

RETAIL AND COMMERCIAL DEVELOPMENT

Introduction

Retail and commercial development contributes significantly to the Moray economy. Over 5500 jobs amounting to over 13 per cent of total employment exist within the retail sector within Moray. The focus for retail and commercial development is on the town centres of the area's main towns and these also contribute significantly to the social and community activities of the area.

Context

The national policy context is set by Scottish Planning Policy 8 on Town Centres and Retailing (SPP8). The guidance sets out the Scottish Executive's commitment to the health and enhancement of town centres so that they continue to serve a role in the provision of goods and services and also a wider social, community and tourism role. Development Plans are expected to protect town centres, but even where an out-of-centre location is shown to be most appropriate there is still a requirement to show that impact on existing centres is acceptable.

Outwith town centres in the rural areas of the district Scottish Planning Policy 15 on Planning for Rural Development (SPP15) emphasises the need to provide opportunities for diversification of the rural economy.

POLICY R1: RETAIL AND COMMERCIAL DEVELOPMENT IN TOWN CENTRES

Retail and commercial development within town centres will be approved if:

- a. sensitive design solutions are applied on sites within or adjacent to designated conservation areas, or on high visibility landmark sites on main routes, and
- b. adequate servicing and infrastructure is available including road capacity, public transport, pedestrian links and car and cycling parking provision, where appropriate through the provision of a Transport Assessment; sewerage links; provision for water run-off and sustainable urban drainage systems (SUDS); and, provision to deal with any flood implications.

JUSTIFICATION:

The primary policy intention is to promote the continued use of town centres for retail and commercial development, and as centres for social, community and tourism activity. Therefore, retail and commercial development is generally supported if it is shown that design is sensitive to location and that adequate servicing and infrastructure is available.

CONFORMS TO:

The policy conforms to SPP8 on Town Centres and Retailing, PAN59 on Improving Town Centres, and PAN52 on Planning and Small Towns.

POLICY CROSS REFERENCE/ADDITIONAL GUIDANCE:

Policy IMP1: Development Requirements,
Policy IMP2: Development Impact Assessments,
Policy IMP3: Developer Contributions.
Policy IMP4 Action Plan.
Policy R2: Town Centre Development.

POLICY R2: TOWN CENTRE DEVELOPMENT

Within town centres there will be a presumption to approve development where the following provisions are satisfied:

- a. Core retail commercial areas will be identified on settlement plans, and within these areas approval will not be given for non-retail uses at frontage on ground floor level unless it is for a financial, professional or other service (as defined by use Class 2 or 3 of the Use Classes Order) that can demonstrate a requirement to provide a frontage principally for visiting members of the public.
- b. Rear service access to existing shops and commercial activities will be preserved unless an adequate alternative can be provided.
- c. Lanes or closes off the main shopping streets will be preserved unless an adequate alternative can be provided.
- d. Improvements to the shopping and leisure environment, including pedestrianisation, will normally be permitted if there is no adverse impact on the overall commercial viability of the area. For the avoidance of doubt, proposals for new retail developments within defined town centres will not have to be accompanied by a retail impact statement in support of the application.
- e. The conversion of upper floors to residential use will be encouraged where there are no adverse impacts from surrounding uses, in terms of amenity or noise.

JUSTIFICATION:

It is important to maintain and encourage the use of the town centres for retail and commercial use. This will be assisted by retaining core areas for these uses and by ensuring that rear service access is maintained.

Lanes and closes perform important functions related to accessibility to town centres and also in retaining an essential character that adds to the retail and commercial function.

Pedestrianisation has been successfully implemented in Elgin, and opportunities for general improvements both in Elgin and elsewhere will add to the overall vitality and viability of the town centres.

Creating activity within town centres is important in terms of vitality and viability, and this will be enhanced by encouraging the use of upper floors for residential use.

CONFORMS TO:

The policy conforms to SPP8 on Town Centres and Retailing, PAN59 on Improving Town Centres and PAN52 on Planning and Small Towns.

POLICY CROSS REFERENCE/ADDITIONAL GUIDANCE:

Policy IMP3: Development Requirements.

POLICY R3: OUT OF CENTRE DEVELOPMENT OF SIGNIFICANT RETAIL AND COMMERCIAL PROPOSALS

Outwith town centres retail development proposals over 1000 square metres gross must:

- a. comply with the sequential approach which requires that locations for new development be considered in the following order of preference – Town Centre Sites; Edge of Town Centre Sites; Other Commercial Centres identified within the Development Plan; and Out of Centre Sites in locations which are, or can be made, easily accessible by a choice of modes of transport,
- b. not impact adversely on the vitality and viability of relevant town centres, this being demonstrated where appropriate, by a Retail Assessment,
- c. meet any requirements for linking development to existing infrastructure including roads access, parking, as demonstrated by a Transport Assessment, sewerage, water run-off and Sustainable Urban Drainage Systems (SUDS),
- d. provide specific opportunities for access by public transport, pedestrians, cyclists and the disabled, and
- e. contribute positively to the built environment of the area by having a high standard of design.

Proposals outwith settlement boundaries will not be acceptable.

JUSTIFICATION:

The focus of the economic potential of retail development is on town centres. Other opportunities will only be considered if the sequential assessment demonstrates that no suitable and viable sites (existing or available within a reasonable period of time (5 years)) are available within the town centre. The policy recognises that the application of the sequential approach requires flexibility and realism by all parties. The Council will aim to work with relevant stakeholders to identify sequentially suitable and viable sites with regard to the guidance set out in SPP8.

For the purposes of the sequential approach, those sites identified as 'RET' on the settlement maps are considered to be appropriate sequentially preferable locations for developments which cannot be accommodated within town centres.

Development proposals outwith settlement boundaries are considered to have a detrimental impact on town centres.

CONFORMS TO:

The policy conforms to SPP8 on Town Centres and Retailing and PAN59 on Improving Town Centres.

POLICY CROSS REFERENCE/ADDITIONAL GUIDANCE:

Policy IMP1: Development Requirements,
Policy IMP2: Development Impact Assessments,
Policy IMP3: Developer Contributions.

POLICY R4: NEIGHBOURHOOD AND LOCAL SHOPS, ANCILLARY RETAILING, AND RECREATION OR TOURIST RELATED RETAILING

Neighbourhood and Local Shops, Ancillary Retailing, and Recreation or Tourist Related Retailing will generally be acceptable in the following circumstances:

- a. new shops up to 1000 square metres gross, or extensions of less than 50% to the gross floor space of an existing shop up to a combined total of 1000 square metres gross, which are intended to primarily serve the neighbourhood needs of local area within a settlement boundary
- b. ancillary retail operations to an industrial or commercial business. In this case ancillary is defined as up to 10% of total gross floorspace of the business, and up to 1000 square metres gross total of retail floorspace, where the retail operation is directly linked to the industrial or commercial production and where the goods are produced on the same premises.
- c. farms or farm buildings for the retailing of farm produce, or,
- d. specialist retailing associated with recreation or tourist development.

In all cases, satisfactory provision must be made to ensure that the environment is not compromised and that there is appropriate access and parking, and other service provision.

JUSTIFICATION:

Provision for the local or neighbourhood shop contributes to the overall sustainability of an area and reduces the need to travel to shopping centres for day to day requirements.

The plan seeks to encourage local business and this may be achieved by enabling direct sales to the public through ancillary retail operations. Similarly, the future prosperity of the agricultural sector will depend to some extent upon diversification of existing activities and the creation of value added.

CONFORMS TO:

The policy conforms to SPP8 on Town Centres and Retailing and SPP15 on Planning for Rural Development.

POLICY CROSS REFERENCE/ADDITIONAL GUIDANCE:

Policy IMP1: Development Requirements.