

Matter 29 – the recent changes to the Use Classes Order

Inspector Statement: Do any of the Local Plan policies – particularly, but not limited to, those relating to the economy and town centres – need to be modified to reflect the changes to the Use Classes Order that will come into effect on 1 September 2020?

TTL Additional Comments following NHDC Submission ED202:

The council has proposed a number of editorial modifications which update the local plan to reflect the new Use Classes Order, though paragraphs 5.6 and 5.22 may still require additional editing in this regard.

It is not clear that the implications of these Use Class Order changes on the councils ability to control retail and business premises' use and development are reflected in the proposed modifications. The concept of primary and secondary frontages (para 4.41) appears out-of-date with existing town centre practice. Limiting businesses in primary frontages to Use Classes A1 was considered important for maintaining vibrant central shopping areas, but the reality is bars and restaurants already fill a number of primary frontage areas. Given that:

- Class E includes businesses which were previously in Class A1, A2, A3, B1 and D into a single Class and
- properties can change their use within a Class without planning permission

it is not clear how the proposed primary and secondary frontages restrictions can be enforced through the planning process.

Although 'hidden' households have been used by NHDC as a rationale for persisting with a higher housing need than that suggested by the 2018 ONS household predictions, retail and employment growth is driven by underlying population growth. The ONS based 2018 principal projection suggests population growth will be just 36% of what was predicted when the local plan was drafted (58% for the 10-year migration scenario)

ONS Data	2011	2018	2031	Increase between 2011 to 2018
2014 Population Projection	127494	136400	154300	26806
2018 Principal Projection	127494	133214	137085	9591
2018- 10 year migration	127494	133214	143009	15515

It is therefore surprising that NHDC have not modified the local plan to reduce the proposed additional retail and employment space. Brownfield sites allocated for retail could be reallocated for housing, reducing the need to develop on Green Belt land whilst the Green Belt land needed for new employment and retail sites could also be reduced.

Additional Retail Space in Current Plan and illustrations of revised need

Site	Type	Area gross sq. m	36% Area gross sq. m	58% Area gross sq. m
Hitchin – HT11 – Churchgate Area	Brownfield	4000	2520	4060
Hitchin – HT12 - Paynes Park	Brownfield	3000		

Letchworth – LG19 – The Wynd	Brownfield	4500	3780	6090
Letchworth – LG20 – Gernon Road	Brownfield	1000		
Letchworth – LG21 – Arena Parade	Brownfield	5000		
Royston – RY12 – Town Hall Site	Brownfield	4000	1440	2320
Strategic Sites	Greenfield	6300	2268	3654
Other		600	216	348
Total		28400	10224	16472

Additional Employment Land in Current Plan and illustrations of revised need

Site	Type	Area	36% Area	58% Area
Baldock – BA10 – East of Baldock	Greenfield	19.6 ha	7.1 ha	11.4 ha
Royston	Greenfield	10.9 ha	3.9 ha	6.3 ha
Total		30.5 ha	11 ha	17.7 ha

Paragraph 4.46 states that “Our evidence shows there will be a steady growth in retail demand over the plan period, although projected growth post-2026 carries a degree of uncertainty due to changing shopping and retail patterns.” TTL would suggest that shopping habits have already changed, exacerbated by Covid-19 restrictions and the projected growth in retail demand needs updating before the local plan can be approved.

Policy SP4 states that NHDC will “Prepare and maintain up-to-date town centre strategies to support this approach and / or adapt to change. These will be used to inform whether a review of this plan’s retail strategy is required by the end of 2023;”

High streets have been struggling for some years, and there has been a need to show flexibility in the planning approval process with regard to the type of businesses allowed in units. Planning permissions have also been given to convert some retail space into a mix of shops and dwellings to improve the viability of town centre estates.

If the Local Plan was predominantly about regenerating brown-field sites, delaying Town Centre strategy reviews until 2023 might not matter, but in North Herts the consequence of approving the draft local plan, without exploring the potential for additional dwellings in the sustainable town centres, will lead to the unnecessary removal of land from the Green Belt, and this harm cannot be undone.

We would like the inspector to provide NHDC with the option of temporarily suspending the local plan process so that the council can:

- a) Update Town Centre Strategies
- b) Comprehensively update the plan in line with the 2018 ONS populations projections and the updated Town Centre Strategies.