Minor Town Centres: Buntingford, Sawbridgeworth and Ware

**16.3.3** In accordance with ~~paragraph 24 of~~ the National Planning Policy Framework (NPPF), the Council will apply a sequential test to applications for main town centre uses. The main town centre uses, as defined in the NPPF, should be located in the town centre, then in edge of centre locations, and only if suitable sites are not available, should out of centre locations be considered. When considering edge of centre and out of centre proposals, preference will be given to accessible sites that are well connected to the town centre. The Council and the applicant will demonstrate flexibility on issues such as format and scale.

**16.3.4** The NPPF states that where a proposal is over a proportionate, locally set floorspace threshold, local planning authorities should require an impact assessment to be submitted. The Retail and Town Centres Study (2013) indicated that it is not considered appropriate to apply the default threshold of 2,500 sq.m gross across the district as this scale of development would represent a significant proportion of the overall retail projections for East Herts through the Plan period. Given the high proportion of small retail units and businesses in the district's town centres, developments over 500 sq.m gross will be of a greater significance and therefore should be subject to some form of impact assessment.

The East Herts Retail and Town Centres Study Update Report 2013 can be viewed and downloaded at: [www.eastherts.gov.uk/retailstudy2013](http://www.eastherts.gov.uk/retailstudy2013)  
[www.eastherts.gov.uk/evidencebase](http://www.eastherts.gov.uk/evidencebase)

The Council supports the use of upper floors in town centre locations for residential and office purposes where there is potential to provide a reasonable standard of accommodation, has its own access, has arrangements for car parking and/or

access to, and availability of passenger transport, and has suitable refuse storage facilities. The conversion of dwellings into commercial uses outside town centre locations will be resisted.

### **Policy RTC1 Retail Development**

- I. Within the town centre boundaries as defined on the Policies Map, main town centre uses as defined by the NPPF will be supported in principle, where they contribute to maintaining the role and function, viability and vitality of the market town.
- II. Proposals will be assessed in line with the sequential approach.
- III. Proposals for retail outside the Primary Shopping Area, and for leisure, office and other developments outside of town centres, which are not in accordance with policies of the District Plan, will be required to provide an impact assessment indicating the impact of the proposal on existing, committed and planned public and private investment in the town centre or in the catchment area of the proposal. The assessment should also consider the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider area. The impact should be measured for up to five years from the time the application is made. For major schemes, the impact should be measured for up to ten years from the application. The following thresholds will be applied:
  - Over 1,500 sq.m gross within the settlement boundary of Bishop's Stortford
  - Over 1,000 sq.m gross within the settlement boundary of Hertford
  - Over 500 sq.m gross elsewhere
- IV. Where a proposal fails to satisfy the sequential approach or is likely to have an adverse impact in line with Part III above, it will be refused.

## **16.4 Primary Shopping Area**

**16.4.1** Primary Shopping Areas are where retail activity is concentrated, often underpinned by larger anchor stores and popular chains. Primary Shopping Areas contain both primary and secondary frontages. Primary Shopping Frontages are normally the retail 'core' of a centre where the majority of footfall and activity occurs. They are likely to include a high proportion of retail uses which may include food, drinks, clothing and household goods. Secondary Shopping Frontages provide a greater diversity of uses such as restaurants, commercial services and leisure facilities, which provide a supporting role for the centre as a whole.

**16.4.2** In order to maintain the viability of the Primary Shopping Area and to locate retail uses where there are good passenger transport networks, it is important to prevent the dilution of the Primary Shopping Frontage within the Primary Shopping Area. Given the size, diversity and function of the town centres of Bishop's Stortford, Hertford and Ware, it is necessary to designate a Primary Shopping Area within the town centres, which contain both Primary and Secondary Shopping Frontages.

**16.4.3** For consistency with the Permitted Development Order 2015, ‘key shopping areas’ are those designated as Primary Shopping Areas in this Plan. Change of Use proposals from A1 (Shop) or A2 (Financial and Professional Services) to other uses will be expected to demonstrate that there is no reasonable prospect of the unit being put to A1 or A2 use and that following the change of use there will be an adequate provision of A1 or A2 uses to maintain the sustainability (viability and vitality) of the Primary Shopping Area.

**16.4.4** The historic environment and market town heritage of East Herts’ town centres are a key attraction to both retailers and visitors. Alterations to shop fronts are expected to be of the highest quality, reflecting the local character and vernacular in accordance with Policy DES3. The Council will consider the use of Design Codes to guide development where necessary. Development within Hertford will be guided by the Hertford Town Centre Urban Design Framework, while development within Bishop’s Stortford will be guided by the Bishop’s Stortford Town Centre Planning Framework.

The Hertford Town Centre Urban Design Strategy can be viewed at:  
[www.eastherts.gov.uk/HertfordTCUDS](http://www.eastherts.gov.uk/HertfordTCUDS) [www.eastherts.gov.uk/evidencebase](http://www.eastherts.gov.uk/evidencebase)

The Bishop’s Stortford Planning Framework can be viewed at:  
[www.eastherts.gov.uk/bsplanningframework](http://www.eastherts.gov.uk/bsplanningframework) [www.eastherts.gov.uk/evidencebase](http://www.eastherts.gov.uk/evidencebase)

### **Policy RTC2 Primary Shopping Area**

- I. Within the Town Centre boundaries as defined on the Policies Map, Primary Shopping Areas are designated for the Town Centres of Bishop's Stortford, Hertford and Ware, within which retail and other main town centre uses, as defined in the NPPF, should be located.
- II. The Primary Shopping Areas will contain both Primary and Secondary Shopping Frontages. Proposals for development within Primary Shopping Frontages will be considered in accordance with Policy RTC3 (Primary Shopping Frontages). Proposals for development within Secondary Shopping Frontages will be considered in accordance with Policy RTC4 (Secondary Shopping Frontages).

### **16.5 Primary Shopping Frontages**

**16.5.1** Whilst acknowledging permitted development opportunities, it is not appropriate to take a relaxed approach to development within East Herts' town centres, nor is it appropriate to prevent changes of use from A1 (Shop) uses to other uses, as to do so could prevent diversity and stifle investment, resulting in vacant uses. However, it is appropriate to seek to maintain a high proportion of A1 (Shop) uses in order to ensure the vitality and viability of the town centres, so that they are able to perform their function as retail and leisure destinations, and to distinguish between the primary and secondary frontages. For the purpose of this policy and for

the application of the Prior Approval process, an adequate provision of A1 and A2 is defined as at least 50% of units in a single frontage being in A1 and A2 uses. A single frontage is normally described as an unbroken row of shops, usually within two side roads and is shown on the Policies Map.

### **Policy RTC3 Primary Shopping Frontages**

In order to protect the vitality and viability of the Primary Shopping Areas, within the Primary Shopping Frontages in Bishop's Stortford, Hertford and Ware, as defined on the Policies Map, proposals for Use Class A1 will be supported in principle as the preferred use, while Use Classes A1, A2, A3, A4 and A5 will be supported in principle provided they have an active frontage and there remains an adequate provision of A1 and A2 uses which support its role as a Primary Shopping Frontage.

## **16.6 Secondary Shopping Frontages**

**16.6.1** Within the Primary Shopping Areas of Bishop's Stortford, Hertford and Ware, Secondary Shopping Frontages provide an opportunity for the types of uses that support a town centre's function as a destination for leisure as well as for retail purposes, such as restaurants, coffee shops, financial and commercial services.

**16.6.2** The Town Centres of Buntingford and Sawbridgeworth are minor town centres with a high number of independent stores and a low number of national retailers. Given their role as service centres for their immediate population and rural hinterland, the town centre boundary is tightly drawn around the existing high street and there is no primary shopping area designated. There are no obvious areas within these town centres where there is a predominance of Class A1 (Shop) uses. It is therefore appropriate to define the frontages within the two towns as Secondary Shopping Frontages, where a flexible approach to changes of use will be applied where this does not lead to a disproportionate and potentially detrimental number of non-retail uses.

### **Policy RTC4 Secondary Shopping Frontages**

Within the Secondary Shopping Frontages in Bishop's Stortford, Buntingford, Hertford, Sawbridgeworth and Ware, as defined on the Policies Map, proposals for development or changes of use to main town centre uses or those that will support the vitality and viability of the frontage or town centre as a whole (such as employment generating or activity generating uses) will be supported in principle.

## **16.7 Markets and Specialist Events**

**16.7.1** Markets, Farmers Markets and specialist events are an important feature of town centres, promoting the identity of the town, while increasing visitor numbers which creates additional trade for other town centre premises on market day. Specialist markets also draw in visitors from further afield and are key selling opportunities for local farms, smallholders and the crafting community.

**16.7.2** The Council’s Economic Development Vision for East Herts seeks to maintain and enhance markets and specialist events in town centres, and the Council will work with partners to deliver such events. Development proposals that enhance the town centre environment to support market and specialist events will be encouraged.

**16.8 District Centres, Neighbourhood Centres, Local Parades and Individual Shops**

**16.8.1** District centres, neighbourhood centres and local parades support the day-to-day needs of communities, providing opportunities for top-up shopping and access to services and social interactions. Quite often they are essential for those less able to travel to town centres or larger retail centres. It is therefore important that these local centres provide the type and range of retail and commercial uses necessary to serve and support the local community.

**16.8.2** District centres generally comprise a group of shops, separate from the town centre, with at least one supermarket or superstore, together with a range of non-retail services and public facilities. In order to reflect the important role played by the Thorley Centre in Bishop's Stortford in terms of the local provision of food shopping and services, the centre is identified as a District Centre.

**16.8.3** The Bishop's Park Centre in Bishop's Stortford is similar to the Thorley Centre, in that it provides a local destination for food shopping and services. However, despite the supermarket being slightly larger, the centre contains only one other retail unit and a community centre. Therefore the role of the centre is more limited than the Thorley Centre. As such, the Bishop's Park Centre is identified as a Neighbourhood Centre.

**16.8.4** New neighbourhood centres will be provided in strategic developments at Whittington Way, Bishop’s Stortford; Birchall Garden Suburb, East of Welwyn Garden City; Gresley Park, East of Stevenage and the Gilston Area.

**16.8.5** Local parades provide a range of small shops of a local nature for a small catchment. These include parades of shops and services both in urban areas and in village locations.

**16.8.6** A full list of District and Neighbourhood Centres, and Local Parades is provided in the Table below:

**Table 16.1: Retail Hierarchy**

Hierarchy	Location
District Centre	The Thorley Centre, Bishop’s Stortford
Neighbourhood Centre	<ul style="list-style-type: none"> <li>• Bishop’s Park, Bishop’s Stortford</li> <li>• Bishop’s Stortford North</li> <li>• Birchall Garden Suburb, East of Welwyn Garden City</li> <li>• Gresley Park, East of Stevenage</li> <li>• North and East of Ware</li> </ul>

	<ul style="list-style-type: none"> <li>• The Gilston Area</li> <li>• Whittington Way at Bishop's Stortford South</li> </ul>
Local Parade: Bishop's Stortford	<ul style="list-style-type: none"> <li>• Hockerill</li> <li>• Havers Parade</li> <li>• Snowley Parade</li> </ul>
Local Parade: Hertford	<ul style="list-style-type: none"> <li>• Fleming Crescent, Sele Farm</li> <li>• The Avenue</li> </ul>
Local Parade: Ware	<ul style="list-style-type: none"> <li>• The Green, Kingshill</li> <li>• Cromwell Road</li> <li>• King George Road</li> </ul>
Local Parade: Villages	<ul style="list-style-type: none"> <li>• Puckeridge</li> <li>• <b>Standon</b></li> <li>• Stanstead Abbots and St Margarets</li> <li>• Watton-at-Stone</li> </ul>

**16.8.7** Individual shops are distributed throughout the towns and villages in the district and provide valuable facilities for local people in addition to the town centre offer.

**Policy RTC5 District Centres, Neighbourhood Centres, Local Parades and Individual Shops**

- I. Within District Centres, Neighbourhood Centres and Local Parades, development or change of use to main town centre uses will be supported in principle, ~~unless this results in more than 50% of units in Non-A1 Use in a continuous frontage~~ to secure the vitality and viability of the district or neighbourhood centre or local parade.
- II. Proposals that result in the loss of individual shops **in A1 Use** will be resisted and will be considered in accordance with Policy ~~CFLR7~~ **CFLR8 (Loss of Community Facilities)**.