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ARTICLE 7

**EXAMINATION IN PUBLIC INTO OBJECTIONS TO THE
DRAFT CRAIGAVON TOWN CENTRE BOUNDARIES AND RETAIL
DESIGNATIONS PLAN 2010**

Report by

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Commission

Report of the Examination into the draft Craigavon Town Centre Boundaries and Retail Designation Plan 2010.

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1.0 The Retail Strategy and Policy R1

- 1.1 The Retail Strategy in the draft Craigavon Town Centre Boundaries and Retail Designations Plan 2010 (the draft Plan) comprises the promotion of Lurgan and Portadown town centres (TCs) as the main foci for additional retail capacity and the maintenance of existing retail activity levels at Central Craigavon TC. This is to be achieved by providing opportunities for further development in Lurgan and Portadown town centres and physically restricting the potential for further development in Central Craigavon TC through a tightly drawn town centre boundary (TCB), and its associated Primary Retail Core (PRC), around existing retail, office and civic development. In addition proposals for additional comparison shopping floor space within the designated TC of Central Craigavon would be subject to Policy R1, which requires developers to demonstrate that such proposals will not adversely impact on the vitality and viability of Lurgan or Portadown TCs.
- 1.2 The draft Plan emerged on the foot of recommendations from the Planning Appeals Commission (PAC) in their report following a public inquiry into the draft Craigavon Area Plan 2010 (dCAP). The PAC advised that the Craigavon, Lurgan and Portadown town centres should be redrawn on the basis of the broad principles set out in paragraphs 4.04.17 to 4.04.25 of the Commission's report which states that the boundaries should be based on an assessment of the need for the various land uses which policy indicates should be generally located within TCs or PRCs. The Department in the adoption statement accepted the Commission's recommendation. In the Craigavon Area Plan 2010 (CAP) the Department did not adopt the TCBs for Central Craigavon, Lurgan and Portadown but stated that the redrawing of the TCBs would be undertaken as part of a study informed, inter alia, by the general principles set out in paragraphs 4.04.17 to 4.04.25 of the Commission's report. The Department did not commit to preparing statutory TC plans but stated that it would assess the need for statutory TC plans as part of the retail study of the three town centres. In the end, the scope of the draft Plan has been limited to TC, PRC and Primary Retail Frontage (PRF) designations and related policies, including the Retail Strategy and Policy R1.
- 1.3 The draft Plan has been prepared within the context of regional and Craigavon Borough wide planning policy. The draft Plan states that its strategy will be implemented through the plan proposals that are in accordance with, and also complement, the Department's regional planning policies. These policies are contained in the Regional Development Strategy for Northern Ireland 2025 (RDS) and Planning Policy Statement 5 (PPS5) Retailing and Town Centres. As pointed out in the draft Plan, The Planning (Amendment) (Northern Ireland) Order 2003 requires the plan to be in general conformity with the RDS. PPS5 states that future development plans, which would include the draft Plan, will take account of and be consistent with the policies contained within it (paragraph 9). The CAP, the adopted plan, provides a broad land use and policy framework for the development of Craigavon Borough within which the 3 town centres are located. Thus there is an established policy hierarchy with the draft Plan set within the context of the regional planning

policies of the RDS and PPS5 and the Borough wide policies and proposals of the CAP.

- 1.4 Regional policy, as contained in the RDS is to promote the vitality and viability of TCs (Policy RNI3.2). In addition, the RDS identifies Craigavon¹ as a main hub, a centre with a strategic role for employment and services within its Spatial Development Strategy (SDS). Craigavon is recognised as having high growth potential, reflecting its role as the major industrial and service centre in mid-Ulster and its strategic location on key transport corridors. Towns identified as main hubs have the potential to develop as growth poles for the clustering of economic activity thereby providing a counter balance to the metropolitan heart of the region centred on Belfast. Policy SPG-ECON1 refers to the promotion of a balanced spread of economic development opportunities across the region focused on the Belfast Metropolitan Area, Londonderry, Craigavon and the urban hubs/clusters as the main centres for employment and services. Policy ECON1.3 refers to the promotion of town centres as the major locations and first choice for expanding service employment by focusing public administration, major office developments, shopping, leisure, entertainment and cultural facilities in central areas where they are accessible to all sections of the community and supporting the vitality and viability of town centres by ensuring that they should normally be the first choice for major new retail developments. The RDS refers to Craigavon as a single urban area, drawing no distinction between its three town centres.
- 1.5 The policy objectives for town centres and retail developments are set out in paragraph 5 of PPS5. The first of the 5 objectives is – *"to enhance the vitality and viability of town centres"* and this objective is consistent with RDS policy as stated above. The policies contained in PPS5 should be taken into account in development plans (paragraph 3) and development plans should be consistent with the policies contained within PPS5 (paragraph 9). Paragraphs 11 to 13 inclusive describe what development plans will do: for example they will identify polices for retailing in a specific area or where new retail development is to be focused and existing provision enhanced. The commitment to sustain and enhance town centres permeates through all the policies contained in PPS5. Paragraph 14 recognises that town centres consist of a mixture of land uses, often interdependent and with a variety of roles, providing shopping, employment, services and facilities for all the community: it restates the RDS position that " *....town centres should normally be the first choice for major new retail developments*". Provisions aimed at assisting the development or redevelopment of town centres are contained in subsequent paragraphs 15 to 21 inclusive. The important contribution the diversity of uses makes to the vitality and viability to town centres is recognised in paragraphs 22 to 27 inclusive. Importance is also attached to the physical environment of and access to town centres (paragraphs 28 to 34 inclusive). The commitment

¹ We have applied the use of the term Craigavon in the RDS to relate to the entire urban area comprising Portadown, Central Craigavon and Lurgan. Elsewhere in this report, we use the term Craigavon Urban Area when referring to the entire urban area comprising Portadown, Central Craigavon and Lurgan.

to sustaining and enhancing vitality and viability is unqualified and applies to all town centres.

- 1.6 Draft Planning Policy Statement 5 (dPPS5) is emerging policy. Paragraph 3 of the draft document states that " *....this draft will ultimately replace PPS5*" but this has not yet happened and there was no indication as to when the policy statement will be adopted. Paragraph 50 of Planning Policy Statement 1 General Principles (PPS1) states " *....less weight will be ascribed to them (emerging policies) than to final publications*". The contention by the objectors that dPPS5 was not given any weight in the determination of planning applications for retail development was not challenged. In the absence of any policy gap, PPS5 remains the relevant regional policy document. Accordingly no account can be taken of draft policy.
- 1.7 The CAP reflects the regional policies of the RDS and PPS5. The key elements of the CAP Plan Strategy reflect the high growth potential of the Craigavon Urban Area, recognising the sub-regional significance of the Craigavon Urban Area and reinforcing its role as a major service centre. The CAP Plan Strategy sets out a focus on strengthening the urban area and focusing major housing, industrial, commercial and service development in that location. The CAP zones 516.21 hectares of land for housing within Lurgan, Portadown and Central Craigavon. Existing industrial areas are identified and an additional 156.72 hectares of land is zoned for industrial use within the urban area. The CAP is clearly aiming to satisfy the RDS objectives of growth. The CAP, however, draws no distinction between the three town centres within the urban area but refers to the urban area consisting " *....of 3 distinct, but inter-related places ie Lurgan, Central Craigavon (which includes Brownlow) and Portadown*". The TCBs proposed in dCAP were not confirmed in the CAP but all three are individually referred to as town centres in their own right in the statutory plan with a commitment that an appropriate TCB will be designated for each, informed by a study to examine retail provision.
- 1.8 The draft Plan sets itself within the context of the CAP. In setting out the purpose of the Plan, it states – " *the purpose of the plan is to inform the general public, statutory authorities, developers and other interested bodies, within the context of the adopted Craigavon Area Plan 2010 (our emphasis), of the policy framework and designations that will be used to guide retail development decisions within the Craigavon Borough*". It also sets itself within the wider policy context of the RDS and PPS5 (pages 8 and 9). In the preamble reference is made to " *....the three town centres of Central Craigavon, Lurgan and Portadown*". The first sentence of the Plan Aim and Objectives refers to " *....the creation of healthy balanced and vibrant town centres for Central Craigavon, Lurgan and Portadown*" and the first of the draft Plan objectives is – " *to facilitate sustainable patterns of commercial growth and development across the 3 town centres within the plan area in accordance with the sustainability related strategic objectives of the RDS*". Again on page 16 reference is made " *....three independent, but complementary, town centres that are each sustainable, healthy and vibrant*". Maps 2, 3 and 4 of the Draft Plan refer to three town centres and Designation 1

identifies each as a town centre. The status of the three town centres, as set out in the adopted plan for Craigavon Borough, within this single urban area is reaffirmed in the draft Plan.

- 1.9 Central Craigavon TC does not have the form and character of a "traditional" town centre but it was designed to be a new town centre. Its built form is different from town centres that have evolved over many decades but this, of itself, does not confer on it a different status. The issue of the status of Central Craigavon TC was considered at the previous inquiry into the dCAP and the Commission (through the Commissioner) agreed that "...I do not accept one objector's view that it (Central Craigavon Town Centre) should have no delineated TC in the plan but should be treated as 'out of centre' ...if a 'proper' town centre is to develop to serve the needs of the population of Central Craigavon, then the TC needs to develop other uses such as service offices, restaurants, leisure facilities, pubs and so on" (Paragraph 4.08.45). The Department, in accepting the Commission's recommendations, recognised it as a town centre in the adopted CAP and this was reaffirmed in the draft Plan.
- 1.10 Having been given the status of town centre, Central Craigavon TC is entitled to the benefits conferred on it by regional policy. However the draft Plan sets aside the regional policy objectives in respect of Central Craigavon TC, as the draft Plan Retail Strategy refers to only the maintenance of existing retail activity levels in Central Craigavon TC, contrary to the growth promotion espoused in the RDS for Craigavon which is reflected in CAP, the adopted plan for the area. Physically restricting the extent of the Central Craigavon TCB and imposing the Policy R1 restrictions would not achieve the sustenance and enhancement of its vitality and viability sought by the first objective of PPS5. Indeed the draft Plan Retail Strategy, could threaten the vitality and viability of Central Craigavon TC. In consequence the Retail Strategy and Policy R1 are in conflict with regional planning policy as it applies to Central Craigavon TC and with the provisions of the CAP, the adopted plan for the area.
- 1.11 In justification of the Retail Strategy in the draft Plan the Department and others relied upon the provisions of paragraph 11 of PPS5 and the Retail Study. Paragraph 11 describes, in general terms, what development plans will do. It points out that "*development plans will identify policies for retailing in a specific area and may indicate where new retail development is to be focused and existing provision is to be enhanced*". As such, paragraph 11 does allow for development plans to make distinctions between retailing areas. However the CAP, the adopted plan for the area, identifies Portadown, Central Craigavon and Lurgan as three town centres. At the same time the RDS and PPS5 make no distinction between town centres. Within this strategic context paragraph 11 of itself would not allow for a policy distinction to be made between these three town centres. The approach taken in the Retail Strategy and Policy R1 would have required a change to the status of Central Craigavon town centre but this was not done; indeed it's status as a town centre was reaffirmed in the draft Plan. Having been designated as a town centre in the

CAP, the adopted plan, Central Craigavon TC is entitled to the policy benefits, which that designation as a town centre has conferred.

1.12 The stated purpose of the Retail Study was 3-fold:

- To undertake an assessment of the potential need for additional shopping floorspace over the plan period to 2010;
- To carry out town centre health checks; and
- To bring forward recommendations in relation to Town Centre, PRC and PRF boundaries.

The study focused on the need for additional retail floorspace. On the basis of findings under the first two bullet points above, it was concluded that there was no quantitative need for additional retail floorspace within the plan area over the plan period; there was a qualitative need to improve shopping provision in Lurgan and Portadown but no such need in Central Craigavon TC. While health checks of the three town centres were carried out there was no detailed analysis of changes in trading levels and patterns over time and the reasons for those changes.

1.13 The analysis in relation to the assessment of the potential need for additional shopping floorspace was very detailed, equivalent to that normally submitted with a planning application for a major shopping proposal. The assessment included definition of the main town centre catchment areas as well as analysis of the in flow, retention and leakage of retail expenditure for each; account was also taken of changes in expenditure, turnover and trading patterns through to 2010 and 2015. The assumptions used in the assessment envisaged only modest growth. Population changes for example were based on NISRA projections and for the period of 2007-2015 envisaged growth of some 3,800 in Craigavon urban area. A modest growth in retail expenditure was assumed, with Craigavon Borough assumed to maintain its market share of retail expenditure. Other assumptions about increases in E-trading and efficiencies in the use of existing floorspace reduced the need for additional retail floorspace. In addition, account was taken of existing commitments in the form of extant planning permissions, particularly for two large retail developments originally approved many years ago but as yet unimplemented. As a result of concerns raised about some of the base data, a recent partial update of the Retail Study modified the base data in relation to retail floorspace and fine tuned some of the assumptions but effected no significant change to its broad conclusions. We have not been persuaded that the remaining concerns raised by the objectors to the detailed aspects of the assessment of future retail floorspace requirements would, if they proved correct, make any substantial difference to the outcome. We agree with the Department that there would have to be substantial changes to the assumptions to make any significant difference to the conclusions. Given the short timeframe, the modest assumptions about population growth and changes in retail expenditure and the importance attached to planning history, it was entirely predictable that the Retail Study would conclude that there would be no need for additional retail floorspace over the plan period.

- 1.14 More fundamentally, some of the assumptions used in the retail assessment do not sit easily with the wider regional and adopted planning context. The RDS identifies Craigavon as a main hub, *"recognising the high growth potential of Craigavon, reflecting its role as the major industrial service centre in mid-Ulster as a strategic location on the key transport corridors"* (page 43). The CAP reflects the regional policy context in planning for substantial growth. The CAP zones 516.21 hectares of land for housing within Lurgan, Portadown and Central Craigavon. At modest densities these lands would allow for the development of in excess of 10,000 houses, potentially accommodating some 20,000 people, well in excess of the 3,800 population change considered in the Retail Study. While we accept that this amount of development is highly unlikely to occur in the remaining years of the plan period, the CAP is likely to remain a material planning consideration well after its end date. The possibility exists, and indeed is planned for, of all the lands that are zoned being built on. Similarly the draft Plan is also likely to remain a material consideration beyond its end date, which is now just 2 years hence, and it is important that it is consistent with the policies and proposals contained within the adopted plan, CAP, as it was prepared in that context. In such circumstances it would have been appropriate to assess the implications of the proposals for new development contained in the CAP, particularly in relation to proposed housing, and the consequential need for additional retail floorspace as well as other town centre uses.
- 1.15 In addition, given Craigavon's identification as a "main hub" in the RDS which promotes Craigavon as the major location for service employment, one could reasonably expect that Craigavon Borough might increase its market share of retail expenditure and more optimistic assumptions about future growth would have been appropriate or at least should have been considered. Others also referred to the substantial amount of existing retail floorspace located outside the three town centres but within the Borough (almost 58,000m² net floorspace, compared to 119,000m² net floorspace in the three town centres combined). The absence of town centre boundaries has allowed retail development to be dispersed, arguably to the detriment of the three town centres: with enhanced town centres it would also be reasonable to expect that, and to plan for, at least some of these retailers finding it more advantageous to relocate to a town centre location. At the very least we would agree with the objectors that there is no justification for allowing existing out of centre retail floorspace to soak up some of the future needs.
- 1.16 The Commission's previous advice that *"...there is no need to subject evidence on retail capacity to a forensic level of examinationsensible town centre boundaries can be delineated by working with a reasonable range of projections rather than a precisely accurate figure for the end of the plan period"* (paragraph 4.06.29) was not heeded. The Retail Study's forensic level of assessment, although robust in its own right, relied on a narrow and an inappropriately cautious range of assumptions about growth. These were incorrect in the context of the CAP and inevitably produced pessimistic estimates about the need for retail floorspace, leaving the three town centres fighting over the scraps and the inevitable conclusion that if Central Craigavon TC were to get more it would have to take away from Lurgan and Portadown

TCs. In addition while planning history is relevant, it should not dictate the nature and form of future retail policies and proposals, particularly when the approvals were first granted many years ago and there is no indication when, if ever, they are likely to be implemented. Taking all the above factors into account, we see fundamental flaws in the Retail Study and have not been persuaded that the Retail Study's conclusion that there will be no need for additional retail floorspace provides a sound basis for the Retail Strategy in the draft Plan.

- 1.17 It was claimed that there is a unique situation here with three town centres located close to each other and contained within the one single urban area. Due to their proximity there are overlapping catchment areas and competition between the centres to attract trade. While it is accepted that there may be substantial differences in sales densities between the three town centres, nevertheless in retail floorspace terms, Portadown remains the largest of the three town centres with some 58,000m² net retail floorspace, with Lurgan TC containing some 34,000m² and Central Craigavon TC the smallest in net retail floorspace terms of some 27,000m². Although in the Retail Study it was contended that Central Craigavon TC has been the most successful in attracting new retail floorspace development "*...at the expense of Portadown and especially Lurgan*", this latter assertion was not backed up in the report by detailed analysis. It is self evident that, given the close proximity of these three town centres, substantial retail investment in one is likely to affect the trading patterns in the other two. There was however no detailed investigation over time, in the Retail Study, to show that, if the more recent retail developments in Central Craigavon had not located there, Portadown or Lurgan would have been chosen as an alternative. Nor was it shown that the identified weaknesses in Portadown and Lurgan TCs can be attributed to the recent growth in retailing floorspace in Central Craigavon.
- 1.18 Competition is an integral and necessary component of retailing and town centre development. There will always be competition between town centres. Competition generates change, which in the end should benefit the public interest. The value of competition is recognised in the third of the policy objectives for town centres and retail developments in PPS5 viz "*to maintain an efficient, competitive and innovative retail sector*". In Paragraph 6 of PPS5 there is a commitment to "*...allowing freedom of choice and flexibility in terms of retail development throughout Northern Ireland and to assist the provision of a wide range of shopping opportunities to which the whole community has access. It is not the function of land use planning to prevent competition among retailers or between methods of retailing, or to preserve existing commercial interests*". Town centres, like retailers, must adapt to meet the demands of competition from other centres. This may involve for example making the town centre more attractive to retail investors or diversifying its role in order to increase the number of visitors and maintain its vitality and viability.
- 1.19 It is an oversimplification to attribute blame for all the perceived problems in Lurgan and Portadown TCs to recent retail development in Central Craigavon. The Retail Study and indeed the draft Plan focus on retail development but the

vitality and viability of the town centres within the plan area depend on a wider range of factors. The importance of other uses to vitality and viability is identified in PPS5 at paragraphs 14, 15, 18, 20, 22 and 25 to 34. Similarly the RDS recognises the multifunctional role of town centres (first bullet point of Policy ECON 1.3). A successful response to sustaining and enhancing the vitality and viability of town centres, including those of Portadown and Lurgan, is more likely to be found in a consideration of the full range of activities and functions that contribute to vitality and viability.

- 1.20 In support of the draft Plan, reference was made to the importance of balance. This word appears on many occasions in PPS5 and the RDS but the notion of balanced growth can only be properly considered when all the functions related to sustaining and enhancing the vitality and viability of these 3 town centres have been fully explored. The limited scope of the draft Plan has restricted a full and proper consideration of the issue of balance.
- 1.21 In its adoption statement the Department accepted the PAC recommendation that the boundaries for the three town centres should be redrawn, stating that this work would be undertaken as part of a study of the 3 town centres, informed by the general principles set out in paragraphs 4.04.17 to 4.04.25 of the Commission's report. Within that section, the Commission at paragraph 4.04.20 lists its broad conclusions about how the new plan should deal with the three town centres. In all, 13 broad conclusions were listed (Nos (1) to (13) inclusive). The draft Plan has focused on the issue of retail development. While this matter was referred to in conclusion Nos (4) and (6) and is clearly a central concern, it is not the only issue that should be addressed in a town centre plan. We would agree with the Commission's previous conclusion that *"...it is essential that physical definitions of both TC and PRC boundaries are founded on an assessment of need over the plan period for the various land uses that policy dictates should generally be located within the TC or PRC ..."* (No 4). Regarding the various land uses, conclusion No (7) states that *"town centres should be able to accommodate the interdependent mix of uses appropriate to the functioning of a town centre such as offices, leisure and civic uses"*. While the retail study addressed the issue of the need for future retail floorspace, there was no evidence of a detailed assessment of the likely requirements for these various other land uses that policy indicates should generally be located within a town centre. The undertakings set out by the Department in the Adoption Statement and the CAP were not carried through to the draft Plan.
- 1.22 Paragraph 19 of PPS5 refers to health checks identifying the early signs of decline. The health checks in the Retail Study do provide indications of the weaknesses of the town centres, and those of Lurgan and Portadown TCs in particular. The summary of these weaknesses by one objector was not disputed. For Lurgan, the following points were stated:
- Poor accessibility, congestion and the inadequacy of parking affect the performance of the town centre;

- The small sizes and configuration of units within the centre and the form of the main street does not assist in concentrating retail activity and vitality;
- The traditional high street format provides limited opportunities for large scale retail units; and
- It is not envisaged that there will be a big demand from multiple retailers for representation in Lurgan.

Others referred to the restriction on accessibility to Lurgan town centre from the M1 motorway caused by the railway crossing.

In respect of Portadown the following points were made:

- The town centre suffers from congestion and many existing retailers consider parking provision in the centre to be poor;
- The retail core of the town centre is extensive and multiple retailers are distributed throughout the town centre; and
- The lack of a major department store in Portadown will deter fashion retailers.

Paragraph 19 of PPS5 goes on to state that policies may be developed to address the problem of decline and provide a basis for enhancement of the centre's potential as a location for other town centre uses. It would have been entirely appropriate within the context of regional policy to come forward with policies tailored to address the identified weaknesses of Lurgan and Portadown, but these matters have not been addressed in the draft Plan, a substantial failing. Rather the Retail Strategy relies on restricting the development of Central Craigavon town centre with no guarantee that the vitality and viability of Lurgan and Portadown TCs will be enhanced as a result but with real dangers that the growth of Craigavon Urban Area as a main hub will be compromised.

1.23 As pointed out by objectors, and indeed identified in the Retail Study, there are a number of inter-related factors contributing to the development, or indeed lack of development, in these town centres. These problems need to be addressed on a range of fronts, taking account of the various weaknesses and opportunities found in each of the town centres. A more comprehensive approach should have identified the future role and function of each of the 3 town centres. The draft plan does not address this fundamental issue, which the Commission previously listed as a first step in how the plan should deal with its town centres. While the Commission indicated that the town centre and PRC boundaries should be fairly tightly drawn in comparison to those in the draft CAP it was in the context of being able to accommodate the wide range of uses appropriate to a town centre. The concern at the public inquiry into the dCAP was that if town centres are too extensive, the TCB could result in a weakening of the vitality and viability of the existing town centre. The converse is also true: if town centre boundaries are too tightly drawn it could result in restricting the development of other uses, as well as retailing, and in adversely impacting on the vitality and viability of the existing centre. The tightly drawn TCB around Central Craigavon TC would not only restrict

further retail development but it would not allow for the development of other town centre uses and functions, an identified weakness in this town centre. The RDS policy of promoting this town centre as well as the others in this "main hub" as a major location and first choice for service employment including public administration, major office developments, leisure and entertainment facilities would be frustrated. In addition to not satisfying RDS and PPS5 policy objectives, the second element of the Plan Strategy for the draft Plan in relation to Central Craigavon would also be frustrated.

1.24 The Retail Strategy in the draft Plan is unlikely to resolve any of the problems being experienced by the three town centres. The transfer of new retail investment to Lurgan and Portadown TCs, if it is prevented from locating in Central Craigavon TC, is not an assured occurrence. Indeed the Retail Study itself "*...looking ahead ...does not envisage a big demand from multiple retailers for representation in Lurgan*" and "*...does not believe that Portadown is likely to prove as attractive a location for major retailers as Craigavon*" (paragraphs 4.47 and 4.69 respectively). At the same time the draft Plan does not incorporate any proposals to address the weaknesses in Lurgan and Portadown TCs identified in the health check contained in the Retail Study and these problems are likely to remain. In the absence of any such action it is likely that new retail investment, rather than transferring, may be lost to Craigavon as a whole and the RDS objectives for this main hub thwarted. Meanwhile Central Craigavon TC centre will not be allowed to develop a multifunctional role and provide the range of services that the growing population in its catchment area will require.

1.25 In summary we have found the following:-

- the draft Plan arose out of a commitment to redraw town centre and PRC boundaries for Central Craigavon, Lurgan and Portadown town centres;
- the draft Plan has set itself within the context of regional policy as defined in the RDS and PPS5 and of the adopted plan for the wider area, the CAP;
- the RDS in identifying Craigavon as a main hub for the growth of employment and services refers to a single urban area of Craigavon with no distinction being made between its three town centres;
- the objective of PPS5 to sustain and enhance the vitality and viability of town centres applies to all town centres;
- the CAP identified the three central areas of Lurgan, Central Craigavon and Portadown as distinct town centres and reflected the regional policies of growth contained in the RDS;
- the draft Plan itself reaffirms the status of the three town centres of Central Craigavon, Lurgan and Portadown;
- the Retail Strategy and Policy R1 of the draft Plan, in maintaining existing retail activity levels in and physically restricting the extent of the TCB for Central Craigavon, are not consistent with regional policy or with the adopted plan, CAP;
- there are fundamental flaws in the Retail Study and it does not justify the Retail Strategy and Policy R1; and
- the weaknesses of the three town centres identified in the Retail Study will not be resolved by the Retail Strategy and Policy R1.

- 1.26 We recommend that the Retail Strategy and Policy R1 be omitted from the plan. The Retail Strategy is a significant element of the draft plan and as such our conclusion calls into question the validity of the draft plan as a whole. Nevertheless, as discussed above, the strategic context for retail development is already clearly set out in the RDS and PPS5 and there is no merit in summarising the regional policy context in the draft Plan as this could lead to ambiguity and confusion. At the same time the strategic policy context provided by the RDS and PPS5 ensures that the absence of a retail strategy in this plan is not fatal. However, for these regional policies to be applied in the operational context, TCBs, PRCs and PRFs need to be identified. Given this and the clear strategic policy context, we have proceeded to consider relevant designations in the draft plan and the related objections.
- 1.27 **Recommendation: That the Retail Strategy and Policy R1 be omitted from the plan.**

2.0 Town Centre Boundaries: Designation 1

2.1 In defining TCBs in the draft plan, reliance was placed on the assessment carried out in the Retail Study and its conclusions. The TCBs identified in the Retail Study were accepted in the draft Plan. The definition of the TCBs was based on a set of 7 criteria, which were listed in paragraph 7.28 of the Retail Study. These can be summarised as follows:

- (1) include sufficient sites to meet quantitative need for additional retail floorspace;
- (2) include sufficient sites to accommodate retail development required to meet any qualitative deficiency and/or regeneration need;
- (3) reflect the preferred location for demand from the service sector;
- (4) reflect any existing natural or physical barriers where possible;
- (5) reflect any clear changes in property use where possible;
- (6) attempt to include the majority of existing and planned uses which have a town centre function; and
- (7) generally focus all existing and planned commercial and civic investment within a relatively tightly drawn area.

Although there are some changes in emphasis, these criteria reflect the 6 factors contained within the previous Departmental list, reported at paragraph 4.04.03 in the Commission's Report into the CAP, which were given priority by the Commission at paragraph 4.04.20 (13) of the same report.

2.2 The first two of the criteria in the Retail Study refer to the requirement to accommodate the quantitative need for additional retail floor space and any new retail development required to meet any qualitative deficiency. Retail capacity is clearly an important factor in defining TCBs. However, it is not necessary for a site to lie within the TC in order for it to be successfully regenerated as a considerable number of uses do not require a TC location and there is still the possibility of planning permission being granted for land uses that normally require such a location, if it can be shown that there is no alternative site available within the defined TC and all the other Paragraph 39 tests of PPS5 are met. Notwithstanding the commitment that the Retail Study would be informed by these principles, the second of its criteria for defining TCBs also provides that TCs should not only include sufficient sites to accommodate any new retail development deemed to meet a qualitative deficiency but also regeneration need. If all sites that require regeneration were included within a TCB, it could prove too large and dispersed to perform its strategic function. As such, this element of the Retail Study's second criterion is inconsistent with stated strategic policy objectives for TCs and retail developments. As there is tension between this element of the Retail Study and strategic policy, the latter should prevail.

2.3 The notion of compactness was at the heart of the Commission's previous recommendation that the TCBs should be redrawn on the basis that if they are too extensive, a weakening of the vitality and viability of the existing TC could result. This concern is reflected in the last criterion listed in the Retail Study when it is stated that the boundaries "*should generally focus all existing*

and planned commercial and civic investment within a relatively tightly drawn area, such that residents, workers and visitors can carry out linked trips and such facilities are able to function in a manner that is consistent with sustainability objectives". This sets the challenge of striking a balance between the need to provide for the mix of uses that are likely to be required within the TC but, at the same time, to accommodate them within a relatively compact area.

- 2.4 We also agree with the fourth criterion. TCs should be defined, where possible, by clearly identifiable and defensible boundaries marked by existing natural or man made features.
- 2.5 With regard to changes in property use, the mix of existing uses is an important consideration in the definition of a TCB. It would be expected that the TC should include areas with an existing high preponderance of TC type uses such as retail, retail service, leisure/entertainment, catering, cultural, civic and office uses.
- 2.6 The list of criteria in the Retail Study does not make specific reference to the third factor previously listed by the Department, *"accessibility for walking, cycling, public transport and car"*. Whilst it is implicit in the seventh criterion, the objective of focusing investment is qualified by the word "generally". Accessibility, in the pursuit of a compactness and sustainability, must be a key consideration in the definition of a TCB and we attach more weight to it than this implicit but qualified reference. To function as an integral part of the town centre any area must have easy access to and from other parts of the town centre principally by walking but also by all other means of transport.
- 2.7 With these qualifications, we find merit in the criteria and have found them helpful in the consideration of the definition of TCBs. The relative weight attached to each of the criteria depends on the particular circumstances but we have generally applied greater weight to the fourth and seventh.
- 2.8 The primary purpose of defining TCBs is to provide the operational context for regional and other policies. Retailing is the most important land use within TCs but they should also be able to accommodate the inter-dependant mix of uses appropriate to the functioning of TCs such as offices and leisure and civic uses, namely the service sector. PPS5 recognises that *"... the diversity of uses in town centres makes an important contribution to their vitality and viability"* (paragraph 22). In this respect the second bullet point of the Plan Strategy in the draft Plan to *"... ensure the availability of adequate opportunities for regeneration and the mix of uses appropriate to town centres, such as offices, leisure and civic uses subject to prevailing regional planning policy and the proposals contained in the adopted Craigavon Area Plan 2010"* is particularly relevant and in accordance with the objectives of PPS5. While the draft Plan does not incorporate a specific provision for the development of the service sector in TCs, this matter is covered by PPS5, particularly from paragraphs 22 to 27, and it is not necessary to repeat those provisions in the plan. As such, there is no necessity for the plan to be amended to incorporate a specific

provision for the development of the service sector within the TC but the TCB needs to be drawn to make adequate provision for the development of the service sector.

- 2.9 Development Opportunity Sites (DOSs) have been identified in the CAP. The issue of opportunity sites was considered during the CAP inquiry and the Commission advised that it was not necessary for a site to lie within the TCB in order for it to be successfully regenerated for the reasons set out in paragraph 2.2 above. In addition, the CAP identifies suitable uses for opportunity sites and the associated key site requirements. Concern was expressed about the implications of draft PPS5 if opportunity sites are excluded from the TCB. We have concluded above that PPS5 remains the relevant policy document in relation to retailing and town centre uses and could apply to the development of opportunity sites. DOSs do not have to be included within the TCBs. There should be no change to the plan in this respect.
- 2.10 The issue of acceptable uses within the opportunity sites was considered at the public inquiry into the CAP and these were specified in the adopted plan. While in its adoption statement the Department undertook to consider the Commission's recommendation regarding further clarification about the type of uses appropriate for each opportunity site as part of the retail study, it decided not to reconsider acceptable uses in the draft Plan. This draft Plan has a limited scope confined to the designation of TC, PRC and PRF boundaries and associated retail policies and the statutory process has not embraced, inter alia, the issue of acceptable uses on DOSs. Accordingly this is not a matter that can be considered in the examination of this draft Plan. With regard to the DOSs in both Lurgan and Portadown the CAP states that *"favourable consideration will normally be given for appropriate mixed use and commercial development on Development Opportunity Sites provided any proposals are in accordance with prevailing regional planning policy, and the other policies, key site requirements and guidance contained in the plan"*. Should, as a result of the TCB designation, a DOS fall outside the town centre boundary, any proposal for retail development on such a site would be subject to PPS5 sequential testing and the paragraph 39 tests.
- 2.11 Lands that have been excluded from the TCBs identified in the draft Plan would remain within the development limit for the Craigavon Urban Area. These lands would not be identified for any particular use but would be "white land". As such, the lands would have development potential but would be subject to the provisions of existing policy as set out in the CAP and the various regional planning policy statements. It is not necessary or appropriate to establish a policy and/or zoning of such lands.

Portadown Town Centre Boundary

- 2.12 For reasons already set out, there is no general need or justification for the incorporation of existing semi-derelict and derelict sites on the edge of the town centre within the TCB in order to make attractive gateways to Portadown. If all existing factory sites whose long-term future may be in

question, were incorporated within the TCB in order to maximise their development potential, it would be drawn too widely and its rationale significantly undermined. Proposals for the (re)development of any sites outside the TC can be considered on their merits in the context of policy then prevailing, including policy for retail development. A number of brownfield sites have been the subject of specific objections that will be considered individually. However, in the absence of detailed and specific evidence on the location and extent of such sites, it is beyond the scope of the examination process to consider inclusion of further unidentified lands within the TCB.

2.13 **DOS P6 – Lands at Curran Street & Obins Street.** We cannot understand why this DOS, designated in the CAP, has been identified in this draft plan which only relates to land and retail designations within the proposed TCBs. The CAP deals with land outside the draft TCBs, including DOSs, and it is confusing to identify DOS P6 on Map No.4 of this draft plan. Notwithstanding, we recommend that the TCB should not be extended to include these lands for the following reasons:

- Extending the TCB north-westwards beyond the railway line and Northway would breach existing strong, defensible, physical boundaries contrary to the fourth criterion for defining TCs;
- These lands have a poor visual and physical relationship with those within the TC on the opposite side of Northway. They have poor accessibility to/from the TC. Their inclusion within an extensive TC area would mitigate against the concentration of pedestrian movements in a compact, accessible area and lead to an isolated secondary hub sprawling northwards. This would weaken the attraction of the town's core to the potential detriment of the vitality and viability of Portadown TC contrary to criteria 6 and 7 and the objectives of PPS5; and
- As already set out, regeneration is not dependent on a TC location. Designation P6 relating to the Curran Street DOS in the adopted CAP provides for residential, light industrial, warehousing and office uses either individually or as a mixed use proposal. The site's exclusion from the TCB will not conflict with implementation of the provisions of the adopted CAP. Moreover, the Portadown Development Framework identifies these areas as suitable for a "Business Park at the edge of the town centre". As such a scheme could sit comfortably outside the TC, the draft Plan provisions are consistent with this non-statutory document.

2.14 **Development Opportunity Site P1.** Within the north-eastern corner of the TCB, as shown in the draft Plan, is part of Chambers Park with housing along the Bridge Street frontage to the north-east (just outside the TCB). Immediately to the south-west is a residential area with a mixture of dwellings and small-scale retail premises and hot food outlets along Bridge Street between Watson Street and Florence Court. A car wash facility occupies part of the site's Bridge Street frontage. Looking at retention of this site within the TC in the context of the criteria for defining TCBs:

- DOS P1 is well removed and detached from the core of the TC, unrelated to its primary function, relatively isolated and has no functional or visual

linkages to the contemporary town centre. Shifting the focus of the TC eastwards in this manner and extending Portadown's relatively large footprint, would exacerbate its problems. Retention of DOS P1 within the TCB and the siting of mall-type retailing at this peripheral location would lead to the development of a distinct but poorly linked hub within the TC outside the PRC and PRF. It would act as a counter-magnet to the established shopping areas. The site is quite a distance from the PRC and PRF and its retention within the TCB would be at odds with the seventh criterion;

- The north-eastern extent of the TCB runs through Chambers Park and is physically undefined. Whilst it excludes the rugby pitches themselves, it includes an open grassed area and associated hardstanding. This portion of the proposed TC is physically separate from the lands immediately to the west that are set at a higher level and separated by a retaining wall. Contrary to the fourth criterion for defining TCBs, this is not a logical and defensible boundary;
- Retention of this site within the TCB is unnecessary to meet Portadown's identified qualitative deficiency contrary to the second defining criterion;
- The site does not have a TC function. In line with Paragraphs 42 and 43 of PPS5, its approved use does not require a TC location. Accordingly, criterion 6 does not merit its retention with the TCB;
- DOS P1 occupies a transitional position between suburban housing and recreational open space and small-scale commercial/retail uses interspersed with housing. Its inclusion within the TCB is inconsistent with the fifth criterion; and
- For reasons set out in paragraph 2.2 of this report, the non-statutory Portadown Development Framework's aspirations for this area and the regeneration element of the second criterion for defining TCBs do not override the strategic objectives for TCs.

On the basis of the criteria for defining TCBs, DOS P1 does not merit retention within the TCB.

2.15 Opening up access to DOS P1 from Northway and enabling traffic to travel through it and access the eastern side of the Bann without using Bridge Street, may improve accessibility, permeability and ease congestion in Portadown. However, if the case for creation of this direct access from Northway to Bridge Street is in the public interest in strategic plan terms, then it should have been included as a proposal in the CAP. This is not the case. Opening up access from Northway to a shopping centre on this site could discourage multi-purpose, linked trips to Portadown to the detriment of the TC as a whole. Accordingly, the potential of improved accessibility to Bridge Street from Northway would undermine strategic objectives for retailing and town centres, including the draft Plan's aims and objectives, by having too extensive a TC. Any traffic advantages associated with the inclusion of DOS P1 within the TCB are not compelling.

2.16 We are not persuaded that redevelopment of this site can only be achieved by including it within the TC. The viability of developing DOS P1 for the approved use, taking on board the expense of remediation of contaminated

land and constructing the required access with Northway, do not justify the site's retention within the TCB. The non-statutory Portadown Development Framework's aspirations for this area do not override the conclusions reached at paragraphs 2.2 and 2.8 of this report. Neither the issue of remediation or aspirations for regeneration prevail over the fact that retention of DOS P1 within the TCB does not comply with the criteria for defining TCBs.

- 2.17 It is unnecessary to include within a TC those sites that have already received planning permission for TC type uses, where such a TCB boundary might result in further pressure for retail development on other sites away from the heart of the TC and at a distance from the PRC and PRF. Undue weight has been given to planning history of DOS P1 in drafting this portion of the TCB. While this area might have been historically important, the town centre's development has been concentrated to the west of the River Bann.
- 2.18 Whilst the CAP designates DOS P1 as suitable for retailing either exclusively or as part of a mixed use development, it does not logically follow that this justifies its inclusion within the TCB. Paragraph 43 of PPS5 provides that favourable consideration will be given to proposals for retail warehousing of an appropriate scale on suitable sites in edge-of-centre locations. Outside the TCB, food superstores and comparison/mixed major retailing may be acceptable if they satisfy the criteria set out at Paragraph 39 of PPS5 and suitable TC sites are not available. Indeed, Paragraph 41 states that for food superstores, edge-of-centre sites may provide a preferred alternative in many towns and in the interest of maintaining and strengthening the adjoining town centre this may require the re-use of derelict land or the redevelopment of suitable sites. Similarly the range of other acceptable uses set out in the CAP, although consistent with the mixture of those found in a TC do not necessarily require a TC location. The CAP designation and extant planning permission do not, in themselves, support the proposition that the site's inclusion within the TCB is implicit or self-evident. Retention of DOS P1 within the TCB would lead to a wide dispersal of the retailing function away from the core of Portadown and weaken its attractiveness. Its inclusion would not sustain and enhance the vitality and viability of Portadown TC. All in all, we recommend that the draft plan should be amended to exclude DOS P1 from the TCB.
- 2.19 **Development Opportunity Site P2.** Although the Retail Study found that the comparison goods sector in Portadown is marginally over-represented, it advised that the lack of a major department store in the town will act as a deterrent to the fashion sector, especially those traders serving the mid to top end of the market. The adopted CAP designates both DOS P4 and P5 as suitable for retailing either exclusively or as part of a mixed use development but these sites are relatively small. The statutory plan designates DOS P3 as suitable for retailing, amongst other uses, either individually or as part of a mixed-use proposal. Whilst this site extends to 2.1 hectares, Castle Street bisects it. In the CAP, DOS P2 is designated suitable for retailing/office/leisure/residential uses either individually or as a mixed-use proposal. Commercial development is already established on part of the site. It is located to the rear of and adjacent to a long-established commercial area along Bridge Street and is within an easy walking distance of approximately 300m

from the heart of the TC (taken as the PRF). Given this site's relatively large size it would provide an additional opportunity to accommodate the identified qualitative deficiency in comparison shopping per the Retail Study's second criterion for defining town centres. Inclusion of DOS P2 within the TCB would also maximise the potential of the river frontage being redeveloped in a sympathetic manner that would assist integration of the River Bann into the townscape. Judicious design of any scheme to redevelop all or part of the site could ensure that such a proposal would maximise its riverside location and not "turn its back" on the river. Although separated from the town's existing primary shopping area by the River Bann it has good visual and physical linkages with it. DOS P2's relative proximity and accessibility to the existing main shopping area distinguishes it from DOS P1. Accordingly, we consider that its inclusion within the TCB would maintain the compactness of the TCB whilst maximising the potential for achieving the objectives of Paragraph 14 of PPS5. We have concluded that this site should remain within the TCB.

2.20 **R A Irwin's Premises.** These occupy an extensive site to the south of Bridge Street, with a riverside frontage, reached via Goban Street. DOSs were designated in the CAP and as the issue has not been revisited in this draft Plan, it is outside the scope of the examination process to consider the designation of further such sites. We recommend that this site remains outside the TCB for the following reasons:

- DOS P2 has been included within the TCB as it met identified qualitative need for retail floorspace. In recommending that DOS P1 be excluded from the TCB, we are concerned that there is no need for the amount of land identified within the TC in the draft plan. Therefore, contrary to the first and second criterion for defining TCs, there is no quantitative or qualitative need for inclusion of R A Irwin's premises within the TCB;
- Whilst this site abuts the TC, it is quite a distance from the PRC and is not easily accessed. It is an extensive industrial site that is unrelated to the primary function of the TC. Its inclusion within the TCB would be inconsistent with criteria 6 and 7;
- Whilst regeneration aspirations are included in the second criterion, regeneration does not have to be retail led and maximising the development potential of the site's riverside location does not require its inclusion within the TCB. The non-statutory Portadown Development Framework's aspirations for this should not override the objectives of regional policy for town centres and retail developments;
- With reference to paragraph 2.2, exclusion of this site from the TC would not preclude retail development locating there. The potential for diminishing the site's chances of redevelopment by limiting the types of retail development that would be acceptable on it should not prevail over the likelihood of its inclusion resulting in a TC that is too sprawling.

In all, its inclusion within the TCB would be at odds with regional policy and the draft Plan's aims and objectives.

2.21 **Remaining areas east of the River Bann.** The area bounded by Bridge Street, Watson Street and Joseph Street and including Florence Court and

Watson's Lane, is in predominantly residential use. Whilst there are some small-scale commercial premises along the Bridge Street frontage, over half the buildings are in residential use. We recommend that it should be excluded from the TCB for the following reasons:

- Given existing uses and the area's character, it does not have a TC function. It is a peripheral area some distance removed from the PRC and PRF. Its retention within the TCB would elongate the TC and dilute its compactness and accessibility, at odds with the sixth and seventh defining criteria;
- Consistent with the fourth criterion, the western side of Watson Street would form a clear, logical and defensible TCB; and
- Given the predominance of housing and the area's character, it represents a clear change in property use per the Retail Study's fifth criterion.

2.22 Apart from the sizeable riverside complex occupied by the Education & Library Board, the remainder of the premises along Bridge Street, between Watson Street on the northern side and Carrickblacker Avenue on the southern frontage, are mainly in mixed commercial use. Commercial use extends into parts of Goban Street and Carrickblacker Avenue. Whilst they are relatively small in scale and interspersed with dwellings and vacant units, this mix of uses is appropriate in the TC marking the transition between the more commercial area to the south-east along Bridge Street and the more suburban residential areas to the west. On this basis, we recommend that this area remains within the TCB.

2.23 In contrast, the eastern side of Carrickblacker Avenue, Eden Street and properties along Carrickblacker Road are in predominantly residential use. There is some commercial use on the western side of Carrickblacker Avenue but dwellings and their associated gardens predominate towards the end of this cul-de-sac. The same is true of the southern reaches of Goban Street. Taking into account the aforementioned criteria, we recommend that the TCB be amended to exclude these areas shown on Map No. I.

2.24 **Area on the southern side of Portadown TCB.** The area to the south of Portadown, subject of objection, is one of mixed use. It is a transitional area between that to the north where commercial/retail uses predominate and that to the south which is mainly residential in character. Applying the criteria for defining TCBs to exclusion of this area from the TC:

- Retention of this transitional area within the TCB would provide opportunities for small-scale town centre uses in more traditional, smaller units with lower rents and provide flexibility for accommodating changes of use in response to local demands and/or dynamic market trends. It would accommodate the establishment of small-scale town centre uses complementary to the town's PRC. In this respect it would be consistent with the first criterion and would also provide opportunities for small-scale service uses in pursuance of the third;
- Given its relative proximity to and good physical permeability with the PRC and PRF, its retention would avoid shifting pedestrian movement and

associated trade away from the town centre. Its accessibility would ensure a compact TC compliant with the seventh criterion for TCB designation;

- The proposed TCB in this area is contiguous with roads and the railway. Both are clear, defensible physical boundaries, consistent with the fourth defining criterion;
- Taking account of the area's existing character and the opportunities that it would provide for the development of the interdependent mix of uses appropriate within a TC, its retention within the TCB is compliant with the sixth criterion; and
- Commercial use is widely represented in the area to the west of Thomas Street. Whilst there is a high incidence of residential use in the area bounded by Meadow Lane, Portmore Street and Thomas Street, community and leisure uses occupy large sites. As non-residential uses such as churches, leisure, community and health facilities are widely represented in terms of floorspace, the area is one of mixed use. Accordingly, given the area's character and mix of existing uses, its exclusion from the TCB would not be merited on the basis of the fifth criterion.

2.25 The adopted CAP includes a Protected Road Line on the Major Works Planning Schedule that would link Northway and West Street with Armagh Road via Little West Street, Shillington Street and Duke Street. Development of this route would increase permeability through Duke Street and Church Street and improve accessibility to this general area. The planned route bisects DOS 5 and its development would be likely to have knock-on implications for the consolidation and possible growth of TC uses in the area. Its existing character and the CAP commitment suggest that its retention within the TCB would allow for flexibility whilst providing potential for clustering of TC uses in an accessible, complementary and sustainable form. This would be consistent with both the aims of paragraphs 5, 14 and 22 of PPS5 and the draft Plan's aims and objectives. In all, we recommend that this area on the southern side of Portadown is retained within the TCB.

2.26 **Recommendations: In light of the above analysis, and with reference to Map No. I, the following changes to Portadown TCB are recommended:**

- **That the TCB be amended to exclude DOS P1; and**
- **That the TCB be amended to exclude properties on the northern and southern side of the Bridge Street frontage as shown on Map No. I.**

The Town Centre Boundary for Lurgan

2.27 The criteria for the designation of TCBs set out at paragraph 2.1 of this report, have to be considered in the particular context of Lurgan TC's identified problems. The Retail Study accompanying the draft Plan notes that Lurgan contains a surprisingly large quantum of retail floorspace although not all of it is located in the TC. The TC covers a large area and is extremely elongated. Given that there are few multiple traders in the town many of the retail

frontages in its TC are secondary and attract low levels of pedestrian foot-fall. A need is identified for non-bulky comparison goods multiple traders, particularly in the fashion sector, which tend to anchor most high streets.

2.28 Our analysis starts by acknowledging an extensive, dispersed TCB including a lot of vacant and derelict land/premises. Whilst their inclusion may have been influenced by their planning history, this cannot be at the expense of the need for a compact TCB in order to ensure Lurgan TC's vitality and viability. In September 2007, there was a high level of dereliction and vacancy within that part of Lurgan TC, as identified in the draft Plan, not subject to objection and therefore to remain within the TCB in the adopted plan. The following are examples:

- A vacant site on the northern side of the junction of Millennium Way with Malcolm Road;
- DOS L1 at Castle Lane with extant permission for unrestricted Class A1 retail use;
- The derelict/underused backland area off High Street in the vicinity of the Laser premises;
- 3 No empty units (totalling 15,000 sq ft) beside the Laser premises fronting Millennium Way;
- The vacant former Tesco premises;
- A 1,000 sq ft vacant unit adjoining the former Tesco; and
- A scattering of smaller vacant units throughout the TC especially along High Street.

2.29 With regard to DOSs L1 and L4, access requirements and the need for a Traffic Impact Assessment are already set out in the Key Site Requirements for both sites in the CAP and cannot be reconsidered in the examination of this draft plan.

2.30 The inclusion of the retail units at Kitchen Hill within the TCB has been influenced by the site's planning history whereby the units benefit from unrestricted Class A1 retail use. The site should be excluded from the TCB for the following reasons:

- Given the level of vacancy within the TC and the problems stemming from its extensive nature, the inclusion of this site would be at odds with the first and second criteria for defining TCBs;
- The logical and defensible physical boundary for the southern and south-eastern extent of Lurgan TC is along Millennium Way consistent with the fourth criterion;
- Extending the TCB beyond Millennium Way to include an existing retail commitment would isolate this distinct but poorly linked hub within the town centre contrary to criterion 7; and
- Notwithstanding the sixth criterion, in the context of Lurgan's identified problems, the inclusion of this site would be at odds with the strategic objectives for town centres and retail developments.

2.31 The TCB extends eastwards from Malcolm Road. In its south-eastern corner are a number of retail outlets and manufacturing units; 5 No derelict houses adjoin these and are separated from a terrace of occupied dwellings by a vacant site. Community uses occupy the corner site and turning onto Queen Street there is a mixture of residential, retail and community uses with commercial premises to the rear. For the following reasons, we recommend that these lands be excluded from the TCB:

- In pursuance of the fourth criterion, Malcolm Road is a legible, defensible boundary to the TC. The TCB should be amended so that it is contiguous with the north-western side of Malcolm Road, excluding the area bounded by it and Queen Street:
- Given the town's identified structural weaknesses, exclusion of this peripheral, transitional area would still allow for the development of the interdependent mix of uses appropriate within a TC whilst avoiding shifting pedestrian movement and associated trade away from a more tightly defined central area. This takes account of the seventh criterion for defining TCBs; and
- Given the level of vacancy within the TC and the problems stemming from its extensive nature, the inclusion of this site would be at odds with the first and second criteria for defining TCBs.

2.32 The TCB also encompasses a strip of land on the eastern side of Johnson's Row comprising a car park, open grassed area to the front of the Baptist Church, housing at Parkview Court, the Friend's Meeting House and office use of the associated Quaker Hall. Also included are some small-scale retail premises along the High Street frontage, interspersed with residential properties. Although housing is not out of place within the TCB, given the scale, form and density of housing at Parkview Court, there is little potential for conversion to commercial or retail use. Whilst there are town centre uses present in this area, the same concerns expressed in the preceding paragraph about drawing the TCB too widely, also apply in this instance. Johnston's Row forms a logical, defensible boundary to the TC. These lands should be excluded from the TC and the TCB should be amended so that it is contiguous with the western side of Johnson's Row.

2.33 DOS L2 at Castle Lane has been included within the TCB but the Department conceded that the retention of this modern housing development within the TCB would serve no useful purpose. We agree that it should be excluded from the TCB.

2.34 Also included within the TCB is terraced housing along the south-eastern extent of Wellington Street. The TCB should be amended to exclude these properties for the following reasons:

- Given the level of vacancy within the TC and the problems stemming from its extensive nature, the retention of this area within the TC is at odds with the first and second criteria for defining TCBs; and

- Mindful of criterion 5, this part of Wellington Street represents a clear change in land use and character between residential and DOS L1 fronting Castle Lane.
- 2.35 The TCB includes an area of modern housing at the north-eastern end of Castle Lane, partially within DOS L3, that the Department has no objection to deleting from the TC. We agree that it should be excluded from the TCB.
- 2.36 To the south-west of DOS L3 is the Lidl store and associated car park. It relates spatially and functionally to the vacant and occupied retail outlets fronting onto the car park and is an appropriate town centre use. Of the properties accessed off Windsor Avenue subject to objection, there is bulky goods outlet and beauticians, a pair of semi-detached dwellings and small, vacant site on the north-western side. Given the appropriate mix of town centres uses, the small number of properties and the relatively small area involved, its retention within the TCB would not harm the strategic aims for Lurgan TC. On the opposite side of Windsor Avenue, bounded to the south-west by Stevenson Park, is a detached house and associated outbuilding whose north-eastern boundary is contiguous with Lurgan Park, which represents a clear change in land use and a legible, defensible boundary to the TC. These areas should remain within the TCB.
- 2.37 Along William Street from the Spar supermarket on its eastern side and north-west of its junction with Charles Street are a range of mainly small-scale commercial uses interspersed with residential. Whilst there is no discernible change in premises' scale, function and character between those in question and the south-eastern reaches of William Street extending to Church Place, the retention of this area within the TCB must be considered in the context of the identified problems stemming from Lurgan TC's extent and form. Along Charles Street, are a number of small commercial premises beyond which there is a vacant site with a recent housing development at the TC's north-western extent. This area of housing has a functional and visual relationship with Rectory Park. On the northern side of Brownlow Terrace is a cash & carry outlet with associated yard area to the rear. It is separated from a linear strip of vacant land along the railway by a small housing development. On the opposite side of William Street, between the proposed TCB and the railway, are dwellings with modern houses to the rear, accessed through Rectory Park. The premises along Ulster Street included within the TCB have more of an industrial than a commercial appearance and function. We recommend that this area, to the north and north-east of Charles Street and north and north-west of the Spar Supermarket on William Street, is excluded from the TCB for the following reasons:
- Given the level of vacancy within the TC and the problems stemming from its extensive nature, retention of this area within the TC would be at odds with the first, second and seventh criteria for defining TCBs;
 - Charles Street is a clear, logical boundary to this part of the TC. Whilst the northern extent of the Spar premises on the opposite side of William Street and the north-western limit of Liscorrán Court on Ulster Street are not such a definitive and defensible boundary, they are legible. Given the

context, the seventh criterion for defining TCBs overrides the fourth in this instance;

- Given the problems stemming from Lurgan TC's extent and form, inclusion of all existing and planned town centre uses within the designated TCB would be at odds with strategic policy for TCs; and
- For reasons set out in paragraph 2.2 of this report, the non-statutory Lurgan Development Framework's aspirations for this area and the regeneration element of the second criterion for defining TCBs do not override the strategic objectives for TCs.

Accordingly, we recommend that the TCB is revised to run along the south-western side of Charles Street and exclude the part of William Street to the north-west of Spar Supermarket.

2.38 On the northern side of Edward Street, immediately east of Shankill Street, is a parade of mainly small-scale buildings fronting onto the former. They comprise a range of uses mainly retail but also offices, residential, a taxi office and hot food takeaways. This mixture of uses is compatible with a town centre location and consistent with the sixth criterion for defining TCBs. These properties have a good visual and functional relationship with those at Church Place. Travelling into or out of Lurgan on Edward Street there is a clear change in land use between residential on the western side of Shankill Street and the row in question compliant with criterion 5. These properties mark the interface with the TC and Thomas Street is a logical, defensible boundary separating them from dwellings to the north consistent with the fourth criterion for defining TCBs. This area should remain within the TCB.

2.39 **Recommendations: In light of the above analysis, and with reference to Map No. II, it is recommended that the following lands be excluded from Lurgan TCB:**

- **Land at Kitchen Hill;**
- **The area to the east of Malcolm Road and south of Queen Street;**
- **Land to the east and north of Johnson's Row;**
- **DOS L2 at Castle Lane and terraced properties along Wellington Street, south-east of its junction with Church Walk;**
- **The housing area to the rear of Lidl on the south-eastern side of Castle Lane; and**
- **Land and premises on the north and north-eastern side of Charles Street and along William Street north of Spar Supermarket.**

Central Craigavon Town Centre Boundary

- 2.40 The TCB for Central Craigavon in the draft Plan has been quite tightly drawn around existing retail, office and civic development in comparison to the more generous town centre limits shown in the dCAP. This was done to restrict the opportunity for further retail development. However, in so doing, the opportunities, not only for new retail development, but also for the development of other uses normally to be found in a town centre, would be severely restricted. We have already concluded at paragraph 1.10 above that the Retail Strategy in the draft Plan of maintaining existing retail activity levels at Central Craigavon TC is not consistent with regional policy and the CAP. For the same reasons the physical restriction of Central Craigavon TC through a tightly drawn TCB is not consistent with regional policy. As the adopted and draft Plans accord Central Craigavon the status of a town centre, it is entitled to the benefits which planning policy confers on town centres. At the same time Central Craigavon TC needs to play its full role if Craigavon urban area encompassing all three town centres is to achieve the high levels of growth promoted by the RDS.
- 2.41 Significantly it was accepted that Central Craigavon contains little in terms of retail services or professional and financial services: the town centre area also provides little in the way of leisure and entertainment facilities. There will be a growing demand for these other facilities from Central Craigavon's growing catchment population. In planning for the future it is not sufficient to rely on the second sentence of paragraph 26 of PPS5 in relation to the development of edge of town centre sites. This paragraph initially gives a commitment to encouraging major office, leisure, entertainment, cultural and service uses to locate in town centres and the development plan should make such provision in the town centres. The draft Plan does not do so in respect of Central Craigavon TC. The imbalance was recognised when the Commission, following the dCAP inquiry, stated that *"....it seems reasonable....to encourage it (Central Craigavon) to grow into something more akin to a traditional TC with a mix of uses, service, cultural and leisure uses as well as convenience and comparison retailing and administrative offices"* (paragraph 4.04.45). It went on to state that *"....if a proper town centre is to develop to serve the needs of the population of Central Craigavon, then the TC needs to develop other uses such as service offices, restaurants, leisure facilities, pubs and so on"*. These uses and facilities play an important role in sustaining and enhancing the vitality and viability of the town centre.
- 2.42 The restricted TCB in the draft Plan embraces land under the control of a limited number of ownerships and does not provide opportunities for the development of the mix of uses, which Central Craigavon lacks. The weaknesses, identified in the Retail Study have not been addressed. In such circumstances we consider that the boundary should be extended to provide opportunities for the development of such uses while at the same time maintaining its compactness.
- 2.43 On the northern and southern sides of the Civic Centre are existing open areas. These lands are highly accessible with good road, cycle and pedestrian

linkages to the remainder of Central Craigavon TC. These lands have a lakeside location and would link the existing commercial area on the opposite side of Lakeview Road to this important amenity. These areas would provide opportunities for new development and investment in other town centre uses currently under represented in Central Craigavon. There are defensible boundaries on all sides; the northern part adjoins existing residential development at Lakelands, to the east is the lake and to the south Lake Road, the main road from Lurgan. The site is easily accessible to the Rushmere Shopping Centre on the opposite side of Lakeview Road with a pedestrian/cycle bridge over the road into the centre. We consider this area should be incorporated within the TCB.

- 2.44 Residential uses can play an important part in sustaining and enhancing the vitality and viability of a town centre. With people living in a TC there are likely to be more people coming and going in the evenings when shops are closed, contributing to the town centre's vitality. In 'traditional' TCs, dwellings are often closely juxtaposed with commercial premises. Even new build mixed use developments can incorporate residential elements beside new retail development within a TC environment. However, large new residential estates of essentially suburban form do not sit comfortably within a town centre boundary. The recently developed Lakelands housing development extends over a substantial area to the north of the Civic Centre. It already has good linkages to Central Craigavon TC and these will continue. It represents a clear change in land use. Its inclusion within the TCB boundary would not serve any useful purpose. We have concluded that the TCB should not be modified to include this area.
- 2.45 To the south-west of the Rushmere Centre, Marlborough Retail Park is on the opposite side of Central Way but is easily accessible to the Rushmere Centre by way of a dedicated pedestrian/cycle pathway just 300-400m distant. This area has good linkages with the other parts of the town centre vehicular, cycle and pedestrian. In this vicinity are substantial commercial enterprises that would be expected within a town centre. The boundary proposed in the draft Plan already crosses over Central Way to include the Court House, Marlborough House and other government offices but in places the draft Plan boundary is illogical, relating to no natural or man made features. The area at Marlborough Retail Park is visually connected with the nearby government offices and the Rushmere Centre: it is overtly commercial with a large B & Q store, Halfords and further to the west a church and a large car sales premises. The commercial activities are more related to bulky goods sales but they are the type of uses generally found outside the PRC but within the wider area of a town centre. These uses extend along the northern side of Mandeville Road, a main thoroughfare and a clearly identifiable, strong physical boundary. Taking into account the criteria referred to at paragraph 2.1 to 2.7 inclusive above, we find a compelling case for the inclusion of these lands within the TCB, using Mandeville Road to the south as a physical barrier.
- 2.46 In incorporating the Marlborough Retail Park and the adjacent commercial sites it would be logical to extend the TCB as far as Highfield Road. In so doing the existing open land adjacent to Marlborough Retail Park (the

Turkington site) and the open land to the rear of Marlborough House would also fall to be included within the TCB. These lands are equally accessible and would provide further opportunities for new development and investment, particularly for other TC uses. This is a highly sustainable location and town centre development here would encourage linked trips to other facilities within the Central Craigavon TC. There is a strong visual connectivity with the commercial core of Central Craigavon. New development and investment here would therefore assist in sustaining and enhancing the vitality and viability of the TC as a whole.

2.47 To the north of Marlborough House is a large residential housing estate at Avondale Manor which, in its north-western corner, incorporates a postal sorting facility. This area is overwhelmingly residential and it would be inappropriate to include it within the TCB boundary particularly at this peripheral location. In excluding the residential area it would also be illogical to incorporate the postal sorting office.

2.48 Further to the west there is initially an area of mixed use comprising a charity shop, an Ulsterbus depot and a Lidl store and to the west of this a large open area with a history of planning applications for commercial development. Clearly some of these are uses that might be found within a TC but they do not require TC locations. This area is peripheral to and divorced from the core of the commercial area at Rushmere. Planning history should be less important in the definition of TCs than the need for compactness to ensure they are vital and viable. In the interests of compactness we consider that the TCB should not be extended to incorporate this area.

2.49 **Recommendation: That the town centre boundary for Central Craigavon be amended in accordance with the attached Map No. III to include the following:**

- **Lands to the east of Lakeview Road and to the north and south of the Civic Centre; and**
- **Lands to the west of the Court House and Marlborough House as far as Highfield Road and extending southwards as far as Mandeville Road to include Marlborough Retail Park and adjacent open areas.**

3.0 Primary Retail Cores - Designation 2

3.1 In defining PRCs in the draft plan, reliance was placed on the assessment carried out in the Retail Study and its conclusions. The PRCs identified in the Retail Study were accepted in the draft Plan. The definition of the PRCs was based on four criteria, which are listed in paragraph 7.28 of the Retail Study. These can be summarised as stipulating that PRCs should:

- (1) include the majority of existing retail and retail-related activities found in a TC;
- (2) be the focus of all new retail investment;
- (3) be the area that attracts the vast majority of existing and future shoppers; and
- (4) not be the favoured area for future demand from the service sector.

These criteria are in line with the objectives of PPS5 and we have found them helpful in the consideration of the definition of the PRCs.

3.2 As set out in paragraph 40 of PPS5, PRCs are the preferred location for major retail development. In consequence, PRC boundaries need to be drawn sufficiently widely to accommodate likely future demand for retail development. Accordingly, PRCs could comprise a fairly extensive area and inevitably contain a range of existing retail services and other existing non-retail uses which also contribute to their vitality and viability. It is accepted that changes of use of existing shops to non-retail uses within PRCs could have an adverse impact on vitality and viability. However, within PRFs, which comprise the parts of the PRC that should be retained in retail use, Policy R2 of the draft Plan will restrict such changes of use unless they form part of a mixed use development which contributes to the vitality and viability of the town centre. In addition the provisions of paragraph 23 of PPS5 apply to similar proposals within the remainder of the PRC. The concerns about potential damage that would be caused by change of use from shopping to retail service and other non retail uses within a PRC are addressed by the provisions of PPS5, at paragraph 23 in particular. A further policy restricting such developments to "*....when the unit has been vacant for a year and clear evidence is produced that it has been marketed at a reasonable rent over that time, or if it forms part of a retail based mixed use development scheme....*" could result in a substantial increase in the numbers of vacancies creating even greater damage to the PRC. The exceptional circumstances referred to in paragraph 23, which should be met before permission is granted for such a change of use, would substantially restrict the potential harm to the PRC to a level certainly no greater than that which would result in allowing a property to remain vacant for a year within the PRC. We conclude that a further policy restricting changes of use from retailing within the PRC has not been warranted and there should be no change to the plan in this respect.

3.3 PPS5 indicates that where a PRC has been defined in the development plan, applicants for all major comparison and mixed retailing proposals must consider it as a first choice location. Sequential testing and the paragraph 39 tests are applied to major retail proposals on sites within the town centre but

outside the PRC. This provides adequate protection for the PRC and a further policy directing retail development to the PRC is unnecessary. There should be no change to the plan in this respect.

- 3.4 It is not necessary, or indeed desirable, that all retail investment should be restricted to the PRC. In relation to convenience goods retailing, PPS5, at paragraph 41, indicates that TCs are the preferred location but does not distinguish between the PRC and the wider defined TC. Particular reference is made to foodstores relying on close proximity to adequate car parking which might rule out a PRC location within the TC. Other specialist, non bulky goods retailers, may not desire or even be able to afford a PRC location. Any proposals by an existing retail warehouse, restricted to the sale of bulky goods, seeking to remove such restrictions, would be subject to the policy tests of PPS5. This should ensure achievement of the PPS5 objective of sustaining and enhancing TCs' vitality and viability. In such circumstances it would be neither appropriate nor necessary to restrict retail investment outside the PRC but within the TC to bulky goods shopping.
- 3.5 **Recommendation: That no other policies should be applied to Designation 2.**

Primary Retail Core for Portadown

- 3.6 The proposed PRC includes the car parking areas associated with the High Street Mall and Magowan West Shopping Centre. These are functionally associated with both shopping centres and consistent with the Retail Study's first and third criteria for designating PRCs. They may also provide opportunity for extension of the shopping centres or for an increase in parking provision, consistent with the second criterion. Accordingly, they should be retained within the PRC.
- 3.7 The area bounded by Northway, the River Bann, Bridge Street and Castle Street/Mill Avenue contains a number of existing retail outlets as well as DOS P3 and P4 both of which are designated in the CAP as suitable for retailing either exclusively or as part of a mixed use development. At present part of DOS P3 and P4 accommodate car parks, a retail-related activity. Accordingly, the inclusion of this area within the PRC is consistent with the Retail Study's first three criteria for the designation of PRCs and it should be retained as such.
- 3.8 There is retail representation along the opposite side of Bridge Street, as far as the bridge itself, Bridge Street South and Meadow Lane. Although there is some vacancy and less representation of multiple retailers than along Market Street and High Street, exclusion of this area would be inconsistent with the first criterion for defining PRCs. The area is easily accessible from all parts of the TC and will provide opportunities for new retail investment via refurbishment, rationalisation or redevelopment of existing premises. Accordingly, its inclusion within the PRC is consistent with the second and third criterion. The same can be said of the parts of William Street, Thomas

Street and Edward Street that are subject to objection. Whilst they accommodate non-retail uses such as the Town Hall, there are retail uses present in close proximity to the main High Street axis in highly accessible locations. There are two derelict sites notably, the Thornton Trust Heritage Restoration Project, providing opportunity for new retail investment on highly permeable routes near Market Street & High Street. These areas are not so peripheral that they are likely to result in the displacement of the established High Street axis. As such, we discern no conflict between these areas' inclusion within the PRC and the Retail Study's defining criteria and recommend that they should be retained within the PRC.

3.9 Paragraph 40 of PPS5 directs major proposals for comparison shopping or mixed retailing to the PRC. The Meadows Centre has a sizeable level of comparison shopping with about 28 units. Whilst approximately half of these are vacant they are existing units available as comparison outlets within an established shopping centre. Notwithstanding the issue of vacancy, it appears to attract large numbers of customers given that its anchor tenant is the town's principal convenience goods outlet. Of the occupied comparison units, they are almost exclusively national, multiple retailers. Inclusion of The Meadows within the PRC is consistent with the first and third of the Retail Study's criteria for defining PRCs. There is accessible linkage between the Centre and High Street via the pedestrian link at the upper end of Meadow Lane and the traffic lights at the entrance to The Meadows have a pedestrian phase. This provides for safe and convenient access either to or from the direction of High Street. Given the Centre's proximity to the High Street axis, we see it as complementary to the "traditional" heart of the TC and not as a counter-magnet that would harm its vitality and viability. Given that the Meadows Centre falls within the definition of mixed retailing and that it is an integral part of the shopping core of contemporary Portadown, its inclusion within the PRC is consistent with regional policy. It is an existing and established retail commitment and we discern no conflict with its inclusion in the PRC and the explanatory text of Designation 2 in the draft Plan. Accordingly, we recommend that it be retained within the PRC.

3.10 Whilst there is an area of open space, play area and bowling green to the north-east of the Meadows Centre, given its location between that development and premises fronting Bridge Street and Bridge Street South, it would be illogical to exclude this area and it should be retained within the PRC.

3.11 **Recommendation: No change in the defined PRC for Portadown.**

Primary Retail Core for Lurgan

3.12 The problems associated with Lurgan TC's extent and layout have already been set out in paragraphs 2.27 and 2.28 of this report. The Retail Study concludes that the proliferation of retail development along the town's Market Street-High Street axis has prevented cluster development occurring and, to an

extent, continuous comparison goods retail frontages occurring. The PRC has been drawn to concentrate and focus primary retail within a core area.

- 3.13 Paragraphs 11, 23 and 40 of PPS5 make it clear that PRCs lie within TCs. In addition, the Retail Study states that PRCs cover a much smaller area than the TC as a whole (paragraph 7.30). At Paragraph 2.30 of this report we have recommended that the retail units at Kitchen Hill should not be included within the TCB for Lurgan. On this basis, it would be illogical and inconsistent to include them within the PRC. We recommend no change to the PRC in respect of this site.
- 3.14 Immediately south-east of the proposed PRC are 4 retail warehouses fronting Millennium Way (totalling 20,000 sq ft). One accommodates the "Laser" outlet but the other 3 are vacant. The Retail Study's first criterion for designating PRCs provides that they should include the majority of existing retail and retail-related activities found in a TC. However, in the context of Lurgan's identified structural problems, we are concerned that extending the PRC will prejudice the draft Plan's objective of ensuring the continuance of a compact, lively and attractive shopping environment offering both choice and convenience. As the site is included within the TCB, it is entitled to all the benefits of PPS5 as it applies to town centres and the aim of the objection in respect of this site can be achieved without its inclusion within the PRC.
- 3.15 Tesco fronts Millennium Way and is included within the PRC. It enjoys a direct pedestrian linkage with Market Street and is in an area of the town centre attracting the vast majority of existing and future shoppers, consistent with the Retail Study's third defining criterion. We note that the retail units at Kitchen Hill considered in paragraph 3.13 have unrestricted Class A1 retail consent despite also being outside the PRC. This is the result of an individual planning decision whereas consideration of the extent of the PRC is a strategic issue with longer-term and wider-ranging implications. Planning history should not be an overriding consideration. Whilst those units are separated from the PRC by Millennium Way rather than abutting its boundary as the site containing the four retail units including "Laser" does, relative proximity to the proposed PRC is insufficient justification for its extension to include the latter.
- 3.16 There is opportunity within the defined PRC to provide a focus for new retail investment in accordance with criterion 2 of the Retail Study for defining PRCs. Some of the vacant/under-used sites referred to at paragraph 2.28 above fall within the PRC. The identified qualitative need for more non-bulky comparison goods multiple traders, particularly in the important fashion sector, can be accommodated within the defined PRC. We conclude that there is no justification for an extension to the PRC.
- 3.17 **Recommendation: No change in the defined PRC boundary for Lurgan.**

Primary Retail Core for Central Craigavon Town Centre

- 3.18 The draft plan designates the enclosed mall component of the existing Rushmere shopping centre as the PRC but also includes an area approved for an extension to the J Sainsbury's unit within the centre. The PRC however excludes the exterior shopping park retail units of the Rushmere shopping centre complex. It was clearly stated that the object of the restricted PRC was to deter any major comparison/mixed retailer in the mall from relocating elsewhere in the town centre or beyond and to restrict additional comparison shopping floorspace in Central Craigavon TC.
- 3.19 The use of the PRC designation for the negative purposes of restricting the development of comparison shopping in a TC was never intended by PPS5. The policies in PPS5 are worded to support TCs. Having given Central Craigavon TC its status as a town centre, it is entitled to the benefits attached to such a status that are conferred on it by regional policy. We have already concluded that the Retail Strategy and Policy R1 are inconsistent with regional planning policy in that, inter-alia, they propose to restrict the development of Craigavon TC and this also applies both to the designation of the TCB and the PRC. The restricted PRC boundary would fail to sustain and enhance the vitality and viability of the town centre that is sought by PPS5 and also fails to accommodate the growth espoused by the RDS.
- 3.20 The PRC should comprise the primary shopping area in a TC. Higher level shops selling comparison goods will be concentrated there. For the future this area is the preferred location for major retail development and under paragraph 40 of PPS5 the PRC should be the first choice location for major proposals for comparison shopping or mixed retailing. The Commission previously pointed out that, in regard to the definition of PRCs, the boundary should be tightly drawn around the existing primary shopping area whilst providing opportunities for the assessed need for retailing and other land uses appropriate to a PRC. This remains the case.
- 3.21 Although some retail in bulky goods, the Department accepted that the exterior retail units within the retail park but outside the mall have unrestricted approvals to sell comparison goods. The Rushmere Retail Park comprises the shopping core of Central Craigavon TC. There is a predominance of comparison goods retailers in the mall and only comparison goods retailers in the remainder of the retail park. The form of the exterior retail units is to that extent different from those in the enclosed mall but the functions of the two areas are indistinguishable. Although intensively used, this area has scope for further development as planning permission was recently granted for an extension to the shopping mall. The modified PRC boundary, as proposed by the objector, although tightly drawn around the existing primary shopping area, still provides opportunities for development. The PRC boundary should be modified to include all the lands within the Rushmere shopping centre complex including the retail park in accordance with the attached Map No III.

3.22 **Recommendation:** That the PRC boundary for Central Craigavon be extended to encompass the retail park at the Rushmere complex as shown on Map No III.

4.0 Primary Retail Frontages and Policy R2: Designation 3

- 4.1 PRFs comprise those parts of the PRC within the TCB that should be retained in retail use. Policy R2 will apply to these areas and will severely restrict non-retail development and preclude the approval of all non retail uses at ground floor level except where they form part of a mixed-use retail led development which contributes to the vitality and viability of the town centre. It is explicit in the policy provisions that such proposals would not harm the PRC as before gaining approval they must contribute to the vitality and viability of the TC. Access routes to backland retail development would be an acceptable development of land within a PRC in any case. Policy R2 permits only ground floor level retail developments along the street frontage and in such circumstances it is not necessary to make reference to upper floors and other land at the rear of the ground floor of PRFs. No amendments to Policy R2 are necessary.

The Prime Retail Frontage for Lurgan

- 4.2 Paragraph 2.27 of this report summaries the findings of the TC Health Check for Lurgan set out in the Retail Study. In considering objections in this section, the structural problems associated with the extent of the extremely elongated TC are particularly relevant. The PRFs identified in the Retail Study were accepted in the draft Plan. The definition of the PRFs was based on three criteria. These read that PRFs should include those road or street frontages that:
- (1) Accommodate mainly national comparison goods retailers, including anchor stores;
 - (2) Contain the more modern, larger and better configured stores available in the town centre; and
 - (3) Constitute the prime pitch of a town centre according to rental tone and pedestrian footfall.
- 4.3 Paragraph 7.31 of the Retail Study defines PRFs as that part of a TC that should be retained in retail use. Specific to Lurgan, it defines PRFs as those frontages that have attracted or are more likely to attract high calibre UK or Northern Irish multiple retailers and states that these frontages provide the key retail character to Lurgan TC.
- 4.4 The north-eastern extent of the PRF for Lurgan stretches to 2 Market Street, the former post office. The objector seeks extension of the PRF to include the premises between 20 High Street and Church Walk, comprising 45 to 62 Church Place and 2 to 20 High Street. Of these premises, approximately 40% are in retail use as defined by the Planning (Use Classes) Order (Northern Ireland) 2004. No multiple retailers are present. This is in striking contrast to the more marked concentration of shops within the defined PRF including UK and Northern Irish multiple retailers such as Woolworths, Hallmark, Birthdays, Boots, Gordons Chemists and Heatons. Accordingly, extension of the PRF along the north-eastern side of High Street to Church Walk would be

inconsistent with the Retail Study's first criterion for defining PRFs. On the whole, the premises included within the PRF are more modern, larger and better configured stores in comparison to those between 20 High Street and Church Walk, consistent with the second criterion for designating PRFs. The figures in the Retail Study relating to pedestrian flow show the peak in the centre of Lurgan as being in front of Heaton's at 38 Market Street. Moving north-eastwards, the pedestrian flow had fallen by over 8% outside the First Trust Bank at 4-8 Market Street. The next pedestrian count was taken at the lower end of William Street nearest Church Place and had fallen off by 51% in comparison to the peak outside Heaton's. On this basis, the proposed extension to the PRF would not encompass the part of the street frontage that constitute the prime pitch of a TC according to pedestrian footfall. In all, the proposed extension to the PRF is unacceptable as it would not satisfy the three defining criteria and would unacceptably elongate the PRF.

4.5 The explanatory text to Policy R2 states that whilst bars, cafes and restaurants complement the town's primary shopping function, such uses will normally be expected to locate outside PRFs. These uses are well represented in the extension to the PRF sought by the objector. It would be unwise to extend the PRF in the hope that this would result in the change of use from non-retail premises to Class A1 use when they fall vacant. If this frontage were subject to the presumption against non-retail use contained within Policy R2 of the draft Plan, it could actually encourage vacancies by precluding the change of use from one class of non-retail outlet to another. As such, extension of the PRF could dilute the impact of its function and have a corresponding negative impact on the PRC by encouraging vacancy.

4.6 **Recommendation: No change in Policy R2 or the defined PRF for Lurgan.**