

PLANNING POLICY AND LOCAL PLAN COMMITTEE

29 OCTOBER 2019

REPORT OF THE CORPORATE DIRECTOR (PLANNING AND REGENERATION)

A.3 – TOWN CENTRE PLANNING POLICIES AND REGENERATION SCHEMES

(Report prepared by Gary Guiver and William Fuller)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

- a) To report progress on the Council's regeneration projects for Clacton and Dovercourt Town Centres and their implications for policies and proposals in the emerging Local Plan;
- b) To suggest possible amendments to the planning policies in the emerging Local Plan relating to town centre uses aimed at allowing a more flexible range of activities in response to the changing role and function of town centres, the decline of traditional retail on the high street and government changes to the Use Classes Order; and
- c) To seek the Committee's agreement for the suggested amendments to be put forward for the Planning Inspector's consideration when they come to examine Section 2 of the Local Plan in 2020.

EXECUTIVE SUMMARY

The role and function of town centres is changing rapidly as the way people shop and enjoy their free time is shifting with the rise of online shopping, banking and other services and the associated decline in traditional retail on the high street. Town centres across the country are having to find new ways of attracting activity and footfall through providing a unique and attractive offer or experience. It is one of the Council's corporate priorities to maintain vibrant town centres and Clacton and Dovercourt Town Centres in particular are identified as 'priority areas for regeneration' where, due to their complex economic and social challenges, it will be essential to create the conditions for vitality, economic growth and a sustainable long-term future whilst addressing some of the problems and challenges that affect those areas on a day to day basis.

Following a successful application from this Council and its partners, Clacton Town Centre has been shortlisted by the government as one of 50 town centres across the country to bid for a share of the £1billion 'Future High Streets Fund' aimed at delivering transformational changes. Having developed a bold vision for the town centre through a dedicated Clacton Town Centre Working Party, Officers are now working with government officials, Essex County Council, local businesses and other partners to draw up detailed proposals for key sites in the town centre to be submitted to government consideration in 2020. In the meantime, Officers are progressing a number of short-term actions aimed at improving conditions for town centre trading, including changes to parking

and access arrangements, the creation of a purpose-built performance/events area and measures to positively promote the town through the 'Love Clacton' brand. These actions were approved by the Cabinet in September 2019 with a fund of £250,000 set aside to deliver certain projects with further funding expected from government.

Dovercourt Town Centre is the subject of a new Master Plan that was approved by the Cabinet in July 2019 and which articulates its own vision for the regeneration and transformation of the town. It includes targeted interventions focussed on vacant, derelict and rundown sites and securing improvements to the quality of the public realm. It also includes specific development proposals for key sites including the Starlings site and Milton Road car park which were considered by Cabinet in September 2019 and allocated a fund of £1.6million towards their delivery.

To ensure our town centres can adapt in response to the decline in retail on the high street, Officers have reviewed the Council's planning policies for town centres in light of the work that has been undertaken for Clacton and Dovercourt, the discussions with businesses and key stakeholders, the latest planning guidance contained within the National Planning Policy Framework (NPPF) and recent changes to the 'Use Classes Order'.

Historically, government planning policy was very focussed on supporting growth in the retail sector and promoting the expansion of town centres to accommodate an increasing demand for shops. However, with the rise in online shopping and other services and the need for town centres to take on a more varied and 'experiential' function, the 2019 NPPF requires planning policies to support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

The Council's planning policies for town centres in its emerging Local Plan (Section 2) are already broadly in line with government thinking, but there remains a strong emphasis on protecting certain areas for traditional A1 retail use – a principle that has been carried forward from previous Local Plans. Notwithstanding the protection afforded to A1 retail use in the Council's policies, the government in May 2019 introduced changes to 'Use Classes Order' which allows shops in A1 retail use to change to A2 financial and professional services; A3 food and drink; B1 business use; or public libraries, exhibition halls, museums, clinics or health centres on a three-year temporary basis without the need to apply for planning permission.

With these changes in mind, Officers consider that a more flexible approach may now be required to make our town centres more resilient, ensure that the national decline in retail on our high streets does not result in an increase of vacant shop units and to encourage a diverse range of activities, including eating, drinking and community-based activities as well as new residential accommodation, in the interest of vibrancy and vitality.

To achieve the above, it is recommended that Policy PP5 in Section 2 of the Council's emerging Local Plan could be amended to remove designated primary and secondary 'shopping frontages' which sought primarily to protect A1 retail and are thus in conflict with the thrust of current government policy.

The amended policy would still however retain a 'town centre boundary' where a wide range of 'town centre uses' will be encouraged, which, as defined in the NPPF would includes:

- 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).

It is also suggested that residential development could form part of the mix of uses allowed within town centres to support footfall, vibrancy, natural surveillance and security – helping also to support the evening and night time economies.

The amended policy would also retain a defined 'primary shopping area' within the core of the town centre where the use of property would be restricted to those allowed under the amended Use Classes Order and where residential use would only be permitted on upper floors above shop units. Some flexibility might need to be allowed in respect of parking provision and private amenity space for residential development in such core areas.

Officers suggest that Policy PP5 in could be worded as follows:

Policy PP5

TOWN CENTRE USES

Within Town Centre boundaries (as shown on the Policies Maps and Local Maps), proposals for development or change of use for 'main town centre uses' (as defined in Policy PP2 and the National Planning Policy Framework) as well as residential development will be permitted where they comply with other relevant policies in this Local Plan and support the vitality and viability of the town centre.

Within the 'Primary Shopping Area', the use of ground floor shop units will be restricted to A1 (Retail), A2 (Professional and Financial Services), A3 (Food and Drink); B1 (Business), public libraries, exhibition halls, museums, clinics or health centres. Residential development will only be permitted on upper floors above shop units and will be required to provide an adequate level of parking and amenity space that takes into account access to shops, services and facilities, public transport provision and proximity to public open space.

For Clacton Town Centre specifically, it is also suggested that the boundary of the town centre and the primary shopping area within it (as currently shown on the Local Plan's policies maps and local maps) are amended, in line with the recommendations of the Clacton Town Centre Working Party, to reduce the overall size of the centre, allow more flexibility for residential development to take

place on the periphery of the shopping area and to help focus investment in town centre uses on its central core.

The Local Plan has already been submitted to the Secretary of State for it to be examined by a government-appointed Planning Inspector. The Inspector will have the power to recommend 'modifications' to the Local Plan, following the examination, aimed at addressing any issues with the soundness of the plan. Whilst it will be at the Inspector's discretion which modifications are formally recommended, the Council will have the opportunity suggest changes to the Inspector, for their consideration, as part of the examination process. It is recommended that the changes outlined in this report be put forward to the Inspector for their consideration, at the appropriate time.

RECOMMENDATION

That the Planning Policy and Local Plan Committee:

- a) Notes the progress of the regeneration projects for Clacton and Dovercourt Town Centres;**
- b) Notes the latest position in respect of government policy on town centres, including the National Planning Policy Framework and changes to the Use Classes Order;**
- c) Considers and approves the suggested amendments to Policy PP5 'Town Centre Uses' and relevant policies and local maps and the specific amendments for Clacton Town Centre in the Tendring District Local Plan 2013-2033 and Beyond: Publication Draft (the emerging Local Plan) as set out in this report; and**
- d) Authorises the Head of Planning to put forward the suggested amendments to Policy PP5 and relevant maps the Planning Inspector for their consideration as part of the examination of the Section 2 Plan.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Supporting the vitality and viability through the emerging Local Plan and delivering regeneration projects in Clacton and Dovercourt align with key elements of the Council's draft Corporate Plan 2020-2024. These include the priorities around achieving vibrant town centres, developing and attracting new businesses, supporting existing businesses, achieving more and better jobs, promoting Tendring's tourism, cultural and heritage offers, maximising our coastal and seafront opportunities and using assets to support priorities.

RESOURCES AND RISK

The preparation of Section 2 of the emerging Local Plan has been undertaken by the Council's

Planning Policy team with assistant from specialist consultants and has been funded through the Council's agreed LDF (Local Development Framework) budget. The independent examination and any future review of the plan will also be funded from this source. The Cabinet has allocated funding towards the regeneration projects in Clacton and Dovercourt Town Centres and Officers are working with partners to secure additional external funding.

The suggested amendments to the town centre policy in the emerging Local Plan are designed to ensure a flexible and responsive planning framework and the role and function of town centres in response to changes in national planning policy and the Use Classes Order and to the changing role and function of Town Centres. However, the Planning Inspector is under no obligation to accept the amendments and propose them as formal modifications and, if they believe that the policies as currently written adequately meet the 'tests of soundness' from the National Planning Policy Framework (NPPF) and do not require any changes, they might carry forward to the final adopted version of the Local Plan without change.

If the Inspector does however accept the Council's suggested amendments and they do become formal modifications to the Local Plan, they will need to be the subject of public consultation and this may result in further objections requiring consideration by the Inspector and potential further examination before the plan can be adopted. That said, because the amendments being suggested by Officers are aimed at improving the vibrancy of Town Centres, they are not expected to be controversial.

LEGAL

The planning legislation and the National Planning Policy Framework (NPPF) (both the 2012 version applicable to this Local Plan and the new 2018 version that was updated in 2019) place Local Plans at the heart of the planning system, so it is essential that they are in place and kept up to date. The NPPF expects Local Plans to set out a vision and a framework for the future development of the area, addressing the needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for safeguarding the environment.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 (as amended) state that applications for planning permission must be determined in accordance with the 'development plan' unless material considerations indicate otherwise. The statutory 'development plan' for Tendring, as it stands is the 2007 Adopted Local Plan. However, the policies and proposals in the Adopted Local Plan are increasingly out of date. The NPPF states that where the development plan is out of date permission should be granted for sustainable development unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits or other policies indicate otherwise. It is therefore essential to progress the emerging Local Plan through the stages of the plan making process and ensure it meets the requirements of national planning policy so it can become the new statutory development plan and be relied upon by the Council acting as the Local Planning Authority.

The Town and Country Planning (Local Planning)(England) Regulations 2012 make provision for the operation of the local development planning system including, for the purposes of this report, regulations relating to the preparation, publication and representations relating to a local plan and the independent examination.

The NPPF requires a local planning authority to submit a plan for examination which it considers to be “sound” meaning that it is: positively prepared, justified and effective. The job of the Planning Inspector is to test that the Local Plan meets legal and procedural requirements and the above tests of soundness. Any modifications proposed by the Inspector at the end of the examination process will ensure the plan meets all of these requirements but these have to be published for consultation in their own right before the Council can proceed to the final adoption of the Local Plan.

The amendments being suggested through this report are not an indication that the emerging Local Plan as currently written is ‘unsound’, but are aimed at improving the plan in response to rapid changes in national planning policy and the Use Classes Order and to the changing role and function of Town Centres.

OTHER IMPLICATIONS

Area or Ward affected: All wards (although most relevant to wards containing defined town centres at Clacton, Dovercourt, Walton, Frinton. Brightlingsea and Manningtree.

Consultation/Public Engagement: The town centre policies in the emerging Local Plan have already been the subject of public consultation at issues and options stage (2015), preferred options stage (2016) and publication stage (2017). If the Inspector accepts the Council’s suggestions for amending the town centre policies and proposes them as ‘main modifications’ to the plan following the examination, they will need to be the subject of public consultation in their own right before Section 2 of the plan can proceed to adoption. The consultation may result in further objections; however, unless they raise fundamental issues which require re-examination, they are unlikely to result in further changes. If they do, there is a risk of further delay to the examination process and the timetable for adoption. The changes proposed to the town centre policies in relation to Clacton Town Centre have, in part, been informed by discussions with businesses and other partners as part of the Clacton Town Centre Working Party.

PART 3 – SUPPORTING INFORMATION

National Planning Policy on Town Centres

The role and function of town centres is changing rapidly as the way people shop and enjoy their

free time is shifting with the rise of online shopping, banking and other services and the associated decline in traditional retail on the high street. Town centres across the country are having to find new ways of attracting activity and footfall through providing a unique and attractive offer or experience.

Because the Council's emerging Local Plan was prepared in accordance with the National Planning Policy Framework (NPPF) that was published in 2012 and was submitted to the Secretary of State before 24th January 2019, the Planning Inspector will be examining the plan to ensure it complies with the 2012 NPPF rather than the latest version published in 2018 and updated in 2019. That said, both the 2012 and 2019 versions of the NPPF have similar policies in relation to town centres.

Section 2 in the 2012 NPPF is concerned with ensuring the vitality of town centres. Paragraph 23 requires planning policies to be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. It requires Councils to recognise town centres as the heart of their communities and pursue policies to support their viability and vitality; and specifically to define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, setting policies that make clear which uses will be permitted in such locations.

Section 7 of the 2019 NPPF similarly promotes a positive approach to growth, management and adaptation of town centres, but specifically advises that they should be allowed to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries. In addition, the 2019 NPPF no longer refers to primary and secondary frontages – simply requiring Councils to define the extent of town centres and primary shopping areas, and making clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre.

Both the 2012 and 2019 NPPF similarly define 'main town centre uses' as: 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).

The 2012 NPPF defines 'primary shopping area' as: *“Defined area where retail development is concentrated (generally comprising the primary and those secondary frontages which are adjoining and closely related to the primary shopping frontage)”*. It defines 'primary and secondary frontages' as: *“Primary frontages are likely to include a high proportion of retail uses which may include food, drinks, clothing and household goods. Secondary frontages provide greater opportunities for a diversity of uses such as restaurants, cinemas and businesses.”*

The 2019 NPPF, in contrast, defines 'primary shopping area' as: *“Defined area where retail development is concentrated”* but contains no definition for primary and secondary shopping frontages and there is no mention of them at all in the latest national policies – indicating a shift

away from a prescriptive approach to town centre policy in favour of more flexibility.

Changes to the Use Classes Order

On 25th May 2019, the government introduced changes to the 'Use Classes Order' which categorises different types of land uses and defines which changes of use will require planning permission. This followed on from consultation on planning reforms undertaken by the government in late 2018/early 2019 which the Planning Policy and Local Plan Committee considered at its meeting of 29th January 2019.

Before the recent changes, property in A1 (retail) use could not change to another use without planning permission. Now A1 property is allowed to change, without planning permission, to A2 (financial and professional services), A3 (food and drink), B1 (business), public libraries, exhibition halls, museums, clinics or health centres on a temporary 3 year basis (within which time an application for permanent change of use can be submitted and determined in line with local planning policies). The changes to the Use Classes order do not allow shops to change to takeaways without obtaining planning permission.

This change in approach, alongside the removal of primary and secondary frontages from the policies in the NPPF, is clearly aimed at allowing greater flexibility in the use of town centre property to encourage vitality and reduce the risk of vacant shop units.

Regeneration Projects for Clacton and Dovercourt

It is one of the Council's corporate priorities to maintain vibrant town centres and Clacton and Dovercourt Town Centres in particular are identified as 'priority areas for regeneration' in Policy PP14 of the emerging Local Plan where, due to their complex economic and social challenges, it will be essential to create the conditions for vitality, economic growth and a sustainable long-term future whilst addressing some of the problems and challenges that affect those areas on a day to day basis.

Clacton

In 2018, the Leader of the Council set up the 'Clacton Town Centre Working Party, to provide a focal point for public bodies, businesses and the community to be able to develop a new, long term vision for the town centre and to recommend actions for rejuvenating the area. The Working Party comprised representatives from local businesses, partner organisations, community groups and relevant TDC Officers.

Initially the Working Party identified many of the key issues and challenges that are affecting Clacton Town Centre's footfall and spending. The main concerns include a lack of conveniently located on-street car parking; issues with the way traffic is currently directed; the presence of street-drinkers; a negative perception of the town centre amongst its own residents and businesses; and a lack of positive engagement with younger people.

Having identified some of the issues and challenges, the members of the Working Party were then invited to put forward and discuss ideas for tackling those issues. Some of the main ideas include creating more parking spaces in the core of the town centre and easing parking time restrictions; enabling more residential development to be built in the town centre; promoting Clacton's heritage and seaside credentials as a USP; tackling the causes of street-drinking and increasing the police presence; holding more events and activities in the town centre; and setting up a voluntary body of 'Ambassadors' to take an active role in the management and promotion of the town centre. Officers have considered all of the various ideas and many of them now form the basis of the proposed Plan of Action described below.

The 'Future High Streets Fund' was announced as part of the government's 2018 Autumn budget to support local authorities in bringing about transformational change to their town centres that will enable to adapt to the changing nature of shopping and how people spend their money and their time. Because of its economic challenges, Officers considered that Clacton Town Centre was well placed to qualify for some of the Future High Street Fund and have been working with Essex County Council's Localities Team and the members of the Clacton Town Centre Working Party to build the case for funding. Because the Future High Streets Fund is aimed at delivering transformational changes, the Clacton Town Centre Working Party has been considering ideas for major development and innovative improvements that could potentially qualify for funding. These include proposals to create under-cover pedestrian friendly areas, the relocation of bus and coach facilities, new multi-storey car parks and associated interactive signage and a hub of community and educational facilities.

Following a successful application from this Council and its partners, Clacton Town Centre has been shortlisted by the government as one of 50 town centres across the country to bid for a share of the government funding. Having developed a bold vision for the town centre through the Clacton Town Centre Working Party ([link](#)), Officers are now working with government officials, Essex County Council, local businesses and other partners to draw up detailed proposals for key sites in the town centre to be submitted to government consideration in 2020. When detailed plans are prepared, they will be reported to the Committee for its consideration in due course.

In the meantime, Officers are progressing a number of short-term actions aimed at improving conditions for town centre trading, including changes to parking and access arrangements, the creation of a purpose-built performance/events area and measures to positively promote the town through the 'Love Clacton' brand. These actions were approved by the Cabinet in September 2019 with a fund of £250,000 set aside to deliver certain projects with further funding expected from government. The short-term actions also include reviewing the planning policies for Clacton Town Centre with a view to allowing more flexibility (in line with government thinking), amending the boundary of the town centre and encouraging more residential development to be located above shops and in side streets to support vitality.

Dovercourt

Dovercourt Town Centre is the subject of a new Master Plan that was approved by the Cabinet in July 2019 and which articulates its own vision for the regeneration and transformation of the town. It includes targeted interventions focussed on vacant, derelict and rundown sites and securing improvements to the quality of the public realm. It also includes specific development proposals for key sites including the Starlings site and Milton Road car park which were considered by Cabinet in September 2019 and allocated a fund of £1.6million towards their delivery.

The Dovercourt Town Centre Master Plan ([link](#)) seeks to improve the economic performance and viability of the town by creating a more appealing environment through targeted interventions focussed on vacant, derelict and rundown sites, and by securing improvements in the quality of the public realm. Cabinet also approved the preparation of a detailed business case for the redevelopment of the Starlings site and the Milton Road Car Park.

The Starlings site is located on Dovercourt High Street and has been derelict for some years. Despite being hoarded the site is a blight on the town centre. The Milton Road Car Park is a two storey steel and concrete structure located adjacent to the Starlings site. The Car Park (Which incorporates public toilets), is in the Council's ownership and is now in need of significant improvement works if the facility is to retain any long term operational use. The Dovercourt Masterplan advocates that the Starlings site be redeveloped to provide new animated public space, public toilets, and a surface car park. The Masterplan also advocates the demolition of the Milton Road Car Park and for the vacant site to be redeveloped for housing.

To ensure our town centres can adapt in response to the decline in retail on the high street, Officers have reviewed the Council's planning policies for town centres in light of the work that has been undertaken for Clacton and Dovercourt, the discussions with businesses and key stakeholders, the latest planning guidance contained within the National Planning Policy Framework (NPPF) and recent changes to the 'Use Classes Order'.

Town Centre Policies in the emerging Local Plan

There are five planning policies in the emerging Local Plan that relate to retail development and/or town centres.

Policy PP1: 'New Retail Development' simply seeks to guide retail development towards town centres, in line with the government's 'town centre first' or 'sequential approach' policy. It also sets out the anticipated demand for additional retail floorspace in different parts of the district, based on the evidence contained in the Council's 2017 Retail Study update.

Policy PP2: 'Retail Hierarchy' lists all of the district's 'major town centres', 'town centres' and 'district centres' and explains that these centres will be the focus for 'town centre uses' as defined in national planning policy (see above), requiring proposals to properly related to those centres having regard to that hierarchy.

Policy PP3: 'Village and Neighbourhood Centres' lists some of the smaller shopping areas found in villages and in smaller parades of shops in urban areas. The policy aims to protect and enhance those village and local neighbourhood centres and encourage small scale retail development.

Policy PP4: "Local Impact Threshold" sets out the scale of retail, leisure or office development that, if proposed outside of a town centre through a planning application, would need to be supported by an 'impact assessment' to enable the Council to assess their impact on the vitality and viability on nearby town centres. This is a requirement of national planning policy, but the size thresholds are set locally and are based on the evidence contained within the 2017 Retail Study update.

Policy PP5: "Town Centre Uses" sets out what types of development are permissible within the defined town centre boundaries, primary shopping areas and primary and secondary frontages.

At this point in time, Officers are not suggesting any changes or amendments to Policies PP1, PP2, PP3 and PP4 but this situation will be kept under review and further reports to the Committee may come forward in due course. Amendments to Policy PP5 are however recommended.

Policy PP5 – Town Centre Uses

Policy PP5: "Town Centre Uses", as currently written, states that within the 'Primary Shopping Area' (which can be found in Clacton, Dovercourt, Walton, Frinton, Brightlingsea and Manningtree Town Centres), proposals for development will be permitted where they:

- a. Are for main town centre uses, as defined in the NPPF; or
- b. Will promote the vitality and viability of the centre, including proposals for residential development; or
- c. Will involve the conversion or re-use of upper floors; and/or
- d. Deliver high quality active ground floor frontages; and
- e. Within the Primary Shopping Frontages A1 uses (shops) comprise at least 70% of the shopping frontages; and
- f. Within the Secondary Shopping Frontages main town centre uses remain dominant; and
- g. Any change of use will be considered against the aims of this policy.

The intention of this policy is to give priority to retail development along the core frontages of the town centres and follows a similar approach to the Council's 2007 adopted Local Plan and previous Local Plans. In the adopted Local Plan, property within the primary shopping area was restricted to A1 to A5 use and in primary shopping frontages, property had to be primarily in A1 use with an allowance of up to 10% of the length of individual frontages being allowed for use classes A2 to A5. That approach was very much in line with government policy at the time.

To better reflect the thrust of current government policy and to embrace a more flexible approach, it is suggested that Policy PP5 would be improved if it were amended a) to remove reference to the primary and secondary frontages and the restrictions on non-A1 retail use that apply (with

corresponding changes to the policies and local maps); and b) to improve the wording and clarity of the policy as the criteria currently contain a potentially confusing combination of requirements.

The simplified wording to Policy PP5 would be as follows (a 'tracked change' version of the policy wording is included in appendix 1 so Members can see how the suggested wording compares to the current wording):

Policy PP5

TOWN CENTRE USES

Within Town Centre boundaries (as shown on the Policies Maps and Local Maps), proposals for development or change of use for 'main town centre uses' (as defined in Policy PP2 and the National Planning Policy Framework) as well as residential development will be permitted where they comply with other relevant policies in this Local Plan and support the vitality and viability of the town centre.

Within the 'Primary Shopping Area', the use of ground floor shop units will be restricted to A1 (Retail), A2 (Professional and Financial Services), A3 (Food and Drink); B1 (Business), public libraries, exhibition halls, museums, clinics or health centres. Residential development will only be permitted on upper floors above shop units and will be required to provide an adequate level of parking and amenity space that takes into account access to shops, services and facilities, public transport provision and proximity to public open space.

The proposed wording would achieve the following:

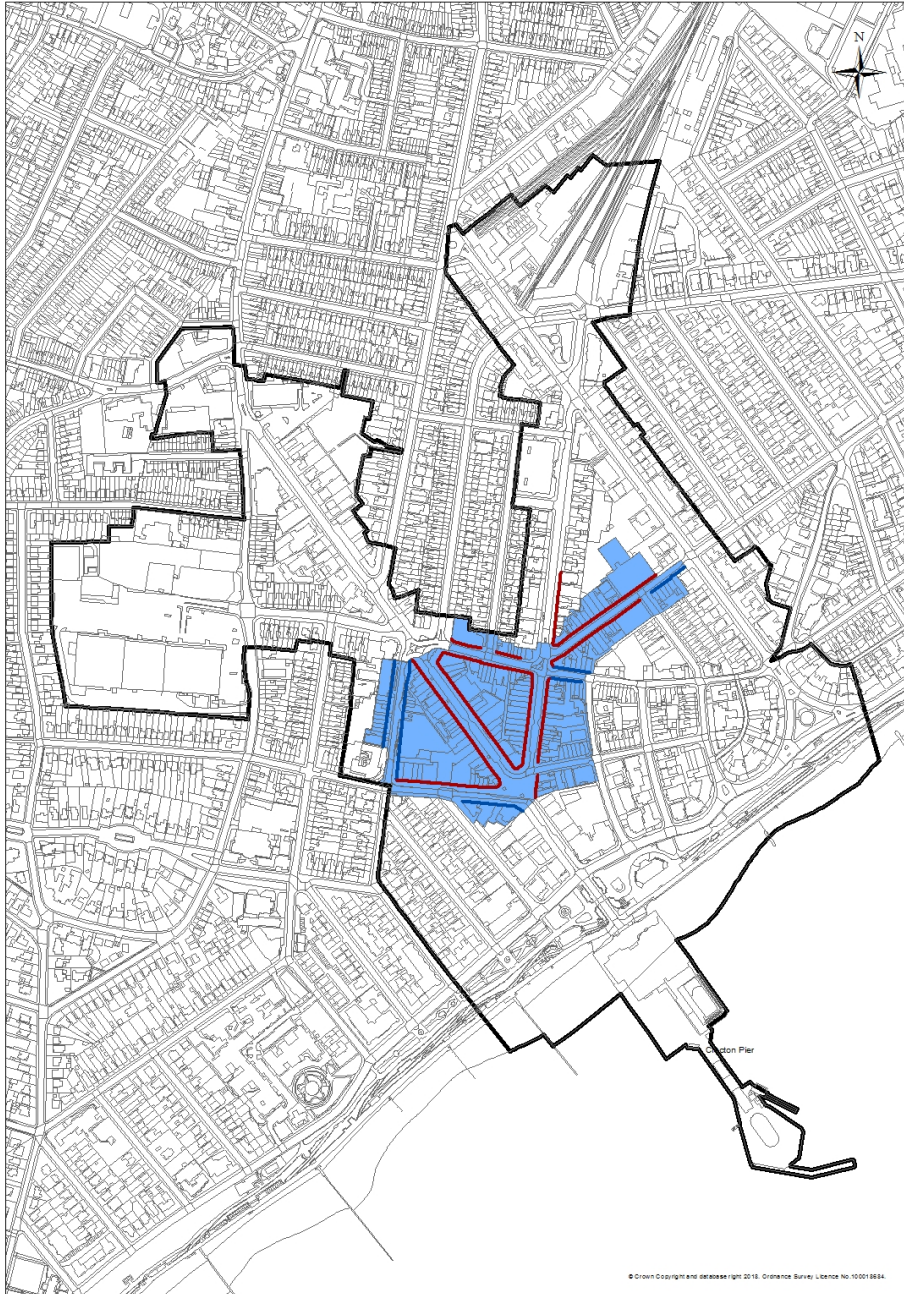
- Simplify the policy and remove any ambiguity over the way it should apply;
- Remove the restrictions on non-A1 retail uses which currently apply in primary and secondary shopping frontages, by removing them from the Local Plan altogether – thus allowing more flexibility in line with current government thinking; and
- Support additional residential development in town centres to generate vibrancy and footfall and create better conditions for surveillance, security and the evening economy whilst allowing a pragmatic approach to the application parking and private amenity space standards (which are often more difficult to achieve in town centre locations).

On the emerging Local Plan's policies and local maps, Primary Shopping Frontages are shown with pink lines and Secondary Shopping Frontages are shown with blue lines. It is suggested that these notations be removed from the plans, but that the boundary of the town centre (shown as a purple line) and the 'Primary Shopping Area' (shown as a light blue shading) will remain. The relevant local maps for Clacton (B.6), Dovercourt (B.15), Frinton and Walton (B.10), Brightlingsea (B.21) and Manningtree (B.21), which show the primary and secondary frontages as currently contained in the emerging Local Plan, are replicated in Appendix 2 for context.

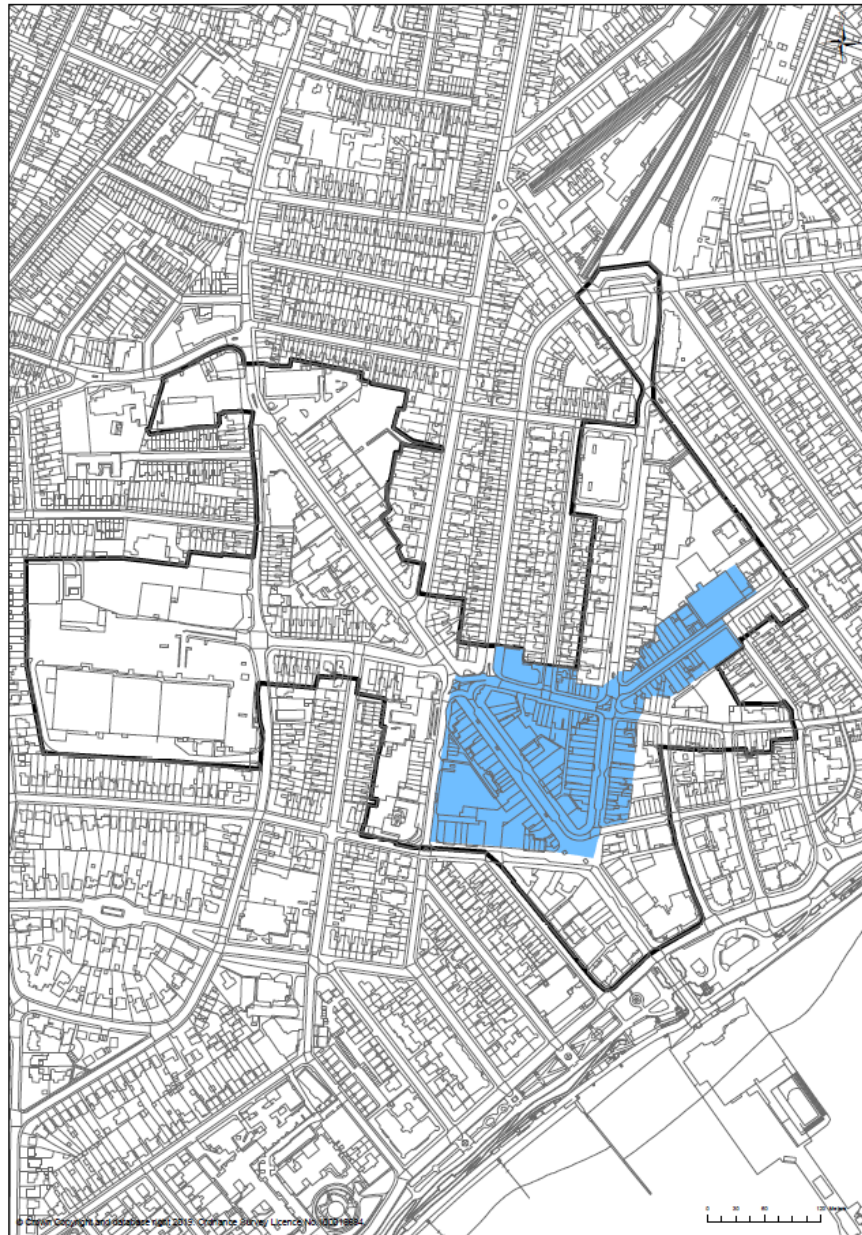
Clacton Town Centre policy boundaries

A specific recommendation arising from the work of the Clacton Town Centre Working Party is to revise the boundaries of the town centre and primary shopping area to reduce the overall size of the centre, allow more flexibility for residential development to take place on the periphery of the shopping area and to help focus investment in town centre uses on its central core. The existing and proposed boundaries are set out below:

Current town centre policy boundaries for Clacton Town Centre in the emerging Local Plan:



Suggested amended town centre policy boundaries for Clacton Town Centre, as recommended by the Clacton Town Centre Working Party:



There was a general view amongst the members of the Working Party that the current town centre boundary did not reflect the common view as to what actually constitutes Clacton Town Centre and that it sought to protect too wide an area for it to be effective in focussing investment in the right places. In particular, there were questions over the inclusion of the Pier and seafront within the town centre boundary as well as the railway station and the northern parts of Pier Avenue extending towards the Cinema, including the Waterglade Retail Park. The Working Party also suggested that Clacton Town Centre needed to move away from being just a shopping destination and more towards offering an experience-based offer, including more social activities such as eating and drinking – which might be precluded by the current restrictions on non-A1 development within the town centre.

Officers are not suggesting any changes to the town centre boundary or primary shopping area for other town centres outside of Clacton.

Making amendments to the Local Plan

The Local Plan has already been submitted to the Secretary of State for it to be examined by a government-appointed Planning Inspector, the Council is not able to make any further changes to the plan itself. The Inspector will have the power to recommend 'modifications' to the Local Plan, following the examination, aimed at addressing any issues with the soundness of the plan. Whilst it will be at the Inspector's discretion which modifications are formally recommended, the Council will have the opportunity suggest changes to the Inspector, for their consideration, as part of the examination process. It is recommended that the changes outlined in this report be put forward to the Inspector for their consideration, at the appropriate time. This is most likely to be in response to the Inspector's 'Matters Issues and Questions' which will be issued to the Council ahead of the Section 2 examination.

APPENDICES

1. Suggested amendments to Policy PP5 shown as 'tracked changes'.
2. Relevant Local Maps from the emerging Local Plan showing current primary and secondary shopping frontages.

BACKGROUND PAPERS

Vision for Clacton Town Centre web link:

<https://tdcdemocracy.tendringdc.gov.uk/documents/s23242/A2%20Appendix%20B%20-%20Vision%20for%20Clacton%20Town%20Centre.pdf>

Dovercourt Master Plan web link:

<https://tdcdemocracy.tendringdc.gov.uk/documents/s21331/A1%20Appendix%20Dovercourt%20Masterplan.pdf>