



# Shireconsulting

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P-07-289/PB/LB Lewisham

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Dear Sir

**PLANNING & COMPULSORY PURCHASE ACT 2004**  
**Local Development Framework for Lewisham – February 2010**

- Core Strategy Publication Consultation and
- Proposed Changes to the Lewisham UDP Proposals Map

**1. Introduction and Background**

We act as planning consultants for Barclays Bank plc ("the Bank") in respect of the Local Development Framework (LDF) for Lewisham and this letter forms the Bank's response to the above documents. On behalf of the Bank we submitted representations on the Core Strategy Options Report in February 2009 and those representations are still relevant as the Council does not appear to have given any consideration to their content. As a long-established business, the Bank has made a substantial contribution to the vitality and viability of the Borough over the years that it has traded and as a significant stakeholder within the Council's area it is therefore concerned that development plan policies should not fetter the important contribution that it makes to the vitality and viability of town centres. Through high attraction of footfall, financial services retailers generally (and the Bank in particular) play a key role in promoting town centre health and as a result, the provision of financial services should be allowed to improve and evolve alongside the significant improvements to shopping provision envisaged over the proposed plan period. It is likely that the Bank's representation within town centres will continue to evolve over the life of the LDF.

As we previously noted, the emerging Core Strategy Options document acknowledged the importance of maintaining and enhancing the vitality and viability of town centres but the Bank expressed its concern at the suggested continuation of policies in the UDP that may restrict the location of A2 uses. The Bank urged the Council to consider the important contribution that A2 uses such as the Bank make to the vitality and viability of town centres and to ensure that its retail policies are based upon up to date evidence. On behalf of the Bank we have examined the current consultation documents, together with background documents, and we set out our representations below.

## 2. Representations on the Consultation Documents

The Core Strategy sets out The Council's aspiration to improve the attraction of Lewisham's town centres but recognises that "*major centres located just beyond the borough boundaries [are] likely to have an impact on Lewisham's retail centres*" (paragraph 2.31). Chapter 7 of the Core Strategy suggests that the retail and town centre policies will implement Strategic Objectives 1 and 4 by contributing to regeneration and physical change and to economic activity. It purports to follow PPS6 (now replaced) in actively promoting growth and managing change through "*a pro-active plan led approach*" (paragraph 7.31) but Core Strategic Policy 6 does not address the matter of the out-of-date frontage policy being carried forward from the UDP and whether there is any evidence to support the retention of such a policy. Given the high vacancy rate noted in the NLP Retail Capacity Study (November 2009), a review of any evidence about the effectiveness of such policies is fundamental to whether the Council's approach is sound.

The production of the LDF provides an opportunity to examine and revise out-of-date planning policy. The existing UDP contains the equivalent of primary and secondary shopping frontage designations and policies relating to them but no mention is made in the publication Core Strategy of any intention to review or reassess these designations, even though they may not reflect the current, or likely future, position. Indeed, the "*Proposed Changes to the Lewisham UDP Proposals Map*" document confirms that, other than a name change, there is no intention to review these designations. Indicators such as rents, yields and pedestrian flows change over time as new floorspace is added to town centres so if the Council intends to continue to make use of detailed development control policies such as defined frontages, the matter should be expressly addressed in the evidence base and set out in the policy direction of the Core Strategy in order to give a steer to subsequent DPDs.

The NLP Retail Capacity Study of November 2009 appears to be the basis for the retail policies in the Core Strategy but that Study did not consider the detail of designated shopping frontages. The Core Strategy is now setting the direction for retail policy without any review of that important element of the evidence. In our previous representations we expressed concern about the content of Policy STC4 of the UDP and the intention to continue its approach in the LDF but it appears from the Publication version of the Core Strategy that those concerns have not been acknowledged or acted upon. That is compounded by the intention that although the Core Strategy will supersede many of the UDP's retail policies, Policy STC4 is intended to remain (schedule at Appendix 2 of the Core Strategy).

On the matter of policy formulation PPS12 (June 2008) is clear that all DPDs must be:

- "*founded on a robust and credible evidence base; and*
- "*the most appropriate strategy when considered against the reasonable alternatives*"; and must be
- "*consistent with National Policy*"

Policies in the existing UDP set out arbitrary restrictions on non-A1 uses. This is unjustified, and is unsupported by any evidence. The Council's intention to seek to attract private sector investment in town centres does not sit well with any continuation of previous policies seeking to limit certain Part A uses in primary shopping frontages. The implication that only A1 uses are appropriate derives from very outmoded and discredited thinking that other uses such as A2 detract from the vitality and viability of town centres. By definition, uses that fall within Part A of the Use Classes Order are appropriate in town centres as they are "*shopping area uses*" and are acceptable without any need for restriction or qualification.

This is particularly the case for the financial services sector. ODPM Circular 03/2005 *"Changes of Use of Buildings And Land"* which accompanied the last major revisions to the Use Classes Order specifically states in relation to the A2 Financial and Professional Services use class (which was created to separate those uses *"serving the public, from other office uses not directly serving the public"* - paragraph 32), that the Class is also *"designed to allow flexibility within a sector which is very much a part of the established shopping street scene, and which is expanding and diversifying"*. The uses within Class A2 are noted as being those *"which the public now expects to find in shopping areas"* (paragraph 38). The wider role played by town centres than a pure shopping function is also recognised throughout Government policy and also within the NLP Retail Study of 2009. Indeed the Study notes the importance of *"key retailers"* such as the Bank (paragraph A.13).

Since this current version of the Core Strategy was written, Government Policy in PPS6 has been replaced by the publication of PPS4 *"Planning for Sustainable Economic Growth"*, although this continues the thrust of Government Policy in PPG6 relating to town centres. Policy EC3.1c states that Planning Authorities should: *"at the local level, define the extent of the centre and the primary shopping area in their Adopted Proposals Map"*, following consideration of whether there is evidence of a need to designate *"realistically defined primary and secondary frontages in designated centres"* [our underlining].

A strong emphasis upon the promotion of town centre vitality and viability remains in the new PPS and the Government is clear that there should be a positive attitude towards all development which generates wealth and creates employment. The *"over-arching objective is sustainable economic growth"* (paragraph 9). The Government wants town centres to offer *"a wide range of services to communities in an attractive and safe environment and remedying deficiencies in provision in areas with poor access to facilities"*. There should be *"enhanced consumer choice through the provision of innovative and efficient shopping, leisure, tourism and local services in town centres"* (paragraph 10). Policy EC10.1 states that: *"Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably"*. It is therefore important that local policies should facilitate this.

The Bank objects that the approach taken in UDP policy is apparently to be continued within the LDF as this is likely to work against the objectives of the Government and the Council to promote vitality and viability in town centres. To succeed, town centres need to provide a full range of services and these often need to be located in ground floor premises in accessible locations. The Bank therefore objects to the omission of any intention, in Policies of the Core Strategy or in the Proposed Changes to the Lewisham UDP Proposals Map, to review UDP policies that seek to restrict A2 uses, particularly as the Council has provided no evidence to justify their position on such policies and has not given consideration to reasonable alternative strategies.

As the quantity and quality of shopping is improved so should the quality of provision of other activities. Class A2 retailers such as the Bank routinely experience very high levels of customer visitation, contributing significantly towards pedestrian movement and therefore the vitality and viability of town centres. Banks have also moved away from the traditional style of frontage, preferring to have an open, visually interesting and attractive face to the 'high street'.

The Bank has become increasingly retail in its presentation and has recently introduced an innovative 'flagship' branch design, which has been developed in association with its customers, to transform banking into what it terms as "a retail focused experience". The Bank estimates that some 10 million customers use its branches each week and through listening to their feedback, a design has been developed that meets their requirements for modern banking and provides branches similar in appearance and operation to retail shops. Whilst the design of every new branch has to be flexible in order to be sensitive to the requirements of each building occupied, the aim is generally to ensure that about 70% of the internal space at ground floor is accessible to customers. The Bank's managers regularly report that upon the opening of a 'flagship' branch the customer visitation levels significantly increase and thus the level of activity helps to underpin pedestrian flows to the benefit of surrounding traders. It is therefore important that the Council recognises the benefit of A2 uses in fostering footfall and pedestrian activity and that planning policies should encourage flexibility to allow changes of use between the A1 and A2 use classes.

The Bank has undertaken a number of comparative footfall surveys in connection with its current acquisitions programme at its branches in various towns and cities in the UK (copies attached). These conclusively show that the level of footfall associated with Bank branches is commensurate with, and often higher than, the best known national multiple Class A1 traders. These surveys have been key in helping to change the attitudes towards Class A2 and even planning authorities that once strongly resisted Class A2 uses in their primary areas have granted permission for Barclays 'flagship' outlets in the last 12 months. Examples of authorities which have recognised the wider benefits of the 'flagship' design (following receipt of applications which have been supported by evidence of high footfall), include Leicester, Manchester, Plymouth, Reading, Sheffield, Southampton and Kensington & Chelsea.

Chapter 7 of the Core Strategy contains the Council's position on "Planning Obligations and the Community Infrastructure Levy". Policy 21 states that "the Council will seek planning obligations in accordance with Circular 05/05" and that it will prepare a Planning Obligations SPD "to provide further guidance on the likely type, scale and priority of planning obligations and the methodology for calculating formula based obligations, where it is appropriate to do so". Despite the fact that this Core Strategy policy is still unexamined, the Council has already produced a draft SPD, apparently relying upon the current UDP policy as a basis for its content. On behalf of the Bank we have made separate representations objecting to the draft SPD, particularly as it does not accord with the Government's policy set out in ODPM Circular 05/2005. We suggest that the Council should revise the draft SPD so that does accord with the Circular and with its own policy set out in Core Strategy Policy 21.

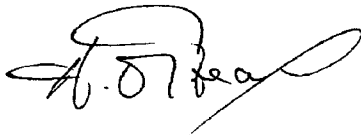
### 3. Closing Comments

The Council recognises the need for significant private sector investment in the town centre. The opportunity provided by the preparation of the main elements of the LDF should be used to reappraise out of date policies and give greater encouragement to 'appropriate' Part A uses to invest and to improve the quality of their representation. The Bank believes that there is no good planning reason to restrict the presence of Class A2 uses at ground floor level in any shopping frontages. The Council should recognise the important contribution of financial service retailers such as banks in both bringing investment and acting as attractors for investment by others, in the wording and application of policies in all the relevant LDF documents. This will help to achieve the Core Strategy's strategic objectives of regeneration, physical change and increased economic activity. Planning policies should therefore encourage flexibility to allow appropriate changes of use between the A1 and A2 use classes.

Pursuing restrictive policies to keep significant generators of footfall out of central shopping areas will actively work against the achievement of the Core Strategy's strategic objectives and is inconsistent with national policy. In fact there is nothing in Government policy that recommends or supports imposing an embargo upon acceptable town centre uses at all. The continuation of historic primary frontage policy is unjustified by any robust and credible evidence and the Council has provided no explanation for the decisions it has taken about the most appropriate strategy to follow when considered against the reasonable alternatives. The Council's documents show no indication that it has gone through an objective process and audit trail of assessing alternatives, or indeed that alternatives have even been considered at all. At present the Core Strategy approach to A2 retail uses is neither Justified nor Consistent with National Policy so The Bank therefore objects to the omission from the Core Strategy of any review of Policies that seek to restrict A2 uses.

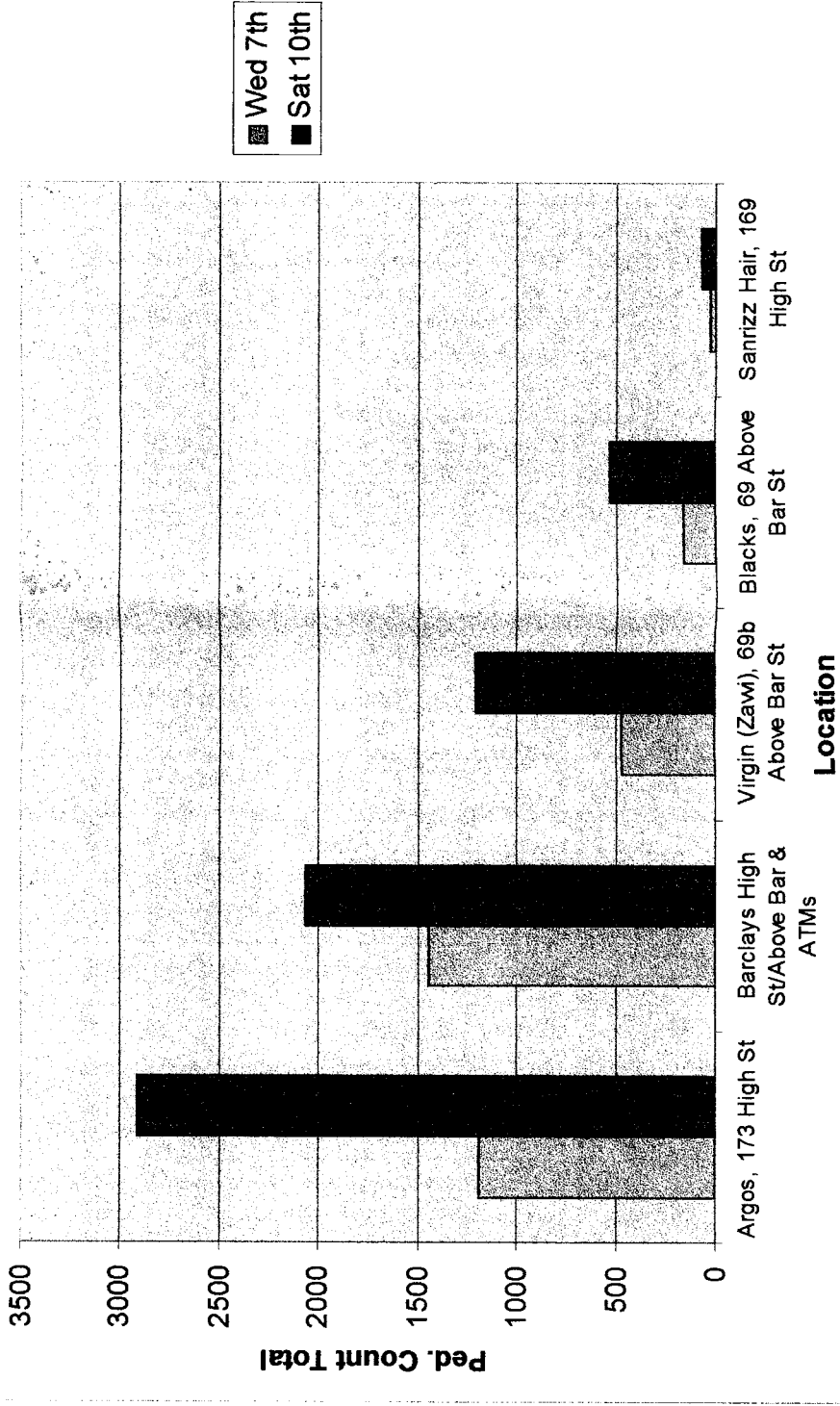
In view of the requirement for improved provision of banking services in Lewisham the Bank would like to confirm its continued interest in the LDF process and in that regard we shall be grateful if the Council will continue to notify us of the progress of the submitted document as well as details of any other emerging LDDs.

Yours faithfully

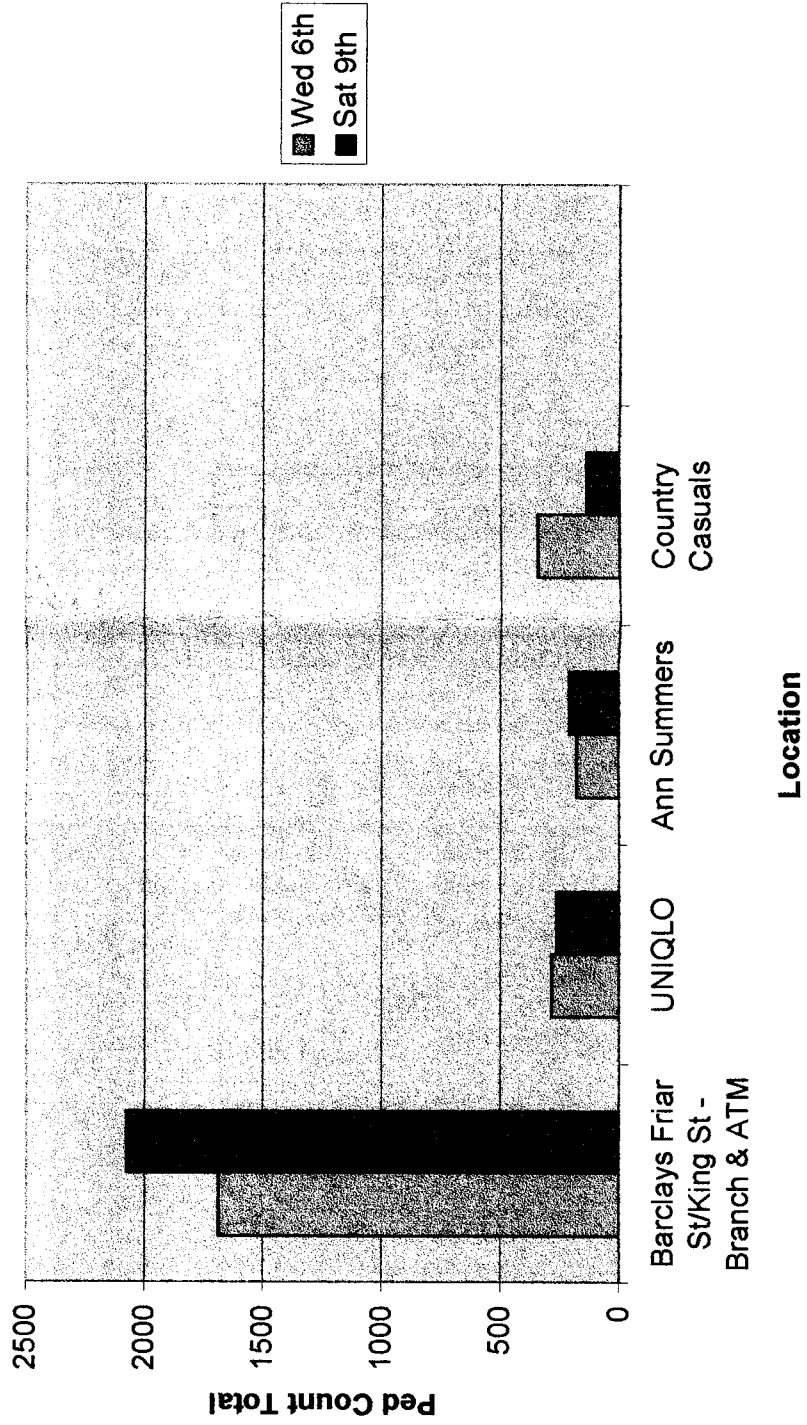


**Michael Fearn of Shireconsulting**  
**On behalf of BARCLAYS BANK PLC**

# Barclays Pedestrian Count: Southampton May 2008

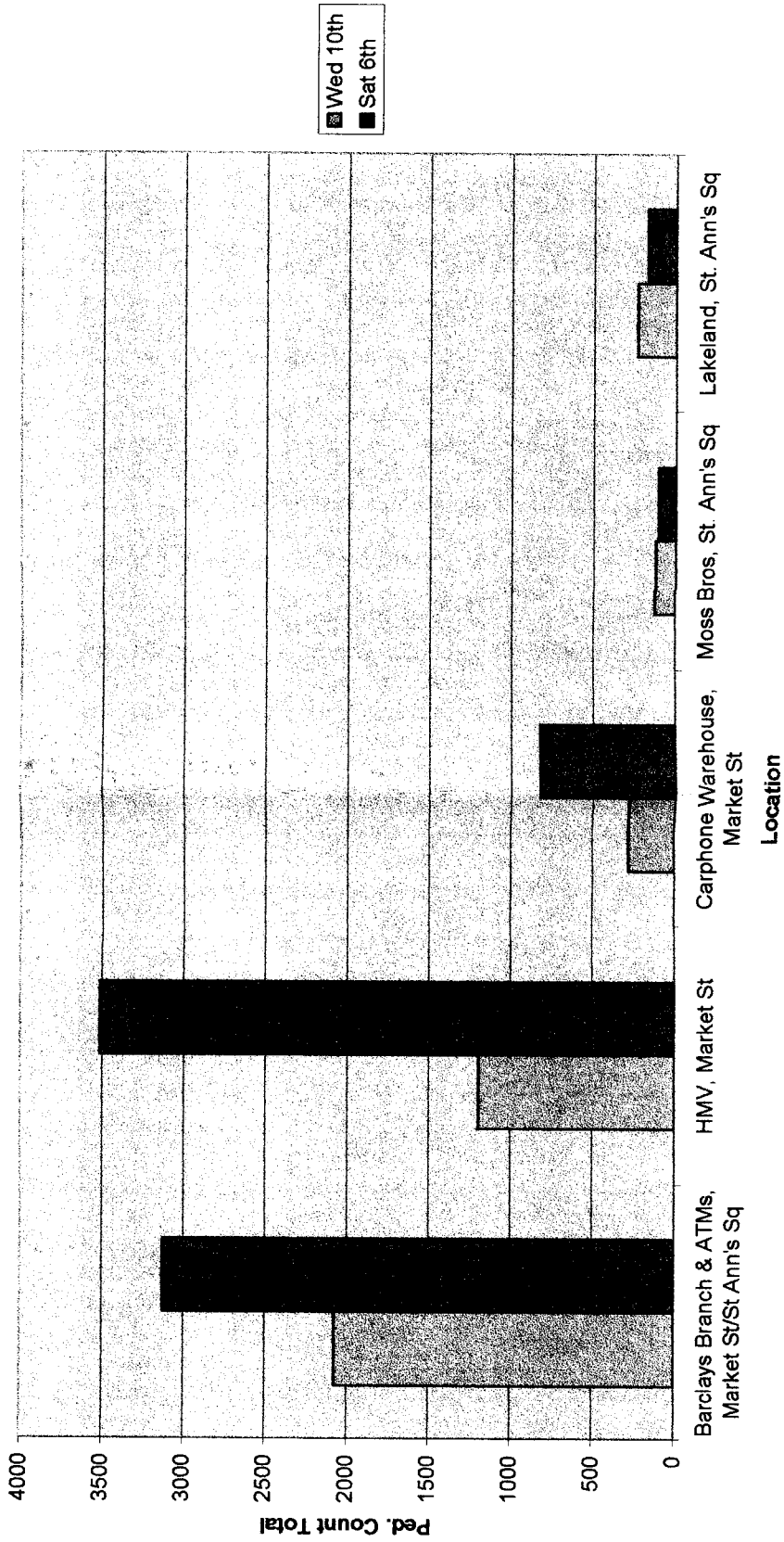


# Barclays Pedestrian Counts: Reading, August 2008



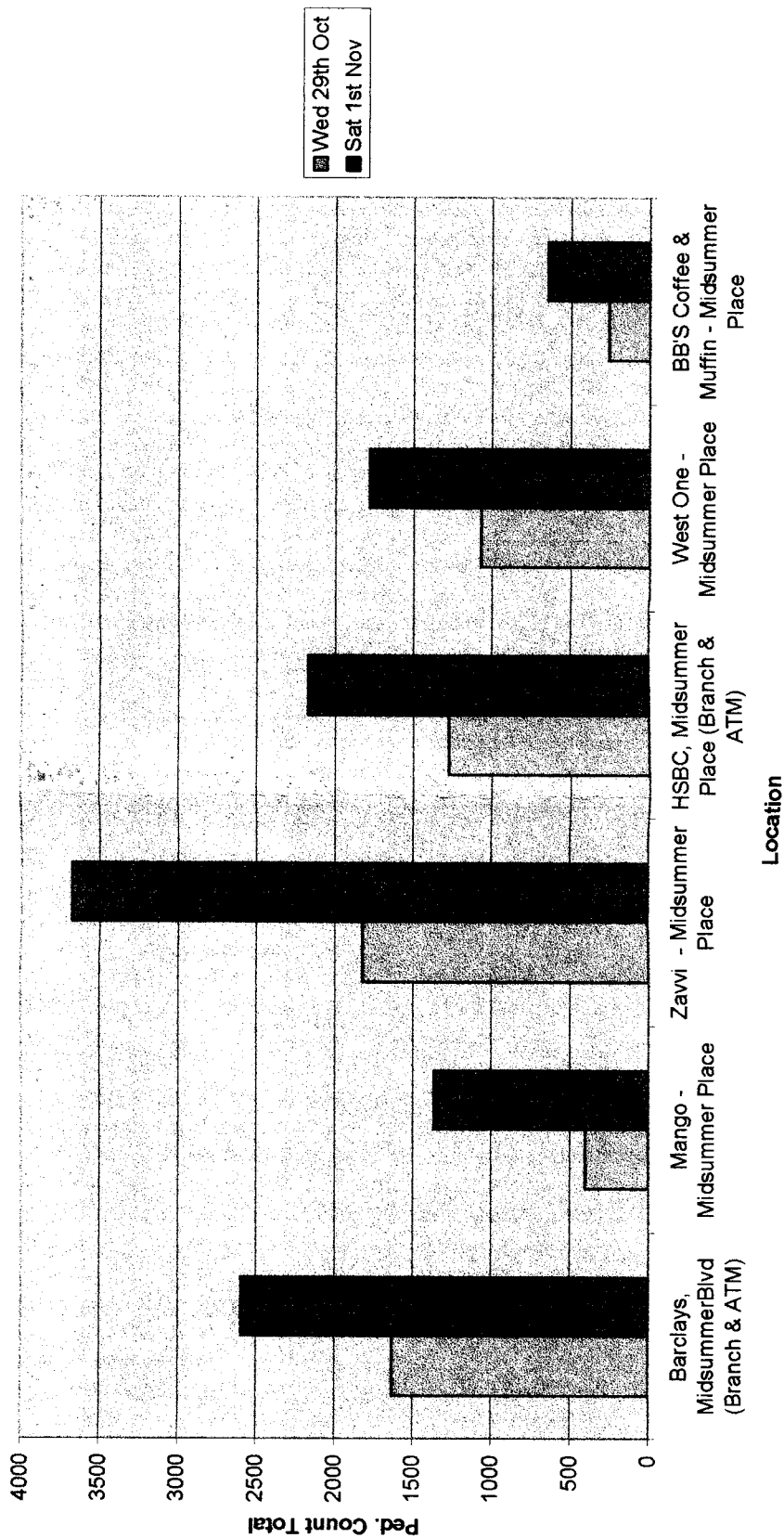


**Barclays Pedestrian Counts  
Manchester (Sept 08)**

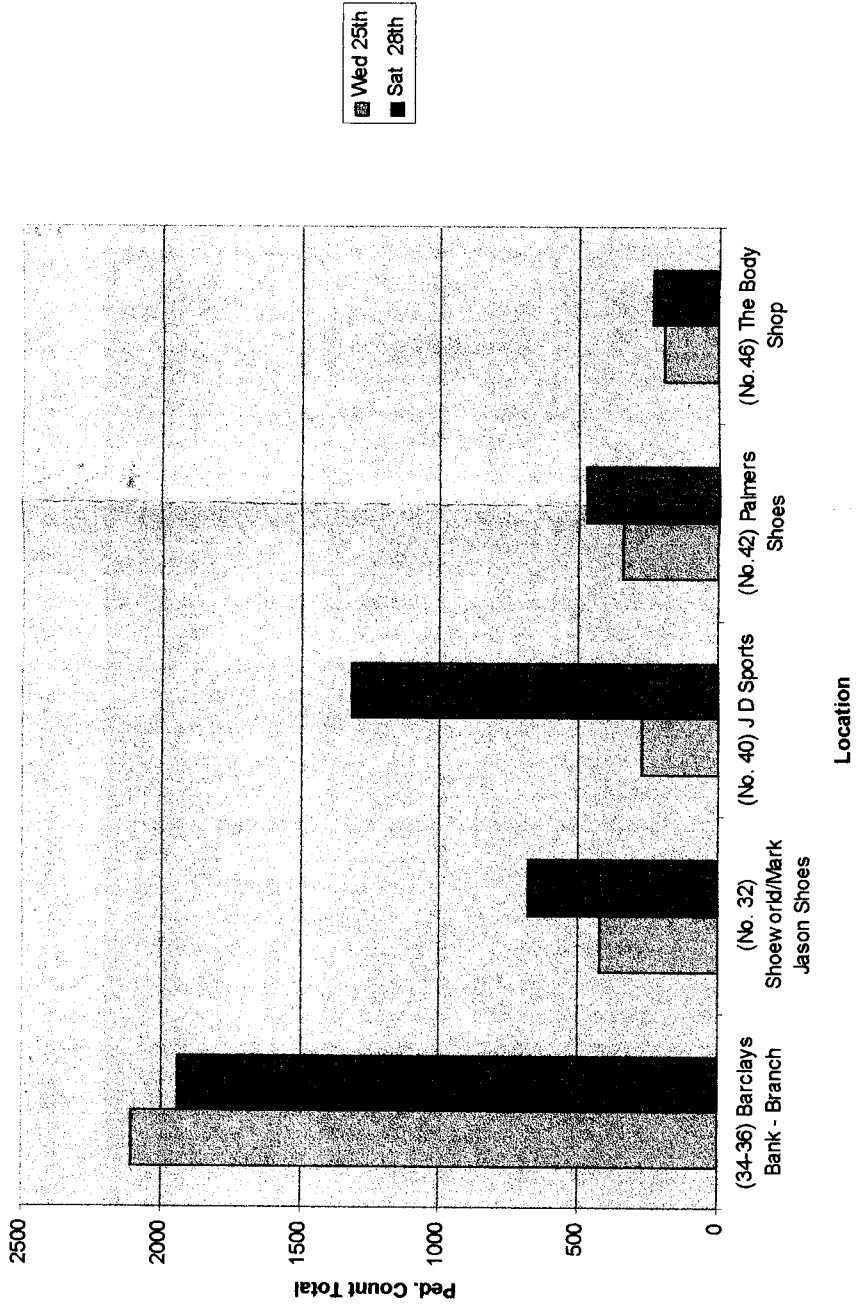




**Barclays Pedestrian Counts  
Market Street, Milton Keynes (Oct 08)**



Barclays Pedestrian Counts: Romford, March 2009



**Barclays Pedestrian Counts: Southend - April 2009**

