

# North Devon Conservatives

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## Concern raised over Government threat to local high streets and shops

*Government to weaken powers of North Devon Council  
to control out-of-town development*

Philip J Milton, Prospective Member of Parliament for North Devon, this week criticised the Government's proposed changes to planning rules, which will reduce the powers of North Devon Council to control out-of-town retail development.

A new report from a cross-party House of Commons Committee has warned that the Government's proposed changes to planning rules on retail development will result in "many more out-of-town superstores". This comes as a separate nationwide survey by the British Retail Consortium has found that 1 in 10 of all town centre shops are now vacant.

The Government's changes come in the form of new national planning rules on retail development. North Devon Council will have to observe the rules when assessing planning applications. The new regime will scrap the 'needs test', which requires developers to prove the 'need' for additional out-of-town development. The changes are driven by Gordon Brown.

The small print of the Government's proposals, published last year, shows the changes would:

- "Lead to some overall increase in out-of-town development, which could have environmental implications".
- "More out-of-town development proposals coming forward through the planning process".
- "Additional unplanned proposals outside town centres".

The Government consultation exercise found that the changes would "lead to more edge-of and out-of-centre development" and "undermine regeneration schemes by allowing development outside town centres". On top of this, a Committee of MPs has now warned that the changes will lead to "unnecessary risks to town centres".

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Philip said:

“Labour’s rewriting of the rules which protect against excessive out-of-town retail development threatens to undermine the vitality of local high streets. Councils need the discretion and power to halt reckless out-of-town expansion and promote town centre regeneration.

“At a time when we have a record number of empty shops on our high streets, I am concerned that Gordon Brown’s plans will hit small retailers and worsen the problem of ghost town Britain.”

## Notes to Editors

### NEW GOVERNMENT RULES WILL UNDERMINE TOWN CENTRES

John Gummer, when Environment Secretary in 1996, put in place planning rules on out-of-town retail development in order to prevent town centre decline (so-called ‘PPG6’). As a result, local councils can reject proposals for new supermarkets and retail development outside towns. Labour signalled in the May 2007 Planning White Paper that the ‘needs test’ would be abolished, following pressure by Gordon Brown in the Treasury when he was Chancellor of the Exchequer. The new rules were originally to be included in a new set of planning rules called PPS6; they are now to be incorporated into rules called PPS4.

Gordon Brown’s planning adviser, Kate Barker, who originally proposed the abolition of the needs test, has subsequently admitted she was wrong: “I and the people who advised me didn’t realise the extent to which planners seem to rely on it. I must say it wasn’t a point I felt particularly strongly about and the argument is very much up for grabs” (cited in *Regeneration and Renewal*, 2 March 2007).

Last year, the small print of the new planning document admitted:

- “The proposals remove the requirement for an applicant to demonstrate ‘need’ for a proposal which is in an edge of centre or out of centre location and which is not in accordance with an up to date development plan strategy” (p.4).
- “Other key non-monetised benefits by ‘main affected groups’: Removal of unintended effects of need test, more floorspace in edge of centre and out of town location” (p.38).
- “By removing a barrier to market entry, the application of the new test may lead to some overall increase in [out of town] development, which could have **environmental implications**” (p.42).
- “It is reasonable to expect that the absence of the need test may well result in more [out-of-town] development proposals coming forward through the planning process” (p.61).
- “It may be the case however that there could be some additional unplanned proposals outside town centres which would be granted planning permission in the absence of an identified/proven ‘need’.” (p.62).

DCLG, *Proposed Changes to Planning Policy Statement 6*, July 2008.

<http://www.communities.gov.uk/archived/publications/planningandbuilding/pp6consultation>

In February 2009, the Government’s response to the consultation also conceded:

“There was general agreement that the need test had not worked well in practice, particularly in terms of unintended consequences, there was some concern that its removal could potentially **undermine regeneration**

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**schemes by allowing development outside town centres, reducing control over extensions to retail development and reducing certainty for town centre investors” (p.6).**

“A number of respondents noted that market towns and smaller centres would be most affected by the proposed changes, especially in light of the current and likely future economic conditions” (p.6).

“Many respondents supported retaining the ‘town centre first’ approach or commented that removal of the need test could lead to **more edge-of-centre and out-of-centre development**” (p.6).

“The perceived complexity of the new test could cause delay, increase costs and lead to more planning appeals and challenges and removal of the need test, combined with the proposed impact test, could lead to **more edge-of and out-of-centre development**” (p.12).

“Concern whether planning authorities would have the capacity and knowledge to apply the proposed test, which could result in larger, more resource intensive, assessments. In particular it was felt that qualitative considerations will require more work and that the information requested to support the impact test should be proportionate to the size of development” (p.13).

DCLG, *Proposed changes to Planning Policy Statement 6: Planning for Town Centres (PPS6) - Summary of public consultation responses*, 4 February 2009.

<http://www.communities.gov.uk/publications/planningandbuilding/pps6responses>

## **REPORTS WARN OF THREAT TO TOWN CENTRES**

In a new report on these changes, the cross-party Communities & Local Government Select Committee, has said:

“We are unconvinced by the evidence put forward that the need test is having undesirable effects. On the contrary, we have heard from representatives of developers, of local planning authorities and of local campaign groups that it is serving a useful—some say essential—function. In addition, whilst we accept that planning policy should be “economic cycle blind”, the timing of change can be significant. In the current economic climate, the removal of the need test would present unnecessary risks to town centres. We therefore recommend that the need test be retained as a component of town centre planning policy” (para 48).

“There was a widespread perception when the Government’s proposals were published that they would lead to many more out-of-town superstores” (para 52).

CLG Select Committee, *Need and impact: planning for town centres, HC 517*, 25 July 2009.

<http://www.publications.parliament.uk/pa/cm200809/cmselect/cmcomloc/517/51702.htm>

Meanwhile, a survey by the British Retail Consortium has found that 12 per cent of town centre shops are now vacant (*BRC press release*, 21 July 2009).

<http://www.brc.org.uk/details04.asp?id=1599>

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