

FREETHS

STATEMENT OF REPRESENTATION FOR THE EXAMINATION IN PUBLIC HEARINGS: MANSFIELD DISTRICT COUNCIL

**MAIN MATTER 7: Whether or not the plan will contribute to the vitality
and viability of Mansfield Town Centre, the District Centres and Local
Centres**

PREPARED ON BEHALF OF HELIER LIMITED

APRIL 2019

FREETHS LLP

PLANNING AND ENVIRONMENTAL GROUP

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1. INTRODUCTION

- 1.1. This Statement is prepared by Freeths LLP on behalf of our client Helier Limited promoting Land at Pleasley Hill Farm (SUE1) and is submitted as evidence as part of the examination into the Mansfield District Council Local Plan.
- 1.2. This Statement relates to Matter 7 of the ‘Inspector’s Matters, Issues and Questions’ (MIQs) note prepared by the Inspector and forming the basis of the Examination Hearings.

2. MATTER 7 - QUESTION 1

Is the 500sqm threshold for impact assessment in Policy RT1 based on robust evidence? Are the proposed new Local Centres at Berry Hill (Policy SUE3) and Pleasley Hill Farm (SUE1) justified by evidence?

- 2.1. The District Retail and Commercial Leisure Study Update 2017 (Peter Brett Associates) at chapter 6.3 sets out the quantitative retail needs for the Housing Growth Areas in which Pleasley Hill is identified. Table 6.2 identifies housing growth area floorspace needs generated by total expenditure. The table demonstrates that the Pleasley Hill Housing Growth Area would generate a floorspace need of 2,610sqm comparison goods and 800sqm convenience retail. The study at paragraph 6.4.2 and 6.4.3 goes on to make an assumption that the housing growth sites might reasonably retain up to 10% of comparison and 30% of convenience expenditure generated by new residents.
- 2.2. The District Retail and Commercial Leisure Study Update 2017 paragraph 6.4.34 goes on to state that: -
‘Our capacity assessment identifies that Pleasley Hill benefits from outline planning for a 45sqm net retail unit (ref 2014/0147/ST) and a second outline permission for 84sqm net retail floorspace (ref 2010/0805/ST). Based on the assumptions in paragraph 6.4.3 our analysis indicates that the growth area could support an additional 180sqm net comparison floorspace and 170sqm net convenience floorspace. This floorspace could be allocated to Bright Square neighbourhood centre subject to identification of suitable sites or located within the site itself. Any planning application for additional retail floorspace outside of designated centres should be

considered on its merits and demonstrate compliance with the sequential test and retail impact tests set out in the NPPF and the PPG’.

The proposed Sustainable Urban Extension at Pleasley Hill Farm (SUE1) is designed to support a new strategic local centre at the heart of a new community which is of a size commensurate with the scale of development. As part of the application for SUE1, which is currently being prepared, it is proposed to incorporate a new Limited Assortment Discount Convenience Store to support the new community. A Sequential Assessment has been produced that demonstrates that there are no sequentially preferable sites to locate a store of this size within the catchment area. The site is in a highly accessible location on both sides of the MARR; this offers good access to the site and the potential for the penetration of bus routes into the site. It is of note that the Retail and Leisure Technical Paper – Sept 2018 (RLTP) – paragraph 3.2 states that in respect of Mansfield Town Centre – ‘in relation to convenience shopping provision the town centre currently lacks a supermarket (with the exception of the food hall in Marks and Spencer), and this should be addressed during the study period, as it represents a key shortfall.’ This demonstrates that locating a convenience store within the Pleasley Hill Farm SUE (Mansfield Urban Area) would not impact on the vitality or viability of the existing centre whilst providing a convenience offer for the new local community in an accessible location.

- 2.3. The evidence of the RLTP demonstrates that there is a lack of convenience retailing in the general area and it is considered that the retail provision for the new community should be addressed within the proposed new local centre at Pleasley Hill Farm. It is therefore considered that the assumption at paragraph 6.4.2, that the housing growth area would only retain 30% convenience expenditure, is significantly lower than would be expected due to the shortfall in convenience retail in the Mansfield Urban Area and Pleasley Hill Housing Growth Area
- 2.4. The proposed development at Pleasley Hill Farm is a Strategic Urban Extension of the town of Mansfield involving in the order of 1000 dwellings and new commercial and employment development in addition to the existing community and recent residential developments in the vicinity. The development would in effect create a new suburban neighbourhood on the Northern side of Mansfield, well linked to the strategic highway network and recently completed MARR. As such a new local centre will be

required as part of the overall development to support a sustainable comprehensive development. A sequential test has been undertaken, in accordance with the requirements of the NPPF, which concludes that there are no sequentially preferable sites to meet the specific needs of the proposed strategic urban extension. The retail study (2017) identifies that there is a need for at least 170sqm convenience floorspace and 180sqm comparison floorspace in this location. The application being prepared for the SUE at Pleasley Hill Farm proposes a 1000sqm Limited Assortment Discounter Convenience Store and a further 600sqm of other retail within the local centre and the Petrol Filling Station. Whilst the proposed new centre would account for up to 1600sqm of A1 retail the 170sqm is not a maximum figure and should be much greater (paragraph 2.2 above). It can be demonstrated that the proposed new store would represent sustainable development and would not impact on the vitality and viability of Mansfield Town Centre. The sequential test is based on the catchment area representative of a Limited Assortment Discounter model. It demonstrates that there are no sequentially preferable, suitable, and viable sites within the catchment area (than the proposed development at Pleasley Hill Farm) to meet the specific needs of the proposed new strategic urban extension. Furthermore there is a lack of convenience retailing in the general area as highlighted by the Retail and Leisure Technical Paper – Sept 2018 – paragraph 3.2.

- 2.5. The new local centre would support the economic growth of the area along a main strategic transport corridor. It is important to ensure locations for significant growth are well connected to major strategic infrastructure (e.g. MARR) to be attractive to the market and link with similar strategies in adjoining authority areas.
- 2.6. The requirement for a Retail Impact Assessment above 500sqm would be too restrictive when in relation to a large Strategic Urban Extension and could preclude the provision of sustainable local shopping of sufficient scale to be effective. It is of note that more retail space in this location would not threaten the vitality or viability of Mansfield Town Centre (MTC). The new local centre would need to provide space for retail / food / drink / leisure to make appropriate provisions for the new community without impacting on the Mansfield Town Centre.