NPPF (2018)

It is important to first understand the national planning guidance context. The NPPF (2018) covers town centres in section 7 (paras 85-90). Perhaps key to Neighbourhood Plans and your query is that this refers to defining the extent of (a) town centres and (b) primary shopping areas. These are defined in the glossary as follows:

**Town centre:** Area defined on the local authority’s policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in the development plan, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres.

**Primary shopping area:** Defined area where retail development is concentrated.

And another useful definition is:

**Main town centre uses:** Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

All of the above also has implications as to how an ‘edge of centre’ site is calculated (important for how the sequential test works, which is based on ensuring main town centre uses favour town centre sites, then edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered). Edge of centre is defined as:

**Edge of centre:** For retail purposes, a location that is well connected to, and up to 300 metres from, the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.

Terms such as primary and secondary shop frontages no longer appear in this updated version, and therefore although you could continue to use this if you felt it important, it is no longer advised as something that should be defined.

Traditionally Local Plan have included policies resisting the loss of retail (A1) in the primary shop frontage, and be slightly more flexible in the range of uses in the secondary.

Although written under the old NPPF and not yet examined, examples of a slightly broader approach include Sturminster Newton <https://www.dorsetforyou.gov.uk/planning-buildings-land/planning-policy/north-dorset/neighbourhood-planning/submitted-plans/pdfs/stur/submission/sturminster-newton-neighbourhood-plan-2016-2031-submission-draft-september-2017.pdf> - see Policies 15 and 16, and Wareham [https://docs.wixstatic.com/ugd/3b3f65\_24d32f82c6114b389da36b7a87d6b2c0.pdf - see Policy TC2](https://docs.wixstatic.com/ugd/3b3f65_24d32f82c6114b389da36b7a87d6b2c0.pdf%20-%20see%20Policy%20TC2).

You can specify different use classes (<https://www.planningportal.co.uk/info/200130/common_projects/9/change_of_use>) to define what is or isn’t allowed, but it may be that you need to add additional clauses eg about opening hours or window openings to create active frontages etc if there are specific issues that aren’t covered by simply defining what uses will or won’t be acceptable, but this will need to be seen as reasonable and enforceable from a planning perspective (for example, you can’t stop shops putting posters up inside their windows which will make the frontage inactive). I know from experience that there are often public concerns about the domination of certain types of use eg charity shops or estate agents – but the difference between a charity shop and other comparison retail outlets is simply not something that planning policies can control. The same applies to kebab shops compared to other hot food takeaways.

Re the hospital – yes you could have a site-specific policy for this, if you are going to base this on use classes then again be sure that you are happy with the scope these provide. You will also need to justify why you may be limiting the options, and consider the extent to which some residential as part of a mixed use scheme may or may not be an acceptable option (bearing in mind the need for housing, the viability of any redevelopment and also the Government’s NPPF advice “that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.”

Re housing allocations – the point on social and infrastructure impacts needs, as you recognise, to be evidenced. But in my experience this rarely provides a basis for saying ‘no’ to development as service providers are there to provide services – so if there is a solution that can be found (eg how that service can grow to meet the need) then that is the solution (rather than stopping the development). Ditto transport – impacts have to be severe to have any real sway, and again there are often solutions that can be implemented to reduce the impacts to an ‘acceptable’ level as far as the Highway Authority are concerned. However what your Neighbourhood Plan can do is highlight the possible shortfalls (as advised by service providers) and propose solutions (agreed with those providers) and make clear that any further development is delivered in sync with these upgrades.

In terms of build quality – this is not something that is generally dealt with in planning (although sample materials are often requested in terms of ensuring suitable match to local building materials if this has been conditioned) – building regulations are designed to cover matters such as structure, fire safety, ventilation, energy efficiency etc and there is one on materials and workmanship <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/443280/BR_PDF_AD_R7_2013.pdf> that may be relevant. However this is not something that could feature in the NP other than as an informative – ie to raise awareness.