

Hearing Statement on behalf of The Crown Estate (“TCE”)

Matter 9: Town Centres

EN22 – Impact test thresholds for retail development

9. Does Policy EN22 accord with the advice at paragraph 90 of the Framework regarding impact assessments?

1. Policy EN22 states that failure to demonstrate there will be no significant impact would result in a refusal of planning permission. In order to be consistent with the NPPF, the policy should instead refer to “no significant adverse impact” (our underlining).

10. What is the justification for a locally set impact thresholds and the specific thresholds proposed? What is the reasoning behind the different thresholds in Rushden and the Market Towns?

2. Policy EN22 introduces an impact assessment threshold of 280m² for Rushden stating that proposals for retail development outside the primary shopping areas should be supported by an appropriate impact assessment.
3. The retail sector is going through its biggest upheaval since the 2008 financial crash which instigated structural change. COVID-19 has accelerated the change, with the way we shop heavily influenced by the growth of online shopping. Rushden Lakes needs to be able to respond successfully to this rapidly changing environment. For example, there may be instances at Rushen Lakes where to keep units occupied the existing retail floorspace needs to be reconfigured or redeveloped within its currently approved quantum and subject to its existing planning condition limits. The impact of this existing or extant floorspace has already been assessed and approved and should not be subject to such a low threshold in the event it does need to be reconfigured. We would therefore propose that in order to be the most appropriate strategy and therefore justified, the opening line of the policy should be amended as follows (additional text in red):

*“Proposals for **an increase in** retail development outside the primary shopping areas of the six town centres should be supported by an appropriate impact assessment...”*

4. This would reflect National Planning Practice Guidance on how the impact assessment should be used in decision making:

“The impact test will need to be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible. Ideally, applicants and local planning authorities should seek to agree the scope, key impacts for assessment, and level of detail required in advance of applications being submitted.” Paragraph: 017 Reference ID: 2b-017-20190722

5. Similar wording could be replicated in the supporting text to policy EN22.

Word Count: 426