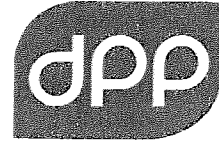


Closing Summary

Leeds



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The overarching aims and strategic objectives of the AAP are considered to be entirely appropriate and are supported. Indeed, the aims of regenerating Bridlington Town Centre, including meeting an identified retail need and stemming expenditure leakage from the town are matters which our client has supported at every opportunity.

The general principles and objectives are considered to be sound, but we do not consider that the redevelopment proposals as set out on the AAP Proposals Map represent the most appropriate strategy. Indeed, our clients have repeatedly expressed concern in representations to the Council relating to the allocation of their existing site for a comprehensive comparison shopping development, the deliverability and viability of the Council owned extent of the adjacent coachpark site for a replacement foodstore on the AAP Proposals Map.

Given the whole of the Burlington Parade allocation is in a number of different ownerships, and involves a number of different stakeholders, we firmly believe the AAP should demonstrate the necessary flexibility to account for the circumstances where any one of the ownerships is unavailable.

As noted above, we still have concerns regarding the delivery of the foodstore allocation on the Proposals Map given the numerous ownerships within the allocation. Consequently, development management policies in the AAP need to be sufficiently effective to account for this and to ensure that such a scenario would not prejudice the wider regeneration strategy of the AAP. For the aforementioned reasons, we cannot support Policy BridTC3 of the AAP in its current form.

We consider that Policy BridTC3 is inflexible in that it contains far too much detail including floorspace figures, BREEAM ratings and the quantity of car parking spaces. Much of this detail is duplicated elsewhere in individual policies in the AAP and is capable of being addressed through the supplementary guidance proposed – it is therefore entirely unnecessary at this stage of the plan.

The wording of Policy BridTC3 needs to be amended slightly to identify the Council's strategic aspiration, whilst not ruling out other alternatives. Should the Council be insistent on requiring the redevelopment of our clients' site as they propose, our view is that the existing Tesco site should at

the very least be allocated in the same way as the Harbour Top area – i.e. allocated only on the basis that a replacement foodstore facility either is delivered either on the adjacent coachpark, where it proves deliverable, or on any other suitable site where it is not.

For the aforementioned reasons, we consider Policy BridTC3 of the AAP to be unjustified, inflexible and undeliverable in its current form, and we have submitted our suggested rewording.

Policy BridTC10 is not justified in its current form – it is not the most appropriate strategy when compared against reasonable alternatives.

In our view, the risk that the redevelopment of Burlington Parade will not be developed in line with the Regeneration Strategy increases inversely proportionately to the flexibility shown in development management policies. In other words, the more complicated and precise the development management policy, the less likely the comprehensive redevelopment of the Burlington Parade (and AAP area more generally) is to occur.

The duplication between BridTC3 and BridTC10 means the AAP is even more inflexible. Having regard to our comments in respect of BridTC3, the possibility that the redevelopment of the Burlington Parade will not be developed in the way sought by the Council has to be accounted for.

Our view is that the current policy approach will not account for the circumstances where, for whatever reason, alternative redevelopment proposals come forward. The policy is therefore unjustified and will be ineffective in delivering the regeneration sought in this area. Indeed, it could stifle development if agreement with all the key stakeholders has not been reached contrary to the Council's own ambitions.

Policy BridTC10 requires developers to provide evidence to demonstrate that the risk to the Regeneration Strategy or Burlington Parade (inter-alia) is acceptable because the development proposal will deliver benefits that are sufficient to compensate for its adverse impacts. The Policy goes on to state that the evidence required will be proportionate to the nature and scale of the risk.

The requirement at 3(a) to demonstrate expenditure and / or demand is clearly not supported by PPS4 which removed the requirement for developers / applicants proposing retail floorspace to demonstrate that sufficient expenditure or capacity existed for their development proposal. This requirement is therefore a fundamental departure from national planning policy and makes Policy BridTC10 unsound. Wording which better reflects the impact tests set out in PPS4 Policy EC16.1 (or the imminent NPPF) would be more appropriate.

The AAP can be made sound by changes to the wording of Policies BridTC3 and the deletion of Policy BridTC10. The main justification for the amendments proposed is to ensure that Policy BridTC3 will be effective (and therefore 'sound') if development proposals contribute to the strategic objectives of Policy BridTC1. There are however also a number of instances throughout the policy where amendments are proposed to remove prescriptive detail and / or duplication on matters covered elsewhere in the AAP.