

16. SHOPPING

PART ONE POLICY

POLICY SHO1 - PRINCIPLES FOR NEW RETAIL DEVELOPMENT
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<p>IN CONSIDERING PROPOSALS FOR NEW RETAIL DEVELOPMENT, THE LOCAL PLANNING AUTHORITY WILL SEEK TO SUSTAIN AND ENHANCE THE VITALITY AND VIABILITY OF KEY TOWN CENTRES, TRADITIONAL SUBURBAN CENTRES AND OTHER SHOPPING PROVISION IN THE BOROUGH AND ENSURE THAT PEOPLE HAVE EASY ACCESS BY A CHOICE OF TRANSPORT MODES TO A WIDE RANGE OF SHOPPING PROVISION.</p>

POLICY SHO1 - REASONED JUSTIFICATION

- 16.1 Changing patterns of retailing have seen operators increasingly seeking larger sites, often in out-of-centre locations. The move away from established centres has encompassed national food retailers and some areas of the comparison goods sector such as DIY, furniture and other bulky goods, leading to the development of the retail warehouse park concept. More recently, some traditional high street comparison goods retailers have begun to open stores in out-of-centre locations. Other recent trends include purpose-built regional shopping centres, typified by the Cheshire Oaks scheme near Ellesmere Port, and the introduction from the United States of America of the discount warehouse club, one of which is proposed in Liverpool.
- 16.2 Failure to provide for these new types of retailing could lead to a loss of consumer spending to centres outside Wirral, with implications for wealth-creation and jobs. At the same time it is essential that the most vulnerable groups within the Borough are not denied access to essential retail facilities. Sizeable numbers of households do not have access to a car, particularly in the inner urban area, and given the poor accessibility of out-of-centre developments to non-car owners, retention of local shopping facilities is therefore essential.
- 16.3 The Council's response to these challenges has been to adopt policies which seek to strengthen and diversify the Borough's existing shopping centres while making provision for out-of-centre development only where this will not harm the vitality and viability of established centres.
- 16.4 Planning policies in the UDP are complemented by a wide-ranging programme of improvements to selected shopping centres in the designated inner area of Wirral, initially as part of the Urban Programme, and more recently through the Government's City Challenge Initiative.

- 16.5 Action ranges from programmes of shop front grants to a more comprehensive approach, including planned contraction of a retail centre to a more viable level, external refurbishment of premises, environmental improvements and the assembly of sites for new "anchor" foodstores.
- 16.6 In all the centres treated thus far, the works have transformed the visual appearance of the centre and helped boost investment and confidence, helping to ensure that the centres have a long and sustainable future.
- 16.7 Subject to the continuing availability of resources, it is planned that this programme of improvements should continue, focused on those centres where it is clear an essential local function is being served, where realistic potential for a self-sustaining long-term future exists and where work would complement other community-based Council initiatives.

Policy SH1 - Criteria for Development in Key Town Centres

Within the Key Town Centres listed below, proposals falling within Class A1, Class A2, Class A3 and Class D1 of the Town and Country Planning (Use Classes) Order 1987, together with other uses appropriate to a town centre location, including cinemas, theatres and taxi businesses, will be permitted subject to the following criteria:

- (i) the proposal, together with other recent or proposed development does not undermine the vitality and viability of any Key Town Centre or Traditional Suburban Centre as a whole or other town centre outside the Borough boundary;**
- (ii) the proposal does not generate traffic in excess of that which can be accommodated by the existing or proposed highway network;**
- (iii) the proposal meets highway access and servicing requirements and includes off-street car parking in line with Policy TR9 and cycle parking in line with Policy TR12;**
- (iv) the siting, scale, design, choice of materials and landscaping is not detrimental to the character of the area;**
- (v) the proposal does not cause nuisance to neighbouring uses, or lead to loss of amenity, as a result of noise and disturbance, on-street parking or delivery vehicles - where necessary, a suitable condition will be imposed on hours of opening/ operation;**
- (vi) proposals for Class A2 uses should incorporate the provision of a shop front and permanent window display.**

Proposals for Class A3 and other appropriate town centre uses should additionally satisfy the following criteria as required:

- (vii) where a proposal for Class A3 or other non-retail use is located on a street containing similar establishments, cumulative levels of noise and disturbance, from both the existing and proposed activities, should not exceed a level likely to be detrimental to the amenity of the area;**

- (viii) proposals for Class A3 uses should include measures to mitigate smells and internally-generated noise - these measures should not intrude visually into the street scene and should be fully installed before the business commences trading.

The Town Centres to which Policy SH1 applies are:

1. Birkenhead (Core Area)
2. Bromborough Village
3. Heswall
4. Hoylake
5. Liscard
6. Moreton
7. New Ferry
8. Prenton (Woodchurch Road)
9. West Kirby

POLICY SH1 - REASONED JUSTIFICATION

- 16.8 The Borough's Key Town Centres are the main providers of retailing, financial and other services in Wirral. In addition, the contribution which they can make to reducing the number and length of car journeys and encouraging greater use of public transport is increasingly recognised. The Council is thus committed to the retention and enhancement of these centres. Their long-term viability will only be achieved, however, by providing for the modern operational requirements of both retailers and customers.
- 16.9 Policy SH1 establishes a presumption in favour of development, within the boundaries of these centres, which falls within Class A1 (Shops), Class A2 (Financial and Professional Services) and Class A3 (Food and Drink), along with Class D1 (Non-Residential Institutions) and other uses appropriate to a town centre location, subject to the criteria set out in the policy. The Town and Country Planning General Development Order 1988 permits change from both Class A3, and Class A2 uses with a display window at ground floor level, to Class A1 use without the need to apply for planning permission. In practice, development allowed under Policy SH1 will concentrate on redevelopment, extension and modernisation. There are few areas where a large site is available, or can be assembled with minimum disruption to the centre concerned.
- 16.10 An important consideration when assessing any proposal for retail development is its impact on the vitality and viability of the existing Key Town and Traditional Suburban Centres, including the centre in which the proposal is located, both within the Borough and elsewhere.
- 16.11 In assessing vitality and viability, particular regard will be had to: the trade draw and market share of the proposal; the impact on future levels of investment, on vacancy levels and the physical condition of the centre(s), impact on the range of services provided in the centre(s), on any current or

proposed urban regeneration initiatives in the centre(s); and the cumulative impact of the proposal with other recent or proposed retail development.

- 16.12 The Local Planning Authority may request a statement of retail impact from the developer, where it considers that this would be of assistance in assessing the impact of a proposed new retail development.
- 16.13 Class A2 uses (Financial and Professional Services) are assuming an increasingly important role in these centres. Structural change in the banking sector in particular is resulting in the closure of many small branches in local centres and a concentration on fewer but larger branches in key shopping centres. If recent trends in retailing continue, the service role of these shopping centres is likely to assume increasing importance.
- 16.14 The Council has not identified primary retail frontages or attempted to place quotas on the number of Class A2 uses in a shopping frontage. This type of designation would be somewhat arbitrary, and restricting development within town centres to retail uses alone is not recommended in national planning advice.
- 16.15 Other non-retail uses such as theatres, cinemas, hot food takeaways, night-clubs, public houses and restaurants can make an important contribution to the vitality of the shopping centre, especially during the evenings when other shops are closed and otherwise "dead" frontages are created by the use of security shutters. They are also significant generators of travel demand and are thus best located in these centres which enjoy a high degree of accessibility by modes of transport other than the private car.
- 16.16 Policy SH1 includes safeguards to ensure that any potential impact on amenity is fully considered, especially in situations where establishments which individually would not give cause for concern may create unacceptable levels of noise and disturbance when several are located on one street or parade of shops.
- 16.17 Birkenhead is the main sub-regional shopping centre for the Borough - Liverpool being classed as the regional centre for Merseyside as a whole. The Core Area is centred on the Grange Precinct and the pedestrianised Grange Road, recently supplemented by the Pyramids Shopping Centre. Within this area, the major national multiples and department stores are represented. The centre appears to be trading well with very low levels of vacancies evident.
- 16.18 The opening of the Pyramids Shopping Centre in 1991 represented a significant expansion of retail floorspace within a high quality shopping environment. Following the transfer of the Grange Precinct into private ownership, measures have been put in hand to upgrade it's appearance and re-develop the eastern end of the Precinct, including provision of additional

retail floorspace and a multi-storey car park.

- 16.19 A key development opportunity in Birkenhead is the Conway Park site, which is allocated under Proposal EM2 in Section 5 of the UDP. The new Merseyrail underground station considerably improves access for rail travellers in the north and west of the Borough, and should help consolidate Birkenhead's status as the Borough's main shopping centre. Other development on the site such as the new swimming pool adds to the diversity of Birkenhead and provides additional "attractors" to the town centre.
- 16.20 The new railway station, along with improvements to bus facilities and provision of park and ride elsewhere in the Borough will enable the Council to adopt a more restrictive approach to the provision of additional car parking in Birkenhead. Such an approach is already being adopted by Merseyside Development Corporation in the Hamilton Square area.
- 16.21 Liscard is the main shopping centre serving Wallasey which was consolidated in the 1960s with the construction of the Liscard Precinct and the pedestrianisation of Liscard Road between Mill Lane and Wallasey Road. More recently, the former has been substantially refurbished, roofed over, and now operates as the "Cherry Tree Centre". As with Birkenhead, this work has tended to highlight the need for environmental improvements elsewhere in the centre, particularly on the pedestrianised Liscard Road. The centre also has a higher level of vacancy than Birkenhead. The Council will seek to work with traders and other users of Liscard Town Centre in order to secure these improvements. New retail development will be restricted to the refurbishment and reuse of existing shop units, there being no sites at present suitable for new-build development.
- 16.22 Other Key Town Centres at Heswall, West Kirby, Hoylake, Prenton (Woodchurch Road), Moreton, New Ferry and Bromborough Village perform an important second-tier role in the Borough. Most have one or more large supermarkets, a range of durable and service uses including, in some cases, national multiples. All provide a broad range of facilities and services and are well served by public transport. Where problems do occur, these tend to relate to car parking and/ or traffic congestion and the Council will monitor the situation carefully and, subject to the availability of funding, initiate improvements.

Policy SH2 - Criteria for Development in Traditional Suburban Centres

Within the Traditional Suburban Centres listed below, proposals falling within Class A1, Class A2 and Class A3 of the Town and Country Planning (Use Classes) Order 1987, will be permitted subject to satisfying the following criteria:

- (i) the proposal, together with other recent or proposed development does not undermine the vitality and viability of any Key Town Centre or Traditional Suburban Centre as a whole or other town centre outside the Borough boundary;
- (ii) the proposal does not generate traffic in excess of that which can be accommodated by the existing or proposed highway network;
- (iii) the proposal meets highway access and servicing requirements and includes off-street car parking in line with Policy TR9 and cycle parking in line with Policy TR12;
- (iv) the siting, scale, design, choice of materials and landscaping is not detrimental to the character of the area;
- (v) proposals for Class A2 uses should incorporate the provision of a shop front and permanent window display;
- (vi) the proposal does not cause nuisance to neighbouring uses or lead to loss of amenity, as a result of noise and disturbance, on-street parking or delivery vehicles - where necessary, a suitable condition will be imposed on hours of opening/ operation;
- (vii) where a proposal for Class A3 use is located on a street containing similar establishments, cumulative levels of noise and disturbance, from both the existing and proposed activities, should not exceed a level likely to be detrimental to the amenity of the area;
- (viii) proposals for Class A3 uses should include measures to mitigate smells and internally-generated noise - these measures should not be visually intrusive in the street scene and should be fully installed before the business commences trading.

Small-scale uses falling within Class D1 may also be appropriate subject to Policy RE10.

The Centres to which Policy SH2 applies are:

1. Wallasey Village
2. Upton Village
3. Tranmere (Old Chester Road)
4. Prenton (Borough Road)
5. Claughton Village
6. Lower Bebington
7. Seacombe (Borough Road/ Poulton Road)
8. New Brighton (Victoria Road)
9. New Brighton (Seabank Road)
10. Birkenhead (Grange Road West)
11. Birkenhead (Oxton Road)
12. Laird Street
13. Dacre Hill (Bebington Road/ Old Chester Road)
14. Irby Village

POLICY SH2 - REASONED JUSTIFICATION

16.23 Traditional Suburban Centres perform an important role for day-to-day shopping in particular and may act as the focus for weekly shopping for those

who are less mobile. In general, the centres listed under Policy SH2 meet the following minimum requirements:

- the centre comprises at least 20 units;
- key shops are present, such as a post office, chemist, butcher, greengrocer/ general store, baker and newsagent;
- the centre has a discrete catchment area;
- the centre is located on a major traffic route, accessible by public transport.

16.24 While the size and composition of a centre is not a guarantee of trading success, those with more than twenty units and the presence of key shops are better placed to meet the challenges that new forms of retailing can present. Many of the centres listed additionally have other “attractors” such as a library, health centre, Council Office or leisure facility. All have a more locally discrete catchment area and form part of a clear hierarchy of retailing provision in the Borough. As with the Key Town Centres, the main emphasis will be on selective redevelopment, extension and modernisation.

16.25 Within the Traditional Suburban Centres outlined above, the same planning principles apply in respect of Class A1, Class A2 and Class A3 uses as in the Key Town Centres listed in Policy SH1. Small-scale Class D1 uses, such as a health centre or library may also be appropriate. The smaller Traditional Suburban Centres are generally much closer to residential areas: some for example, have retail uses only on one side of an otherwise residential road. Hence, uses which may operate late into the night or which could potentially generate high levels of noise and disturbance could potentially have a far more serious effect on residential amenity: such activities should thus be directed to the larger Key Town Centres highlighted in Policy SH1.

16.26 An important consideration when assessing any proposal for retail development is its impact on the vitality and viability of existing Key Town Centres and Traditional Suburban Centres, including the centre in which the proposal is located, both within the Borough and elsewhere.

16.27 In assessing vitality and viability, particular regard will be had to: the trade draw and market share of the proposal; the impact on future levels of investment, on vacancy levels and the physical condition of the centre(s), impact on the range of services provided in the centre(s), on any current and proposed urban regeneration initiatives in the centre(s); and the cumulative impact of the proposal with other recent or proposed retail development.

16.28 The Local Planning Authority may request a statement of retail impact from the developer, where it considers that this would be of assistance in assessing the impact of a proposed new retail development.

Policy SH3 - Ground Floor Residential Uses in Key Town Centres and Traditional Suburban Shopping Centres

Within the Key Town Centres listed in Policy SH1 and the Traditional Suburban Centres listed in Policy SH2, the conversion of shop units at ground floor level to residential use will only be permitted where the proposal forms part of an overall strategy of planned contraction in the size of the Key Town Centre or Traditional Suburban Centre.

POLICY SH3 - REASONED JUSTIFICATION

- 16.29 Given the importance of the centres listed under Policy SH1 and Policy SH2 above, it is important that the opportunities for introducing new businesses are not reduced through the conversion of vacant units to residential use at ground floor level. The only exception to this occurs where, as part of an overall strategy, a contraction in the size of a centre is planned. Such a process has recently been implemented in New Ferry Key Town Centre. In these circumstances, conversion of identified surplus units may be appropriate.

Policy SH4 - Small Shopping Centres and Parades

Within small shopping centres and parades in Primarily Residential Areas, development falling within Class A1, Class A2 and Class A3 of the Town and Country Planning (Use Classes) Order 1987, will be permitted, subject to Policy HS15 and the following criteria as appropriate:

- (i) where a proposal for Class A3 uses is located on a street containing similar establishments, cumulative levels of noise and disturbance, from both the existing and proposed activities, should not exceed a level likely to be detrimental to the amenity of the area;**
- (ii) proposals for Class A3 uses should include measures to mitigate smell and internally-generated noise - these measures should not be visually intrusive in the street scene and should be fully installed before the business commences trading;**
- (iii) the proposal does not cause nuisance to neighbouring uses, or lead to loss of amenity, particularly in respect of noise and disturbance, on-street parking or delivery vehicles - where necessary a suitable condition will be imposed on hours of opening/ operation;**
- (iv) proposals for Class A3 uses should be located a reasonable distance from the principal elevation of the nearest dwelling house or block of flats;**
- (v) proposals for Class A2 uses should incorporate the provision of a shop front and permanent window display.**

POLICY SH4 - REASONED JUSTIFICATION

- 16.30 Over one hundred smaller parades and groups of shops serving more local catchment areas have been identified throughout the Borough mostly within Primarily Residential Areas. Few have any land either within or adjacent to them on which new retail development could be accommodated.
- 16.31 Policy SH4 highlights uses falling within Class A1, Class A2 or Class A3 as being appropriate within these parades, subject to Policy HS15 which governs development within Primarily Residential Areas, and in the case of Class A3 uses, the additional criteria set out above. Policy SH4 seeks to preserve local residential amenity in particular. Proposals for retail development which is other than small-scale and intended to serve other than a local catchment are unlikely to be acceptable within these smaller centres and parades

Policy SH5 - Residential Development in Small Shopping Centres and Parades in Primarily Residential Areas

Proposals for the ground floor conversion of shop units to residential use within small shopping centres and parades in Primarily Residential Areas will be permitted where the Local Planning Authority is satisfied that the benefits of the proposal outweigh the disadvantages when assessed against the following criteria:

- (i) the desirability of retaining the unit in question for retail use, having regard to the function, physical condition and likely future role of the shopping centre or parade;**
- (ii) the impact on the amenity of neighbouring uses;**
- (iii) the suitability of the unit for residential use; and**
- (iv) the length of time the unit has been vacant and its state of repair.**

POLICY SH5 - REASONED JUSTIFICATION

- 16.32 The impact of changing patterns of retailing, in particular the growth of national multiples and their increasing concentration on larger and fewer stores, has often been greatest in small shopping centres and parades. Some have declined to an extent that they no longer perform a significant role as a retail centre. In others, which appear to have a viable future, there may be individual units which have been vacant for a period of time, suggesting that the centre has achieved a degree of equilibrium and that a reduction in the number of units would not harm its viability. By contrast, a centre may be trading well and have no other vacant units other than that proposed for conversion. In these circumstances, it would be desirable to retain the premises in question for retail use. These and other issues such as impact on amenity will be central to the consideration of proposals for the ground

floor conversion of shop units to residential use as set out in Policy SH5.

Policy SH6 - Development Within Primarily Commercial Areas

Within the Primarily Commercial Areas shown on the Proposals Map, uses falling within Class A1, Class A2, Class A3, Class B1 and Class D1 of the Town and Country Planning (Use Classes) Order 1987 will be permitted subject to the following criteria as appropriate:

- (i) a proposal for Class B1 uses satisfies the criteria set out in Policy EM6 and Policy EM7;**
- (ii) a proposal for Class A1 uses, together with other recent or proposed retail development, does not undermine the vitality and viability of any Key Town Centre or Traditional Suburban Centre as a whole or other town centre outside the Borough boundary;**
- (iii) the proposal meets highway access and servicing requirements and includes off-street car parking in line with Policy TR9 and cycle parking in line with Policy TR12;**
- (iv) the siting, scale, design, choice of materials and landscaping is not detrimental to the character of the area;**
- (v) the proposal does not cause nuisance to neighbouring uses, or lead to loss of amenity, particularly in respect of noise and disturbance, on-street parking or delivery vehicles - where necessary, a suitable condition will be imposed on hours of opening/ operation;**
- (vi) where a proposal for Class A3 use is located on a street containing similar establishments, cumulative levels of noise and disturbance, from both the existing and proposed activities, should not exceed a level likely to be detrimental to the amenity of the area;**
- (vii) proposals for Class A3 uses should include measures to mitigate smell and internally-generated noise - these measures should not be visually intrusive in the street scene and should be fully installed before the business commences trading.**

POLICY SH6 - REASONED JUSTIFICATION

16.33 Community, civic and other facilities along with small workshops are an important feature of many of the Borough's shopping centres. As an important "attractor", they make an important contribution to the diversity and viability of these centres. In a number of centres there are areas where these uses are concentrated. Most are likely to continue in their existing use throughout the duration of the UDP period. However, should opportunities for redevelopment occur within the areas defined on the Proposals Map, Policy SH6 confirms their suitability for retail, commercial and community uses, subject to the appropriate criteria now set out in the policy.

Policy SH7 - Upper Floor Uses in Retail Premises

The Local Planning Authority will permit the conversion of upper floors above shops for office uses or for residential uses not covered by permitted development rights, subject to access, parking, servicing, amenity and shop security considerations and the compatibility of the proposed use with neighbouring upper floor activities.

POLICY SH7 - REASONED JUSTIFICATION

- 16.34 One feature of many shopping centres has been the long-term increase in service uses, particularly on the upper floors of existing premises. More recently, attention has focused on encouraging the re-use or conversion of upper floors for residential use. As well as providing an additional source of accommodation, such uses within a shopping centre can make an important contribution to its vitality, particularly during the evening and when shops are closed.
- 16.35 At the same time, it is important that satisfactory access and parking provision is made, and that any proposal will not be detrimental to amenity, both of neighbouring users and future occupiers, where residential conversion is proposed. In addition, any proposal should not compromise the security requirements of the ground floor use.
- 16.36 An amendment to the General Development Order, which came into force in 1995, now means that the conversion to a single flat of part of a building in use for Class A1 (Shops) or Class A2 (Financial and Professional) purposes no longer requires planning consent. Similarly, changes from Class A2, to Class A1 plus one flat, are now also permitted development.

Policy SH8 - Criteria for Shop Fronts

Proposals which include provision for new shop fronts will be permitted when the Local Planning Authority is satisfied that the benefits of the proposal outweigh the disadvantages when assessed against the following criteria:

- (i) company colours, logos, and advertising should be designed and applied with reference to the character of the area, the building concerned and its neighbours;**
- (ii) in older shopping streets, existing traditional shop front features should be restored or replicated, where possible, using traditional materials and respecting the dimensions of the original;**
- (iii) security shutters should be partly or wholly of a perforated design and must be painted rather than left in a raw galvanised state - if possible, the shutter housing should be accommodated behind the fascia; and**

- (iv) all new-build shop fronts should be fully accessible by disabled people, with level shop fronts and wide doorways - when installing new shop fronts in existing buildings, opportunities should be taken to remove and reduce steps while taking into account the character of the building and the area.

POLICY SH8 - REASONED JUSTIFICATION

- 16.37 A well-designed and attractive shop front projects an image of quality which not only reflects upon the goods and services provided inside, but also makes a positive contribution to the street scene and the vitality of a commercial area. The development of corporate identities for shops with branches all over the Country has played a significant part in eroding the variety which often characterised individual shopping centres. Corporate identify should be applied with reference to the character of the building on which it is imposed, and of the area in which the building stands.
- 16.38 Adequate security is an important factor in ensuring the continued well-being of a commercial area and measures to achieve it are an important consideration. However, the use of galvanised shutters with prominent projecting shutter boxes is visually unattractive. Policy SH8 thus seeks to strike a compromise between the need for security and maintaining an attractive street scene.
- 16.39 Traditional shop front features such as stall risers, stall boards, pilasters and wooden fascia boards evolved during the eighteenth and nineteenth centuries and contributed to a very effective design. Where possible, these features should be retained or replicated in new shop fronts in older shopping areas, although it is acknowledged that stall risers and stall boards originally intended as means of laying out goods at a suitable height for inspection have been rendered largely obsolete by changing methods of retailing.
- 16.40 Finally it is important that all new shop fronts are accessible to disabled people. A separate shop front guide specifically aimed at shops in older traditional shopping centres has been produced by the Council and is reproduced in full in Supplementary Planning Guidance Note 43. Special considerations may apply to Conservation Areas and Listed Buildings.

Policy SH9 - Criteria for Out-of-Centre and Edge-of-Centre Retail Development

Applications for out-of-centre and edge-of-centre retail development will only be permitted where the Local Planning Authority is satisfied (A), that the benefits of the proposal outweigh the disadvantages when assessed against the following criteria; and (B), the proposal satisfies all the additional criteria in Policy SH10:

- (i) the proposal, together with other recent or proposed retail development does not undermine the vitality and viability of any Key Town Centre or Traditional Suburban Centre as a whole or other town centre outside the Borough boundary;
- (ii) the extent to which retail development on the site would confer urban regeneration or environmental benefits when compared with:
 - (a) alternative uses for the site; and
 - (b) alternative sites elsewhere capable of accommodating the proposed development;
- (iii) the proposal is accessible by a choice of mode of transport and is easily accessible for pedestrians, disabled people and cyclists from the surrounding area;
- (iv) the proposal does not have any adverse effect on overall travel and car use.

The Local Planning Authority may request that a developer submits an assessment of retail impact where it considers that this would be of assistance in considering the effect of an out-of-centre or edge-of-centre proposal on the vitality and viability of a nearby Key Town Centre or Traditional Suburban Centre.

Policy SH10 - Design and Location of Out-of-Centre and Edge-of-Centre Retail Development

A proposal for out-of-centre and edge-of-centre retail development considered acceptable in terms of Policy SH9 will be permitted if it satisfies the additional following criteria:

- (i) the proposal is not located within the Green Belt;
- (ii) the proposal does not prejudice the Borough's requirement for housing, or industrial land and premises;
- (iii) the proposal does not generate traffic in excess of that which can be accommodated by the existing or proposed highway network;
- (iv) adequate provision has been made for highway access and servicing arrangements, and off-street car and cycle parking;
- (v) the siting, scale, design, choice of materials and landscaping is appropriate to the character of the surrounding area;
- (vi) the proposal does not cause nuisance to neighbouring uses, especially in respect of noise and disturbance.

Planning conditions may be imposed to restrict the type of goods sold in order to prevent future changes in the composition of out-of-centre or edge-of-centre retail development which might impact on the vitality and viability of a Key Town Centre or Traditional Suburban Centre.

POLICIES SH9 AND SH10 - REASONED JUSTIFICATION

- 16.41 The Council recognises that retailers needs cannot always be accommodated within existing centres. However, new out-of-centre development still needs careful consideration to ensure that the role of existing centres is not seriously undermined.
- 16.42 While Government guidance makes it clear that competition between individual retailers is not a planning consideration, it is important that a proposal does not have a detrimental impact on the vitality or viability of Key Town or Traditional Suburban Centres as a whole, either within or outside Wirral. In assessing vitality and viability, the Local Planning Authority will have particular regard to: the trade draw and market share of the proposal; the impact on future levels of investment, on vacancy levels and the physical condition of the centre(s), impact on the range of services provided in the centre(s), on any current or proposed urban regeneration initiatives in the centre(s); and the cumulative impact of the proposal with other recent or proposed retail development. Where necessary, the Local Planning Authority will impose conditions restricting the range of goods sold.
- 16.43 While national planning policy guidance on retailing advises that an assessment of retail impact will be required for major retail development - defined as that greater than 20,000 square metres (gross) on an out-of-town site and greater than 10,000 square metres on an urban site which has not been previously intensively developed - local experience suggests that much smaller developments can have a significant impact on local centres, especially where trading patterns are not robust. The Local Planning Authority will request a statement of retail impact from the applicant where it considers that this would be of assistance in considering the effect of an out-of-centre proposal on the vitality and viability of a nearby Key Town Centre or Traditional Suburban Centre as a whole, including town centres in areas adjoining Wirral. Neighbouring local authorities will be consulted where there may be an impact on such centres.
- 16.44 Urban regeneration is a key theme throughout the UDP. The Local Planning Authority will need to be satisfied that any trade diversion away from a centre does not undermine any current or proposed retail-related urban regeneration initiatives in any of the centres listed, particularly when the investment has yet to feed through into a stronger trading position. In addition, the Local Planning Authority will have regard to the extent that urban regeneration potential could be maximised through alternative uses for the site in question, or by utilising an alternative site capable of accommodating the same development.
- 16.45 Similarly, the Local Planning Authority is keen to secure the maximum environmental benefit from new development. Hence, it will have regard to the extent that a proposed development would achieve this when compared

to alternative uses or locations. In this respect, issues such as reducing the number of derelict or degraded sites and a reduction in exhaust emissions through fewer and shorter car journeys will be considered.

- 16.46 Policy SH10 also recognises the importance of protecting land required for housing and industrial purposes.

Policy SH11 - The Expansion of Out-of-Centre Retail Developments

Proposals for the redevelopment or expansion of the existing out-of-centre retail developments, shown on the Proposals Map for retail use, will be subject to the criteria set out in Policy SH9 and Policy SH10.

POLICY SH11 - REASONED JUSTIFICATION

- 16.47 Two out-of-centre retail warehouse parks exist in Wirral, at Bidston Moss and at Bromborough, and a third is proposed at Green Lane in Birkenhead. There are four major out-of-centre food superstores at Bidston, Bromborough, Woodchurch and Upton. While the principle of retailing has been accepted on these sites, it is necessary to provide safeguards against future proposals which may represent a significant intensification in retail activity, or a change in the nature of the retail use, for example, from non-food to food. Such developments could change the extent to which retail use on the site has an impact on established shopping centres. Major expansion of retailing activity could also have car parking, access, or amenity implications. Policy SH11 makes it clear that any proposals for redevelopment of these sites for retail use will be assessed using Policy SH9 and Policy SH10.

Policy SH12 - Amusement Centres

Large-scale amusement centres, bingo halls and clubs, and large amusement arcades, for example, combining bingo with amusement with prizes and amusement-only machines, should be confined to the Key Town Centres of Birkenhead and Liscard and the seafront area along Marine Promenade in New Brighton. Small-scale amusement centres may be acceptable within smaller shopping centres, where noise and disturbance can be controlled through the imposition of planning conditions. In considering all amusement centre proposals regard will be had to the following criteria:

- (i) **noise and disturbance from the proposal is not detrimental to the amenity of the area, and is no greater than that generated by existing uses - suitable conditions may be imposed requiring the incorporation of noise-attenuation measures, restricting hours of operation and specifying the type of amusement machine permitted;**

- (ii) where an amusement centre is located on a street containing similar establishments, cumulative levels of noise and disturbance, from both the existing and proposed activities, should not exceed a level likely to be detrimental to the amenity of the area;
- (iii) proposals for amusement centres within shopping centres should incorporate a shop front and permanent window display.

POLICY SH12 - REASONED JUSTIFICATION

16.48 The term "amusement centre" covers activities such as bingo halls and clubs, prize bingo centres, amusement-with-prizes machines and amusement-only machines. By their nature, such uses have potential to create greater levels of noise and disturbance than other activities within the urban area. Policy SH12, therefore, provides additional guidance on the location of these uses and on the controls which may be used to minimise additional noise and disturbance.

16.49 Amusement centres have been a long-established attraction in New Brighton, but should be confined to the seafront area along Marine Promenade in order to safeguard the amenity of nearby residential areas. Other large-scale amusement centre uses should be confined to Birkenhead and Liscard, where disturbance to residential areas in particular can be minimised. Elsewhere, only small-scale amusement centre uses will be appropriate and only where noise and disturbance can be controlled by condition.