

Examination of the Tunbridge Wells
Borough Local Plan

**Tunbridge Wells Borough Council
Hearing Statement**

**Matter 11: Retail, Town
Centres and Community
Facilities (Policies STR/RTW1,
ED8, ED9, ED10 and EN6)
Issue 2: Managing Vitality and
Viability**

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Matter 11 – Retail, Town Centres and Community Facilities (Policies STR/RTW1, ED8, ED9, ED10 and EN6)

Issue 2 – Managing Vitality and Viability

Inspector’s Question 1: [re. Vitality and Viability]

What is the need for commercial, leisure and town centre uses over the plan period and how will this be met?

TWBC response to Question 1

Introduction

1. In accordance with Section 7 of the National Planning Policy Framework (NPPF), the Local Plan makes provision for ‘*ensuring the vitality and viability of town centres*’.
2. Paragraph 86 and criteria a-f of the NPPF details the specific requirements that should be taken into account in plan preparation 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*’.
3. In particular paragraph 86 d) requires planning policies to; “*Allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability...*”
4. Additionally, Planning Practice Guidance provides guidance on ‘*Town Centres and retail*’ in particular, paragraph 001 sets out the approach to ‘*Planning for town centre vitality and viability*’.

5. Section 6 of the Local Plan – Town, Rural Service and Neighbourhood Centres and Village Settlements, provides the approach towards the management of the borough’s settlements and detailed development management policies clearly set out the Council’s approach as well as the specific allocations provided for within the settlement specific sections of the Local Plan.

Consideration – the need for commercial, leisure and town centre uses

6. The Council has commissioned a number of evidence base studies, which have informed the approach towards the provision of commercial, leisure and town centre uses within the Local Plan in accordance with the requirements of the NPPF.

7. The substantive evidence base in relation to town centre uses includes the following:

- The Tunbridge Wells Retail and Leisure Study 2017 [[CD 3.30a\(i\)](#)] produced by Nexus Planning on behalf of the Council
- The Town Centre Office Market Review – Tunbridge Wells 2018 prepared by Durlings
- The Tunbridge Wells Retail, Commercial Leisure and Town Centre Uses Study Update – February 2021 [[CD 3.86a](#)] also produced by Nexus Planning in collaboration with Aspinal Verde and Durlings

8. The 2017 Retail Study [[CD 3.30a\(i\)](#)] informed the Regulation 18 Draft Local Plan [[CD 3.9](#)] and the allocations that were provided for within the Plan. This included a number of allocations within Royal Tunbridge Wells town centre for retail/leisure uses which were informed by the 2017 study and reflected the policy approach at the time of the preparation of the Draft Plan.

9. However, recognising the significant changes that had and were taking place within retailing markets and the structural changes to the high street and town centres, expediting the patterns that had been emerging over recent years (as well as the impact of the covid pandemic), together with the fact that the Council had determined to no longer pursue a new theatre in Royal Tunbridge Wells town centre – that it was considered timely to commission a review and update of the 2017 study. It was also considered prudent to expand its scope and include a wider assessment of town centre

needs and uses, as well as extending the study to include the new Local Plan period to inform the policy approach.

10. Paragraphs 1.5-1.6 of the Retail, Commercial Leisure and Town Centre Uses Study 2021 [\[CD 3.86a\]](#) details the scope of the work which was carried out in 2 stages. Section 2 of the study sets the national and local policy context, and section 3 carries out an assessment of local property market trends. Section 4 sets out the detailed consultation and engagement process that took place to help inform the findings of the study.
11. Following on from this, Section 5 details the town centre health checks that were carried out of the borough's 5 key settlements – Royal Tunbridge Wells, Southborough, Paddock Wood, Cranbrook and Hawkhurst. This considered a range of 'health' indicators of the centres, including diversity of uses, vacancies, customers views, retailer representation – multiples and independents, rents, pedestrian flows, accessibility, perception of safety, opening hours and night-time economy.
12. An office market review was carried out by local property agent, Durlings, the detail of which is provided within Section 6, which updates the previous Town Centre Office Market Review – Tunbridge Wells, carried out in 2018 [\[3.28\]](#).
13. Finally, a quantitative capacity assessment of need was carried out and recommendations are provided for within Sections 7 and 8 of the report.
14. The stakeholder consultation, health check surveys, prevailing and forecast market trends, all inform the qualitative view of the vitality and viability of the borough's centres, and following on from this, the study examined the current and forecast population, available convenience goods, comparison goods and leisure expenditure within the study area in order to forecast floorspace capacity within the borough over the Plan period.
15. In relation to the need for 'Convenience goods', the overall quantitative assessment findings are detailed at paragraphs 7.25 – 7.53 and within Figure 7.10. Paragraph 7.52 considers that "*the quantitative capacity is calculated to grow from between 3,100sqm and 5,400sqm at 2021 to between 3,500sqm and 6,200sqm at 2026. Over the plan period, this capacity continues to rise to between 4,100sqm and 7,100sqm by 2031 and between 5,300sqm and 9,300sqm by 2038*". Paragraph 7.53 continues by stating that "*In purely quantitative terms, this capacity is considered to be sufficient to support the*

provision of new convenience retail floorspace over the plan period. Notwithstanding this headline conclusion, we consider in the following chapter, whether it is desirable to bring forward convenience goods floorspace within the plan period, and if so, where that floorspace might most be needed”.

16. Turning to ‘Comparison goods’ the assessment is covered at paragraphs 7.54 – 7.64 and Figure 7.12 of the study details the forecast needs. Paragraph 7.63 summarises that “*The forecast shows that commitments and spending at existing facilities entirely absorb the available residual expenditure for new comparison goods retail floorspace and we go on to identify negative residual expenditure over the entirety of the plan period to 2038*”. Paragraph 7.64 explains that “*negative capacities are shown into the future as, despite the forecast growth in population (and associated increases in available ‘survey spending), the projected increases associated with the turnover of the planned comparison facilities and those built out since the 2016 household survey significantly exceed the amount of expenditure growth*”.
17. Following on from this, as referred to above, an identified capacity does not always equate to need and paragraphs 8.6 - 9.1 of the 2021 study considers this issue alongside consideration of stakeholder views of current provision and the retail market. Paragraph 9.1 provides clarification in the recommended approach by stating “*as such, whilst we have identified a quantitative capacity for new convenience capacity for new convenience goods floorspace, we do not consider there to be a distinct need, particularly one that would specifically justify out-of-centre allocation at this stage. The identified capacity should be used to bolster existing or proposed stores within existing centres in the retail hierarchy given the 17,500sqm of existing vacant floorspace identified in Royal Tunbridge Wells Town Centre*”.
18. Therefore, taking into account the above findings of the 2021, Retail, Commercial Leisure and Town Centre Uses Study [[CD 3.86a](#)], no specific allocations for retail floorspace are provided for within Royal Tunbridge Wells, Southborough, Cranbrook or Hawkhurst.
19. However, standalone modelling of the amount of retail floorspace forecast to support the urban extension of Paddock Wood and the new garden settlement of Tudeley Village has been carried out. Page 161 of the 2021 study considers the needs of Tudeley Garden Village and Paddock Wood under the ‘Planned Urban Extensions’ section at paragraphs

7.65 – 7.82. Tables 7.13 and 7.14 set out the estimated capacity for the settlements and provides commentary. Additionally, Paragraphs 8.10 to 8.11 of the study summarises the recommended approach for Tudeley and Paddock Wood. Please see the Council’s response to Question 3, Matter 11 Issue 1.

20. The identified requirements are provided for within the policies which relate to the Strategic Sites, including Policy STR/SS 1 – The Strategy for Paddock Wood, including land at east Capel, Policy STR/SS 2 – The Strategy for Paddock Wood Town Centre and Policy STR/SS 3 – The Strategy for Tudeley Village. Further details of these proposed policies are provided for within Hearing Statements TWLP_022 and TWLP_024.
21. In terms of other town centre and leisure uses, the 2021 study also considered other town centre commercial uses which is summarised ‘*Summary of Capacity for Additional Town Centre Uses*’ between paragraphs 8.6-8.21 of the 2021 study. This concluded that there was no specific need for the Council to allocate new food and beverage floorspace, but that a flexible approach should be advocated. Similarly, there is no specific need identified for health and fitness facilities over the plan period. In terms of other leisure facilities, the study considered the need for theatres and cinemas and the difficulties for the provision of these uses – paragraph 8.17, final sentence states – ‘*Whilst town centre allocations for new cinema and theatre floorspace remain desirable (if not necessary), viability and deliverability remains challenging.*’
22. Finally, in terms of office (town centre) provision, paragraph 8.20 considers that “*the key balance for the Council will be to encourage the repurposing of available larger floorplate offices to facilitate flexible offices and co-working spaces*”. The potential for town centre living through the provision of residential accommodation in Royal Tunbridge Wells is also highlighted at paragraph 8.21. These recommendations have been taken forward in the approach proposed within Policy AL/RTW 1 – The Strategy for Royal Tunbridge Wells and AL/RTW 2 – The Strategy for Royal Tunbridge Wells Town Centre.

How any identified needs will be met

23. As referred to above, the specific requirements identified through the evidence base for the plan period for town centre uses is set out in the commentary above. The suggested policy approach is set out within the concluding section of the Retail, Commercial Leisure and town centre uses study 2021 [[CD 3.86a](#)]. This includes a range of ‘initiatives’ to

enhance the vitality and viability of the centres over across the borough and ensure their health over the plan period. These can be summarised below:

- Setting local impact thresholds.
- Encouragement of flexible working practices and new formats to be encouraged through planning policies supporting amalgamation or sub-division of town centre units and workspaces.
- Flexible approach to any town centre allocations carried forward into the new Local Plan, reflecting the intention of commercial Class E.
- The consideration of the use of Article 4 Directions for future Permitted Development rights that would result in the loss of Class E floorspace, particularly in the town centre.
- Consider policy enabling the re-occupation of longstanding vacant units in the Primary Shopping Area to alternative town centre uses.
- Consolidating the Royal Tunbridge Wells Town Centre by reducing the Town Centre boundary.
- Consider the production of a Town Centre Area Plan, with a focus on a number of key sites including the Civic Centre, the former Cinema Site and the Royal Victoria Place Shopping Centre in particular.
- Encourage residential living above ground floors in the Town Centre and comprehensive redevelopment schemes which may be residential led
- Consideration of other policy and softer initiatives such as ‘meanwhile uses’ to temporarily occupy vacant premises, and promotion of town centre events, public art etc.
- Opportunities to support the evening economy
- Support for Paddock Wood town centre, including consideration of establishing a Business Improvement District.

24. The above policy approaches have been taken forward and provided for within the Local Plan – in the settlement specific policies and the range of Development Management policies, in particular, those covered within the Economic Development section of the plan. Further information and clarification of the approach is covered in other specific Settlement and Development Management policy Hearing Statements.

Inspector's Question 2: [re. forecast needs for town centre]

Does the Plan allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead, as required by paragraph 86 of the Framework?

TWBC response to Question 2

Introduction

25. Paragraph 86 of the NPPF, requires at criteria d), that planning policies should “*allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead...*” Furthermore, it states that “*Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary*”.

26. As referred to in response to Question 1 above, the Council's approach towards town centre provision and uses is set out within Section 6 of the Local Plan and the evidence base that has informed the approach is primarily contained within the Tunbridge Wells Retail, Commercial Leisure and Town Centre Uses Study Update – February 2021 [[CD 3.86a](#)].

Consideration

27. In drafting the Local Plan, the Council has considered the identified need for retail and other town centre uses, as referred to in response to Question 1 above. Paragraphs 5-24 provides further detail on the approach and strategy that is provided for within the Local Plan, including a range of policy initiatives set out within specific settlement policies and Development Management policies.

28. Paragraphs 5.22 – 5.23 of the Local Plan provide commentary on this approach and recognises that the retail economy has changed significantly over recent years. Paragraph 5.24 recognises that the evidence suggests that “*the existing retail floorspace is sufficient to meet the demand over the plan period and that there is no identified need for additional comparison floorspace, particularly in view of the number of existing vacant units within the centre. In terms of convenience retail, although there is some need identified, it is not considered necessary to allocate sites to meet this need*”.

29. One of the approaches recommended by Nexus within the 2021 study [[CD 3.86a](#)] is the production of a 'Town Centre Area Plan' for Royal Tunbridge Wells. It is recommended that this plan should include an updated survey of town centre uses and include wide ranging public consultation. This plan should then provide for a mix of high-quality public realm, cultural and leisure offerings, retail and services as well as residential and office accommodation.
30. This recommendation has been taken forward by the Council through the approach set out within Policy AL/RTW 2 -Strategy for Royal Tunbridge Wells Town Centre – which provides the framework for a 'Royal Tunbridge Wells Town Centre Plan'. Further detail on the approach and intention of the strategy for Royal Tunbridge Wells Town Centre and the Town Centre plan is provided at paragraphs 5.20-5.30 of the Local Plan and within the Economic Development Topic Paper for Pre-Submission Local Plan [[3.84](#)]. A further update on this work is provided within the Council's response to Matter 2, Issue 2 (TWLP/013) and the Council will provide an update to the Inspector at the Hearing session, but in broad terms the work to produce the Town Centre Plan is on target in relation to the timescales set out within the Local Development Scheme (LDS) [[CD 3.143](#)] and are currently seeking to appoint consultants to feed in to this work.
31. In terms of specific allocations for town centre uses – a number of allocations are made within the Local Plan which seek to provide policy support for a number of sites, some of which already have planning permission, but have not yet been implemented. Additionally, a number of the Strategic Policies also provide for town centre uses as part of the strategic approaches to the settlements.
32. These are as follows:
- Policy AL/RTW 1 - The former Cinema Site, Mount Pleasant Road, Royal Tunbridge Wells
 - Policy AL/RTW 2 – Land at the Auction House, Royal Tunbridge Wells.
 - Policy STR/SS 1 – The Strategy for Paddock Wood, including land at east Capel
 - Policy STR/SS 2 – The Strategy for Paddock Wood Town Centre
 - Policy STR/SS 3 – The Strategy for Tudeley Village

- Policy STR/RTW 1 – The Strategy for Royal Tunbridge Wells
- Policy STR/RTW 2 – The Strategy for Royal Tunbridge Wells Town Centre
- Policy STR/SO 1 – The Strategy for Southborough
- Policy STR/CR 1 – The Strategy for Cranbrook
- Policy STR/HA 1 – The Strategy for Hawkhurst

33. The above approach is considered to be in conformity with the requirement of paragraph 86 of the NPPF.

Inspector’s Question 3: [re. appropriate uses for purposes of Policy ED9]

What is meant by ‘a range of appropriate uses’ for the purposes of Policy ED9? Does the Plan define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as required by paragraph 86 of the Framework?

TWBC response to Question 3

Introduction

34. Paragraph 86 of the NPPF provides the guidance for supporting town centres in terms of their growth, management and adaptation. Specifically, it requires planning policies to consider and make provision for a range of policy approaches which should be set out within the Local Plan.

Consideration

35. Criterion b of Paragraph 86 requires planning policies to “*Define the extent of town centres and primary shopping areas and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre*”.

36. The key centres within the borough – including Regional, Town, Rural Service, Neighbourhood centres and village settlements are listed within Policy ED 8 – Town, Rural Service and Neighbourhood Centres and Village Settlements Hierarchy.

37. Policy ED 9 – Defined Town and Rural Service Centres, sets out the policy approach to the defined centres and defines the town and rural service centres spatially on the Policies Map [[CD 3.129b](#)] and within the individual inset maps as listed below. This includes the centres of:

- Royal Tunbridge Wells [[CD 3.129c\(v\) RTW Town Centre](#)]
- Southborough [[CD 3.129c\(vi\) Southborough](#)]
- Paddock Wood [[CD 3.129d\(ii\) Paddock Wood Town Centre](#)]
- Cranbrook [[CD 3.129f\(ii\) Cranbrook Town Centre](#)]

- Hawkhurst

38. Policy ED 9 states that *“planning permission will be granted for development of a range of appropriate uses where they contribute to the vitality and viability of the centre and/or respond to changing needs/trends over the life of the Local Plan”*.

39. Paragraph 6.513 of the Local Plan provides further detail on the approach and explains that the extent of the defined area is based on the *“extent of the area that contains, and is suitable for, the main focus of town centre uses (existing and future), the existing character and form of development, the visual, physical, and functional relationship between areas, and the potential for appropriate development opportunities”*. It should be noted that the extent of Royal Tunbridge Wells town centre has been reduced as compared to that in the Site Allocations Local Plan 2016 [[CD 3.119](#)], reflecting the recommendations in the Retail, Commercial Leisure and town centre uses study 2021 [[CD 3.86a](#)].

40. In terms of the wording of Policy ED 9 itself, it is considered on reflection, that it may be more aligned with the NPPF, if the wording was amended to refer to *‘main town centre uses’* as opposed to *‘a range of appropriate uses’*. The uses that are considered to be town centre uses are also listed within Policy ED 11 – Primary Shopping Areas and Retail Frontages, of the Local Plan and cross reference could be made between the policies in this regard. This would ensure that the policy is in accordance with the thrust of the NPPF in this regard. Additionally, amendment should be made to the supporting text where relevant also to make this clear.

Inspector's Question 4: [re. consistency with NPPF]

What is the justification for requiring retail, office and leisure uses to be located in defined centres, and not other main town centre uses, under Policy ED10? Is this approach consistent with national planning policy?

TWBC response to Question 4

Introduction

41. Policy ED 10 – Sequential Test and Local Impact Test, seeks to support the vitality and viability of the defined town centres across the borough.
42. The approach set out within Policy ED 10, is in accordance with the NPPF at paragraphs 86 and 87 of the NPPF, in particular in relation to paragraph 87 where it states that “*Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date Local Plan. Main town centre uses should be located in town centres...*”

Consideration

43. The supporting text to Policy ED 10, at paragraphs 6.525 is clear on what is considered to be ‘main town centre uses’, as follows – ‘*The NPPF defines the main town centre uses as retail, leisure and entertainment, offices, arts, culture and tourism*’.
44. Policy ED 10 itself refers to ‘*Proposals for retail, office, and leisure uses should be located in an identified centre...*’.
45. The thrust of Policy ED 10 is considered to be in accordance with the NPPF, however on reflection, the Council considers that an amendment should be made to bring the policy in line with the intention of the NPPF and the reference to ‘main town centre uses’ as identified at paragraph 6.525. The wording should therefore be amended to state - ‘*Proposals for main town centre uses should be located in an identified centre...*’
46. Additionally, any other references within the supporting text to Policy ED 10 and Policy ED 10 itself, to individual types of uses should be updated where relevant and appropriate to refer to ‘main town centre uses’.

47. It is considered that this approach would thereby ensure that the policy is robust in its intention and in accordance with the approach set out within the NPPF and the PPG in relation to the application of the 'Sequential Test'.

Inspector's Question 5: [re. justification for approach at paragraph 6.525]

What is the justification for requiring development proposals to consider operating from a number of smaller units, rather than a single unit, as set out in paragraph 6.525 of the Plan?

TWBC response to Question 5

Introduction

48. Paragraph 86 of the NPPF at criteria a) requires planning policies to respond to rapid changes in the retail and leisure industry and paragraph 001 of the PPG provides the guidance on planning for town centre vitality and viability. This is considered to be particularly pertinent in the current retail climate and the protection of the borough's town centres.
49. Policy ED 10 – Sequential Test and Local Impact Test, sets the Local Plan approach to the consideration of proposals for new retail and leisure developments and the application of the 'town centres first' approach.

Consideration

50. Paragraph 6.525 of the Local Plan provides the supporting text to Policy ED 10 and refers to the application of the "Sequential Test" and "Local Impact Test" in order to promote the 'Town Centres First' approach. The following is set out "*Applicants will be expected to have demonstrably followed a sequential approach when selecting development sites for town centre uses, including fully exploring how the scheme could be accommodated on a more central site (i.e. disaggregation: operating from a number of units within the defined centre rather than one single unit*".
51. The supporting text seeks to provide guidance for applicants when promoting schemes and for the Council in considering applications for town centre uses.
52. The Planning Practice Guidance sets out further detail at paragraph 009 and 010 on how the sequential test should be used in plan making. Specifically, a checklist at paragraph 010 sets out a number of considerations which should be taken into account in

determining whether a proposal complies with the Sequential Test. These include consideration of:

- Flexibility in relation to the location of sites.
- Scope for flexibility in the format/and or scale of proposal

53. The Retail, Commercial Leisure and town centre uses study 2021 [[CD 3.86a](#)] has informed the approach to town centre policy set out within the Local Plan and at paragraph 8.24 of the study it sets out a 'suggested policy approach'. Within this, at bullet iv) it refers to the consideration of "*Flexible working practices and new formats should be encouraged through planning policies supporting the amalgamation or sub-division of existing town centre units and workspace (where such development results in little loss of net floorspace, but results in a better standard of retail or office accommodation etc) to encourage investment*".

54. The above has informed Policy ED10 – Sequential Test and Local Impact Test and the approach is considered to be appropriate and in general conformity with the thrust of the NPPF and PPG.

Inspector's Question 6: [re. justification for local impact assessment]

What are the thresholds for impact assessments in Policy ED10 based on? Are they appropriate and justified?

TWBC response to Question 6

Introduction

55. Policy ED10 – Sequential Test and Local Impact test sets out the Council's approach to considering proposals for new retail and leisure developments and the application of the 'sequential test' and the 'impact test' in accordance with the NPPF.

Consideration

56. Paragraph 90 of the NPPF requires that *'when assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set threshold (if there is no locally set threshold the default threshold is 2,500m² of gross floorspace)'*.

57. It is therefore up to Councils to determine if the approach to the Local Impact Test and if a locally set threshold is appropriate and justified in accordance with the guidance and considerations set out with the NPPF and the Planning Practice Guidance in relation to scale of proposals, viability and vitality of existing centres.

58. The Retail and Leisure Study 2017 [\[3.30a\(i\)\]](#), considered this issue at paragraphs 9.50-9.65. This highlights the factors that have been taken into account in determining the appropriate threshold and considers that the following local thresholds are appropriate:

- 1,000 sqm (net) for proposals within the catchments of Royal Tunbridge Wells Town Centre
- 280 sqm (net) for proposals within the catchments of Southborough, Paddock Wood, Cranbrook and Hawkhurst Town Centres

59. The Tunbridge Wells Retail, Commercial Leisure and Town Centre Uses Study - February 2021 [\[CD 3.86a\]](#) provides an update to the 2017 study [\[CD 3.30a\(i\)\]](#) and re-considers the

appropriateness of the local impact thresholds. Within the 'Suggested Policy Approach' at paragraph 8.24, bullet iii, it states '*We (Nexus) do not identify any changes in the wider context that would alter our recommendations for setting a local impact threshold, requiring the submission of a proportionate Retail Impact Assessment for development greater than 1,000sqm within the catchments of Royal Tunbridge Wells Town Centre, or 280 sqm (net) for proposals within the catchments of Southborough, Paddock Wood, Cranbrook and Hawkhurst Town Centres*'.

60. Taking the above into account, the Council has therefore continued to apply the approach recommended within the 2017 Retail and Leisure Study [[CD 3.30a\(i\)](#)] and Policy ED 10 – Sequential Test and Local Impact Test provides the framework and detailed policy requirements in this regard in particular at criteria 3-6. This approach is considered to be both appropriate and justified.

Inspector's Question 7: [re. assessment of adverse impact]

Why are assessments required where there is the potential for 'adverse impacts' – would the level of harm not be established by the assessment?

TWBC response to Question 7

Introduction

61. Paragraph 90 of the NPPF refers to the application of the Sequential Test for retail and leisure developments proposed outside of town centres. Criteria a) refers to "*the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal*" and b) "*the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale of the scheme)*".
62. Policy ED10 – Sequential Test and the Local Impact Test provides the Council's policy approach towards the above and the assessment of adverse impacts.

Consideration

63. As referred to above, the approach to the 'Sequential Test' and the 'Local Impact Test' is provided for within Policy ED 10 – Sequential Test and Local Impact Test of the Local Plan and further justification for the approach taken is provided for within responses to Questions 5 and 6 above.
64. In terms of the above Question 7, it is assumed by the Council that the Inspector is querying the wording in relation to '*potential adverse impact*' in criteria 3a) and 3b) of Policy ED 10. It is considered that the Policy could be amended to make this clear and be re-worded to state;
- Applications for development above the following thresholds outside of the town and rural service centres, as defined on the Policies Map, should be accompanied by an impact assessment:*
- a. For proposals above 1,000sqm (net) at Royal Tunbridge Wells;*
 - b. For proposals above 280sqm (net) at Southborough, Paddock Wood, Cranbrook, and/or Hawkhurst.*

65. It is considered that the proposed amendment will improve the interpretation of the policy as drafted.