



**RetailNI**

Standing up for  
Independent Retailers

**Local Development Plan Team**  
**Ards & North Down Borough Council**  
2 Church Street,  
Newtownards,  
County Down,  
BT23 4AF

12<sup>th</sup> December 2025

Dear LDP Team

### **Section 11 – Town Centres and Retailing**

Whilst the term 'sound' is not defined in the 2011 Act, it may be considered in this context within its ordinary meaning of 'showing good judgement' and 'able to be trusted' and within the context of fulfilling the expectations of legislation.

### **Retail & Commercial Leisure Capacity Study (RCLCS) – March 2022**

It is accepted that retailing is a dynamic function and new forms of retailing rapidly evolve.

The RCLSC study was undertaken >3years ago and it is noted that some of the site visits undertaken were in December 2021, and the NEMS Household Survey was undertaken in November 2021. It could not be considered as up-to-date evidence given the UK was emerging from the COVID 19 pandemic, and that over the period that has elapsed there has been increased vacancy and vulnerability of Bangor City Centre, and to a lesser extent Newtownards Town Centre to better located out of centre development.

Whilst a range of sources were used to try and predict the pandemic's lasting implications on shopping habits especially, there have also been notable economic conditions and the pressures on consumers' disposable income. These are not reflected in the RCLCS, as they have occurred post its production.

It is noted that Retail NI were not considered by the Council to be a key stakeholder and were not contacted by NEXUS in respect of the RCLCS. This is an oversight by the Council and is extremely disappointing. Especially given Retail NI's input into the Independent Examination (IE) of Lisburn & Castlereagh City Council (LCCC) draft Plan Strategy (dPS) and the deletion of Policy SMU03 - Sprucefield Regional Shopping Centre as acknowledged by the PAC in the report to the DfI.

The RCLCS is based on telephone survey of 604 households by NEMs in November 2021, to support and underpin many of the assumptions, but when this is interrogated for example the survey questions such as "Where do you usually undertake your main food and grocery shopping?", "Do you make 'top up' shopping trips in between your main food shopping trip?" These questions are broad and closed with responses very low for the proportion of the population in each zone in some cases less than 10.

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I note for example Zone 2 – Bangor is indicated in 2024 to have population of 68,606 with a sample of 100 calls to a landline number with an undisclosed amount of mobile phone numbers used, and that 2/3 occurred outside of working hours. This is not going to provide any meaningful considerations, given the small number of respondents, with no age profiles provided beside the answers.

Such an approach has been previously criticised by the Planning Appeals Commission (PAC) in appeal **2014/C001-C003**, Paragraph 39.

Whilst observational site visits have been undertaken, these were done in December 2021, and there have been no recent shopper surveys undertaken on the ground in Bangor City Centre, Newtownards Town Centre, Ards Shopping Centre, Bloomfields, or Springhill to underpin and support the NEMS householder survey and assumptions in the RCLSC.

It is very apparent that the traditional pattern of convenience retailing has changed following COVID, as people have been moving away from the practise of undertaking large weekly trolley shops (main food) and are basket shopping/small trolley shopping, much more frequently to enable fresher produce, reduce food waste and that it is much easier to budget if income is constrained.

It is accepted by the PAC that large foodstores rely on a mix of trade to survive with many convenience goods available in stores which cater for top-up and main food shops.

The lines between distinct market segments in the convenience sector have started to blur, with a rise in value discounters (Lidl, B&M, Home Bargains, Poundstretcher) taking an increase market share from traditional multi-national convenience operators (Tesco, ASDA, Sainsbury's). The householder survey is acknowledged by NEXUS at paragraph 5.11 that it did not obtain a large enough sample of participants to gain meaningful results, and this is likely a reflection of the smaller size of these centres and their geographical proximity to other (larger) retail destinations.

There is no rationale for the comparative benchmarking against Antrim, Coleraine or Newry, and health checking against towns with different catchments, population, retail mix does not provide robust analysis. It is noted that this has been based on other RCLSC undertaken by NEXUS in these areas, which is unsound for the reasons alluded.

When reading paragraphs 6.10 and 6.11 the comparative analysis adopted seeks to deflect from the failure to protect Bangor City Centre from better located out of centre development on the Strategic Road Network. There is no definition to understand what is meant by "town centres of the future", apart from the previous acknowledgment of the little need for future floorspace and quantum of vacant units.

### **Policy RH1 - Retail Centre Hierarchy**

Table 8 outlines the proposed retail hierarchy and classification and broadly adopts the Borough's existing retail hierarchy as defined in the Draft Belfast Metropolitan Area Plan 2015 and the Ards and North Down Area Plan 2015, as per P13 of Technical Supplement Paper 6 – Town Centres and Retailing.

The method adopted is unsound as it fails to pay regard to the approach established by the PAC that the identification of centres is not dependent on this being done through the previous Department Development Plan (DDP) process.

The PAC has consistently used the “Glossary of Terms” in PPS5 in the absence of any formal designation in a LDP and applied the broad definitions in the glossary to the physical and function circumstances of the retail locations in the following appeal decisions.

**Appeal 2013/C001** - JHT Newtownards ASDA Stores – Status of Ards Shopping Centre, Paragraph(s) 18 – 23 consider the matter at length.

**Appeal 2013/A0055** - Tesco Stores, Buncrana Road – Status of Whitehouse Local Centre – Paragraph(s) 35, 43,65.

**Appeal 2007/A0491** - Culzean Estates – Status of District Centre in Antrim, Paragraph 5.

The approach adopted in the dPS takes no account of the physical and functional characteristics of many established retail locations in the Borough, which serve established residential areas (ERAs) and Districts and are sustainable given the proximity to residents.

Taking account of historic ambiguity over designations as alluded in the referenced appeals and paying regard to the selective interpretation of “centres”, which has been witnessed recently. All “centres” need to be included within the Retail Hierarchy to ensure that any new out of centre retail development has regard to them after town and city centres in the order of preference and sequential assessment.

### **Policy RET1 – Retailing & Main Town Centre Uses**

The policy wording is incoherent and disjointed in its current format, as no existing centres are specified or referenced, it also needs to reference and connect with Policy RET 6. In its present format it is unsound, and should be reworded as follows:

*“Planning authorities must adopt a town centre first approach for retail and main town centre uses, and adopt a sequential approach to the identification of retail and main town centre uses when decision-taking.*

*A sequential test should be applied to planning applications for main town centre uses that are not in an existing centre, as defined in the retail hierarchy. Where it is established that an alternative sequentially preferable site or sites exist within a proposal’s whole catchment, an application which proposes a main town centre uses on a less sequentially preferred site must be refused.*

*Planning authorities must require applications for main town centre uses to be considered in the following order of preference and within the proposal’s whole catchment. The catchment must be demonstrated to be realistic and proportionate;*

- *primary retail core;*
- *city and town centres;*
- *edge of centre (>300m city and town centre boundaries);*
- *out of centre locations designated in the retail hierarchy and;*
- *undesignated out of centre locations, only where sites are accessible by a choice of good public transport modes.*

*Flexibility must be required by applicants to demonstrate that the proposed development cannot be accommodated onto a sequentially preferred site. For example, through use of creative and innovative design schemes, including multi-level schemes, or smaller more efficient trading floors/servicing arrangements. Applicants will be expected to identify and fully*

*demonstrate why alternative sites are not suitable, available and viable. The consideration is for the proposed development and not the occupier.*

*An assessment of need must be provided that is realistic and proportionate to support the application. It must incorporate a quantitative and qualitative assessment of need taking account of the sustainably and objectively assessed needs of the city or town centre and take account of committed development proposals and allocated site.*

*All applications for retail or town centre type developments above a threshold of 1000 square metres gross external area which are not proposed in a town centre location must be required to undertake a full assessment of retail impact as well as need*

*Factors to be addressed in a retail impact and assessment of need include:*

- the impact of the proposal on trade and turnover for both convenience and comparison goods traders, and the impact on town centre turnover overall for all centres within the catchment of the proposal;*
- the impact of the proposal on existing committed and planned public and private sector investment and investor confidence in the town centre/s;*
- the impact of the proposals on the delivery of the planned/allocated sites and the LDP strategy;*
- the impact on the vitality and viability of existing centres including consideration of the local context. This should take into account existing retail mix and the diversity of other facilities and activities.*
- Cumulative impact taking account of committed and planned development, including plan commitments within the town centre and wider area; and,*
- a review of local economic impacts*
- Vacancy rates and health checks and rental yields”.*

*Where an impact on one or more of these criteria is considered adverse or where in balancing the overall impacts of each of the criteria the proposed development is judged to be harmful, then it should be refused.*

The other design aspects can be added in afterwards and should also consider transportation and reference and connect with Policy RET 6 – Out of Centre Development. The Local Shops section can be deleted and included within Local Centres and / or Village and Small Settlements.

## **Policy RET 2 – District Centres**

The SPPS 2 considers at paragraph 6.283 that *“Planning authorities should retain and consolidate existing district and local centres as a focus for local everyday shopping, and ensure their role is complementary to the role and function of the town centre. In these centres, extensions should only be permitted where the applicant has demonstrated that no adverse impact will result on town centres in the catchment”.*

Technical Supplement Paper 6 acknowledges at paragraph 8.7 the approach adopted in **Appeal 2013/C001** - JHT Newtownards ASDA Stores, regarding the status of Ards Shopping Centre (Paragraph(s) 18 – 23). However, it fails to apply this approach to other existing retail destinations in the Borough, that exhibit similar physical and functional characteristics of a District Centre.

The North Down Ards Area Plan (NDAAP) 1984 - 1995 notes that Ards, Clandeboye and Springhill Centres, already provide larger shopping units in peripheral locations. On that basis these are established existing centres in the Local Development Plan.

The Clandeboye Centre located on the south side of the West Circular Road consists of a coffee shop, hot food, children's nursery, gym, electronics store, foodstore, home furnishing, car maintenance store, and exhibits the characteristics and function of a District Centre, taking account of the Glossary of Terms and the historic covered shopping centre that previously existed. The RCLSC also notes its established nature and the role that it plays. This long-established centre should be formally designated, as it has headroom to accommodate additional occupiers, rather than new out of centre locations.

It is acknowledged and noted in the RCLSC that Bloomfields District Centre is considerably overtrading, where it has been permitted to grow without adequate planning controls. This has been not only to the detriment of Bangor City Centre, but Springhill District Centre, which serves Bangor West, Crawfordsburn and Helens Bay villages.

Bloomfields has also resulted in significant traffic congestion at the Bloomfield and Gransha roundabouts impeding traffic flow and progression along the ring road, which is a protected route. This is simply not sustainable and is car centric.

Since the RCLSC was produced Springhill has been negatively impacted from Bloomfields, with several retailers moving across resulting in 8no. vacant units (Lamber Smith Hampton November 2024, brochure).

Whilst no policy should be anticompetition, it is clear in the SPPS 2 that these centres serve residents of those districts in the Borough and City of Bangor, and their role should be complementary to the town and city centre. Springhill needs to be strengthened and Bloomfields needs controlled.

Retail NI is pleased to see restrictions in Policy RET 2 on additional comparison floorspace, mezzanine floors, subdivision of units, and the variation or removal of existing bulky goods conditions.

Whilst not a retail use, consideration needs to be given the quantum of drive thru restaurants and coffee premises, which reduces car parking and creates congestion, as these could be considered complementary uses.

The policy does not seek any quantitative or qualitative analysis from applicants. This should be included as a "needs test" with a definition to ensure consistency within the retail policies in the Plan Strategy, as a whole.

The policy should include a requirement that all proposals must demonstrate that there will be no unacceptable adverse impact on the vitality and viability (V&V) of an existing higher order (Town or City Centres) centre within the proposal's catchment.

Clandeboye should be designated as a District Centre, given its long-established shopping role and function.

### **Policy RET 3 – Local Centres**

This policy seeks to prevent the sale of comparison retail in Local Centres, but when considering The Planning (Use Classes) Order (Northern Ireland) (UCO) 2015, a post office, hairdressers, launderette, pharmacy, dry cleaners would all fall within Class A1 – Shops.

These retail uses would fall outside of the definition of Convenience Goods as per the Glossary of Terms at Part F (P.491-513). *"Broadly defined as everyday items such as food, drinks, tobacco, newspapers, magazines, cleaning materials, toiletries.*

The policy wording fails to pay regard to the Glossary of Terms at Part F, which defines a local centre and includes; *“Small grouping of shops, typically comprising a general grocery store, a sub-post office, occasionally a pharmacy and other small shops of a local nature”*

The policy would seek to prevent such retail uses from operating in Local Centres, when they provide necessary services and promote social interaction for the ageing members of society, in accessible locations near established residential areas. Such services are the life blood of communities and were critical during COVID 19.

The RCLSC wrongly defines these as “retail services” in their Glossary of Terms, and the term “retail services” is not included within the dPS Glossary of Terms. It is noted that despite Table 6.2 and 6.3 outlining the definition of a Local Centre that the RCLSC did not support the designation of any additional Local Centres.

The approach adopted in **Appeal 2013/A0055** - Tesco Stores, Buncrana Road regarding the status Whitehouse Local Centre – Paragraph(s) 35, 43,65, and the designation of local centres has not been applied by the Council nor NEXUS. It is acknowledged at paragraph 5.11 of RCLSC that the household survey did not obtain a larger enough sample of participants to gain meaningful results: this is likely a reflection of the smaller size of these centres.

This is a glaring and significant oversight and is inconsistent with the acknowledgement of the role and function these centres played during the pandemic. It also fails to note or adopt the approach in several PAC decisions where centres were undesignated in the Plan. This resulted in arguments being presented to consider their role and function when large out of centre retail proposals were going to negatively impact on them.

Local Centres must be designated or this aspect remains unsound, as nothing has been learnt from the previous appeal decisions. It is also particularly important given the lack of designation to Village and Small Settlements as noted below.

There is no basis or justification to include a blanket restriction on comparison retail in Local Centres in addition to the limit on quantum. The policy also fails to consider the existing retail composition of the many undesignated local centres (Rathgael Road, Ballyholme, Bangor, Green Road, Conlig, Donaghadee Road, Hartford Link, West Winds Estate Ards) within the Borough policy and is unsound.

The policy should include a requirement that all proposals must demonstrate that there will be no unacceptable adverse impact on the vitality and viability (V&V) of an existing higher order (Town or City Centres / District Centres) centre within the proposal’s catchment.

#### **Policy RET 4 – Villages and Small Settlements**

We fully endorse the need to protect and consolidate the role of local villages and small settlements, where retailing plays an important role in supplying the day-to-day needs of the rural community and such shops supply a service to local residents.

There is an inconsistency by excluding urban and rural village and small centres from the retail hierarchy but having a policy for these centres. It is noted that the dPS is silent in respect of villages and small settlements such as Crawfordburn, Helen’s Bay, Groomsport, Greyabbey, Millisle, Carrowdore, Ballywalter, Ballyhalbert, Portavogie, Cloughey, Kircubbin, Lisbane, Killinchy, and Ballygowan, which provide necessary retailing and community facilities, which are completely ignored. Portaferry is proposed to be a Local Centre despite being a village / town centre. The approach is completely inconsistent and unsound.

The policy seeks to apply a “needs test” but does not define need. It has been accepted that an assessment of what ‘need’ is has a wide meaning as noted in the Court of Appeal judgment *Cherkley Campaign Ltd v Mole Valley District Council & Longshot Cherkley Court Ltd (2014)*

The policy does not seek any quantitative or qualitative analysis from applicants. This should be included to explain the “needs test” and to ensure consistency within the retail policies in the Plan Strategy, as a whole.

The policy should include a requirement that all proposals must demonstrate that there will be no unacceptable adverse impact on the vitality and viability (V&V) of an existing higher order (Town or City Centres / District Centres / Local Centres) centre within the proposal’s catchment.

It is noted that no quantum of floorspace has been included, and this enables consideration of the scale and function related to a proportionate needs assessment as outlined.

### **Policy RET 5 - Retailing in the Countryside**

The policy wording seeks to protect the countryside from inappropriate retail facilities, which we support. The reuse of existing buildings is clearly more sustainable than new buildings. The reuse of existing buildings is likely to result in grouping or clustering near other existing buildings to aid with integration and ameliorate the development impact.

However, the wording of the policy does not take account of the SPPS, (paragraph 6.729) and seeks to introduce a linkage and connection to the farm holding, craft workshop etc which is more onerous than the SPPS.

The policy should include a requirement that all proposals must demonstrate that there will be no unacceptable adverse impact on the vitality and viability (V&V) of an existing higher order (Town or City Centres / District Centres / Local Centres / Village and Small Settlement) centre within the proposal’s catchment.

### **Refuelling Stations in the Countryside**

The policy does not seek any quantitative or qualitative analysis from applicants. This should be included to explain the “needs test” and to ensure consistency within the retail policies in the Plan Strategy, as a whole.

The 12mile test of the policy has been carried forward from Policy IC15 of the Planning Strategy for Rural Northern Ireland (PSRNI), which was written in September 1993.

Refuelling stations, provide so much more than fuel and this is not reflected in the wording in this policy. There has been a shift in consumer behaviour over the intervening passage of time, with the need for “food to go”, Electric Vehicle (EV) charging and the consideration of the more transient nature of commuters/workers and tourists travelling along the strategic road network and the need for convenience retail, hot drinks, hot food, and welfare facilities. Many refuelling stations provide local shopping for the dispersed rural community.

It is noted that Planning Policy Statement (PPS) 5 – Retailing and Town Centres, paragraph 56 considered petrol filling stations and applied a threshold of 250sqm, and the PAC have considered this quantum in several decisions (**2013/A0122** and **2023/A0057**), as being modest and acceptable.

The quantum threshold of 100sqm retail floorspace does not pay regard to the previous policy, nor does it consider the provisions of Article 3 of the UCO, which excludes the sale of food or drink for consumption on the premises or of hot food for consumption off the premises from any of the categories within the UCO, as it is a *sui generis* use, so it does not constitute retail floorspace.

The policy is unsound and should be revised with a quantum of 250sqm including convenience retail and the sale of food and drink for consumption on or off the premises.

This limited floorspace (250sqm) would not be capable of having a negative impact on the vitality and viability of existing retail provision offered within town centres.

### **Policy RET 6 – Out of Centre Development**

The policy does not seek to distinguish between existing designated centres such as District and Local Centres, and new out of centre development.

It needs to reference back to Policy RET 1, so that the policy is clear in what it seeks to achieve, and the two policies are interconnected, as they have been split into two.

The policy does not seek any quantitative or qualitative analysis from applicants. This should be included to explain the “needs test” and to ensure consistency within the retail policies in the Plan Strategy, as a whole.

The 1,000sqm threshold must be applied to all retail proposals outside of town or city centres, irrespective of designations, and including extensions where the overall floorspace exceeds this figure. Retail NI welcomes the discretionary application for applications below 1,000sqm.

Vacancy rates and rental yields should also be a factor for consideration along with alternative site to ensure consistency with Policy RET1 and the “Town Centre and Retailing” section as a whole. Given the fragile nature of the existing centres to better located out of centre development and particularly Bangor, Retail NI suggests that the word significantly is removed.

### **Glossary of Terms**

It is noted that the dPS provides a Glossary of Terms at Part F to provide clarity on the individual policies contained therein. The former Glossary of Terms from PPS5, should be carried through for consistency and updated to reflect the current retail, leisure and entertainment terms.

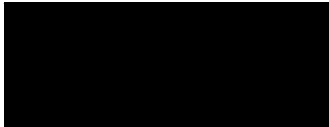
## **Conclusions**

There are notable and well-founded concerns in respect of the evidence base and the significant shifts that have occurred in the intervening period. The lack of designations of Local Centres is a significant omission, as is the status of Bangor as a City, coupled with increased vacancy over the period since the RCLSC and household survey took place.

The approach adopted in the draft Plan Strategy relating to Town Centres and Retailing would be inconsistent and unsound with the direction of the SPPS 2 and the approach of notable PAC decisions as referenced.

I would welcome confirmation of this letter and if you wish to discuss this matter, then please do not hesitate to contact me.

Yours sincerely



**Glyn Roberts**  
**Chief Executive of Retail NI**