

## The council's response to Aylesbury Old Town Residents Association

The Aylesbury Old Town Residents Association (AOTRA) raised concerns relating to the Primary Shopping Area (PSA) and the protection of retail uses in VALP. AOTRA argued that VALP is not providing enough protection for existing retail uses, and that there is inadequate protection in VALP for retail uses outside the defined shopping frontages but within the PSA. AOTRA also raised concerns relating to the Exchange Street car park not being part of the PSA with no primary and secondary shopping frontages defined even though it is part of the retail allocation of Waterside North Phase 2 and 3.

The council has taken these comments into account and proposes to modify VALP by introducing a modification to policy E6 Shop and business frontages. This modification is intended to grant protection to retail uses that fall within the PSA but outside the Primary and Secondary Shopping Frontages of Aylesbury Town. This modification establishes the final part of a 'protection hierarchy', where the first part of E6 relating to Primary Shopping Frontages affords the strictest protection of uses, the second part of E6 relating to Secondary Shopping Frontages affords a slightly less strict protection of uses and the third part of E6 relating to areas outside the shopping frontages affords the least strict protection of uses.

The secondary frontages part of policy E6 refers to "appropriate non-retail uses". This is not a term used in the NPPF. It does not specify a restriction on a change of use from retail to non-retail main town centre uses. It is proposed that policy E6 is amended to the use of the term "non-retail main town centre uses" instead of "appropriate non-retail uses". This will ensure that VALP is consistent with the terms used in the NPPF.

The modified policy E6 would read as follows:

### **E6 Shop and business frontages**

#### **Primary shopping frontages**

*Within the primary shopping frontages in the town centres (as shown on the Policies Map) at ground floor level, only A1, A2 and A3 uses will be permitted. A2 and A3 uses will be permitted where they adjoin an A1 use, subject to achieving a good mix of retail uses overall provided the proposal:*

- a. *either cumulatively or individually is considered to contribute positively to the vitality and viability of the area\**
- b. *would not result in the loss of an A1 use on a visually prominent site.*

*Consideration will be given to the size of the shop unit, the width of the shop frontage and surrounding uses.*

*The window and entrance should relate well to the design of the building and to the street scene and its setting. Regard should be given to Aylesbury Vale Shop Front Design Guide in the design of business and shop frontages.*

*Residential development will be encouraged within the primary shopping frontage above ground floor level.*

*\*This should take account of the mix of uses in the primary frontage, what is there currently and what development is committed, location, prominence and length of frontage of the premises, nature of the*

use proposed, including the level of pedestrian activity associated with it, and the number of ground floor vacancies in the area.

### **Secondary shopping frontages**

Within defined secondary shopping frontages, (as shown on the Policies Map), the development, improvement or expansion of retail and ~~appropriate~~ non-retail main town centre uses and/or change of use of retail premises to ~~appropriate~~ non-retail main town centre uses will be permitted provided the proposal:

- c. either cumulatively or individually, is considered to contribute positively to the vitality and viability of the area\*
- d. would not result in more than three non-A1 uses in a row, and
- e. would not result in the loss of an A1 use on a visually prominent site.

A window and entrance should be provided or retained which relates well to the design of the building and to the street scene and its setting. Regard should be given to Aylesbury Vale Shop Front Design Guide in the design of business and shop frontages.

Residential development will be encouraged within the secondary shopping frontage above ground floor level.

\*This should take account of the mix of uses in the secondary frontage, what is there currently and what development is committed, location, prominence and length of frontage of the premises, nature of the use proposed, including the level of pedestrian activity associated with it, and the number of ground floor vacancies in the area.

### **Development within Primary Shopping Area outside Primary and Secondary frontages**

Proposals for retail uses which are outside the defined Primary and Secondary Shopping Frontages but within the Primary Shopping Area will be supported.

Proposals for non-retail main town centre uses outside the defined Primary and Secondary Shopping Frontages but within the Primary Shopping Area will be supported if:

- a. The proposal would complement the existing uses within the Primary Shopping Area, and
- b. The proposal would contribute positively to the vitality and viability of the Primary Shopping Area, and
- c. The proposal would maintain the attractiveness and interest of the street scene.

Proposals for non-main town centre uses which are outside the defined primary and secondary shopping frontages within the Primary Shopping Area will be supported if the above listed criteria are fulfilled and the proposal would not cause undue concentration of non-main town centre uses within the Primary Shopping Area, or would be located above ground floor level.

The council acknowledges AOTRA's concerns relating to the Exchange Street car park not being part of the PSA in VALP. While it is the ambition of the council to further redevelop the Waterside North site (which includes the Exchange Street car park), the council considers that it is not appropriate to include 20,439 square metres of retail floorspace at this stage when no further details relating to the layout of the development are available. As such, it would not be sound to define the shopping frontages of this future development at the present time. However, as the site is allocated for major retail development, is part of the town centre and is adjoining the PSA, it is clear that the site should

be included within the PSA. The council will propose a modification to redefine the PSA boundary to include the rest of the Waterside North site.

With the proposed amendments to policy E6 and the re-designation of the PSA to include the Exchange Street car park, the council is satisfied that there is sufficient protection of retail uses in VALP.