

Mid Devon Local Plan Review 2013 – 2033

Proposed Submission (incorporating proposed modifications) Examination in Public

**Hearing 1:
Policy J27
(26/09/2017)**

Issues 2, 3, 4 and 8

**Parties: Mid Devon District Council
Friends Life Ltd**

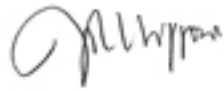
Date: August 2017

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Signatures

Signature



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On behalf of Mid Devon District Council

Signature



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**Richard Lemon, Director
CBRE On behalf of Friends Life Limited**

1 INTRODUCTION

1.1 This statement addresses the following areas of common ground:

1. The relevant policy and guidance for the assessment of the need for the retail element of the development for which the Junction 27 site is allocated in the emerging Local Plan, the approach taken to the assessment of need and the conclusions drawn
2. The relevant policy and guidance for the application of the sequential test for the retail element of the development for which the Junction 27 site is allocated in the emerging Local Plan, the approach taken to the sequential assessment and the conclusions drawn
3. The relevant policy and guidance for the assessment of the impact of the retail element of the development for which the Junction 27 site is allocated in the emerging Local Plan, the approach taken to the assessment of impact and the conclusions drawn
4. The extent to which it is possible properly to protect existing town centre uses through planning controls on the outlet shopping village.

1.2 Unless explicitly stated otherwise this statement of common ground outlines matters of agreement between Mid Devon District Council (MDDC) and Friends Life Limited (FLL).

2 NEED

Planning policy and guidance

- 2.1 Planning for town centre uses is addressed at paragraph 23 of the NPPF. It explains that in drawing up Local Plans, local planning authorities should:

Allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres.

Overall approach to the assessment of need

- 2.2 It is appropriate to consider need in both qualitative and quantitative terms:
- Qualitative need typically exists where there is, for example, poor consumer choice and an inadequate distribution of facilities
 - Quantitative need for A1 retail floorspace typically arises where there is, or will be, an imbalance between the turnover capacity of existing facilities and available expenditure in any given area
- 2.3 Both qualitative and quantitative need for the proposed retail allocation in Policy J27 can be demonstrated (see below).
- 2.4 In this case, the need for the retail floorspace must also be seen in the context of its ability to:
- Help deliver a step-change in the tourism offer in Mid Devon, by acting as an attraction in itself and as one of a range of attractions between which there will be linked trips (an issue addressed in the statement of common ground between the two parties dealing with issues 1, 5, 6 and 7); and
 - Enable the development of other elements of the development sought in the allocation (an issue addressed in the statement of common ground between the two parties dealing with issues 1, 5, 6 and 7).

Assessment of qualitative need

- 2.5 Qualitative need is a subjective concept, but of the factors frequently identified as components of qualitative need, three are particularly relevant in this case:
- Deficiencies or 'gaps' in existing provision
 - Consumer choice and competition
 - The quality of existing provision

- 2.6 In terms of the comparison goods element, the south west is currently served by the following outlet villages/centres:
- Atlantic Village, Bideford (around 50 mins from Tiverton by car)
 - Clarks Village, Street (around 50 mins from Tiverton)
 - Gloucester Quays (around one hour 35 mins from Tiverton)
 - Wilton Shopping Village, Salisbury (around one hour 35 mins from Tiverton)
 - Swindon Designer Outlet (around one hour 45 mins from Tiverton)
 - Poole Pottery Factory Outlet (around one hour 50 mins from Tiverton)
 - Dolphin Quay, Poole (around one hour 50 mins from Tiverton)
- 2.7 All but one of these is located north or east of Tiverton, meaning that anyone living or holidaying south or west of the town will need to travel for a significant period of time. Of these, only Atlantic Village is located in Devon or Cornwall, and it:
- Only serves as an outlet village to a limited degree with, for example, Asda, Aldi and Poundland part of the retail offer
 - Lacks many of the 'higher end' brands typically associated with outlet villages
- 2.8 That means that most people living or holidaying in Devon or Cornwall are forced to travel for a significant period of time in order to reach an outlet centre with the type of offer they might reasonably expect. Moreover, Atlantic Village is located on the coast and, therefore, is not well placed to serve passing trade in a way which a more centrally located outlet village at Junction 27 could.
- 2.9 That implies a significant qualitative deficiency in the south west region and, in particular, in the area to the south and west of Tiverton. The proposed outlet shopping village at Junction 27 would help to address that deficiency by improving the distribution of factory outlets across the south west, thereby improving customer choice and helping to provide a diverse retail offer, both of which are aims identified in the NPPF (paragraph 23, bullet 4).
- 2.10 In addition, the outlet shopping village would be an important part of the mix of attractions that would entice people to Junction 27.
- 2.11 Therefore, the proposed shopping village will help to meet an identified qualitative need which arises at a regional level.
- 2.12 Turning to the ancillary retail floorspace at the agronomy visitor centre, it would provide for food and drink products from a range of producers across Devon to be showcased and sold. Although some

farm shops and similar outlets operate in Devon and the wider area, most simply sell products from single providers. As such, the area lacks a base from which a range of products can be sold. The ancillary retail floorspace at the agronomy centre would address this qualitative deficiency, improving customer choice and improving the diversity of the retail offer.

Assessment of quantitative need

- 2.13 There is nothing in the NPPF to suggest that development within an authority area should only serve residents who live in that authority area. Such an approach would be inappropriate and unduly restrictive, because it would fail to recognise that shopping catchment areas over-lap, and that catchment areas are rarely the same, or even similar, to local authority boundaries.
- 2.14 With that mind, the two parties agree that the quantitative need arises on a regional basis; that is, it is not based on seeking to secure the expenditure available from residents of Mid Devon alone.
- 2.15 Having taken into account commitments in the likely catchment area, there is sufficient expenditure growth to support the proposed retail floorspace.
- 2.16 The two parties have reached that conclusion on the basis of their analysis in:
- Town Centre Uses Statement for Local Plan Proposed Submission Consultation (section 5 and appendices E and F), CBRE for Friends Life Ltd, 27 April 2015
 - Town Centre Uses Statement (updated) (section 5 and appendices E and F), CBRE for Friends Life Ltd, 3 August 2016
 - Town Centre Uses Statement Supplementary Addendum, CBRE for Friends Life Ltd, 06 September 2016
 - Retail Response (paragraphs 2.16 to 2.50), NLP (now Lichfields) for MDDC, 19 July 2016¹
 - Critique of Retail and Leisure Statement (section 2), NLP (now Lichfields) for MDDC, 7 March 2016²
- 2.17 Whilst inevitably the two parties' respective consultants have taken different views on some assumptions, none of these differences are such as ultimately to lead to materially different conclusions, and it is therefore not, in our view, necessary for the Local Plan Inspector to seek to resolve any such differences in order to reach a robust conclusion on this issue.

¹ SSE17

² SSE16

Conclusions on regional need

- 2.18 In conclusion, it is common ground that the evidence base demonstrates that there is a regional need for the retail element of the Junction 27 allocation, both in qualitative and quantitative terms, and in particular for the comparison goods floorspace.

3 SEQUENTIAL TEST

Planning policy and guidance

3.1 The NPPF (paragraph 23) states that local planning authorities should:

- Allocate a range of suitable sites to meet the need for town centre uses over the plan period.
- Assess the need to expand town centres and, if suitable town centre and edge-of-centre sites cannot be identified, then other accessible locations that are well connected to town centre should be allocated.

3.2 The Planning Practice Guidance says (paragraph 009; reference ID: 2b-009-20140306) that:

In plan-making, the sequential approach requires a thorough assessment of the suitability, viability and availability of locations for main town centre uses. It requires clearly explained reasoning if more central opportunities to locate main town centre uses are rejected.

3.3 Therefore, the sequential approach requires:

- A thorough assessment of the suitability, viability and availability of locations for main town centre uses
- Clearly explained reasoning if more central opportunities to locate main town centre uses are rejected

3.4 The Planning Practice Guidance also provides a checklist of matters that should be considered when taking a sequential assessment to plan-making (paragraph 009; reference ID: 2b-009-20140306):

- *Has the need for main town centre uses been assessed? The assessment should consider the current situation, recent up-take of land for main town centre uses, the supply of and demand for land for main town centre uses, forecast of future need and the type of land needed for main town centre uses*
- *Can the identified need for main town centre uses land be accommodated on town centre sites? When identifying sites, the suitability, availability and viability of the site should be considered, with particular regard to the nature of the need that is to be addressed*
- *If the additional main town centre uses required cannot be accommodated in town centre sites, what are the next sequentially preferable sites that it can be accommodated on?*

3.5 There is no additional guidance on the meaning of suitability, availability and viability in the NPPF or Planning Practice Guidance, but the Government's Guidance on Need, Impact and the Sequential

Approach identified a number of considerations (at paragraphs 6.37 to 6.50). Whilst the guidance document was withdrawn in 2014, it is agreed that the considerations it sets out are entirely relevant. They are summarised at Appendix A of this statement.

The approach required for a rigorous application of the ‘sequential test’

- 3.6 It is agreed that a rigorous application of the ‘sequential test’ requires that the approach set out in national policy and guidance is followed. It is also agreed that that has been the approach taken and that the conclusion drawn – that the proposed allocation is sequentially preferable – is based on sound analysis. The basis on which the two parties have reached that view is set out below.

The approach taken

PPG matter #1: Has the need for main town centre uses been assessed?

- 3.7 It is agreed that there is both a qualitative and quantitative need, at a regional scale, for an outlet shopping village, for the reasons explained in section 2 of this statement.
- 3.8 It is also agreed, again as set out in section 2, that the need for the retail floorspace must also be seen in the context of its ability to:
- Help deliver a step-change in the tourism offer in Mid Devon, by acting as an attraction in itself and as one of a range of attractions between which there will be linked trips (an issue addressed in the statement of common ground between the two parties dealing with issues 1, 5, 6 and 7); and
 - Enable the development of other elements of the development sought in the allocation (an issue addressed in the statement of common ground between the two parties dealing with issues 1, 5, 6 and 7)
- 3.9 There is, therefore, a clear need for co-location of the retail floorspace with the other uses sought in the allocation. Each element of the development sought by the draft allocation is a critical and integral component of an overall scheme of development intended to deliver a major tourist destination in Mid Devon that acts as a gateway attraction, accessible to the M5 where it can capture passing tourist trade. That is a key element of Mid Devon’s wider strategy.
- 3.10 It is agreed, therefore, that in this context the disaggregation of different elements of the development would fail to reflect the underlying commercial logic and planning rationale for the scheme.
- 3.11 In any case:

- Whilst paragraph 24 of the NPPF indicates that (in a development management context) applicants should demonstrate flexibility on issues such as format and scale, it does not require the applicant to disaggregate the scheme.
- The NPPF contains no specific guidance on the issue of disaggregation in the context of plan-making, and there is no proper basis for requiring disaggregation in this context when it is not required in development management decision-making.

3.12 It is, therefore, agreed that it is right and proper to search for sites which can accommodate the uses sought by the allocation at one single location. That would require a site of c28ha. That is the approach followed by CBRE in their evidence submitted during the plan-making process:

- Town Centre Uses Statement for Local Plan Proposed Submission Consultation (paragraphs 7.7 to 7.14), CBRE for Friends Life Ltd, 27 April 2015
- Town Centre Uses Statement (updated) (paragraphs 7.7 to 7.15), CBRE for Friends Life Ltd, 3 August 2016

3.13 The concerns about the approach to the disaggregation raised by Montagu Evans (in representations for The Crown Estate and TH Real Estate dated 14 February 2017), by Taunton Deane Borough Council (in representations dated 13 February 2017) and by Exeter City Council (in representations dated 13 February 2017) are, therefore, unfounded.

PPG matter #2: Can the identified need for main town centre uses land be accommodated on town centre sites?

3.14 It is agreed that the first step at this point is to identify the area of search for sites to accommodate the uses sought in the draft allocation. That area must be identified in the context of the key objective of the proposals: to provide a major tourist destination for Mid Devon and the south west that acts as a gateway attraction for the region, accessible to the M5 where it can capture passing tourist trade.

3.15 Tiverton is ideally located, given that it is within a 90 minute drive of almost all of the south west of England (as is evident from the map at Appendix C of CBRE's Town Centre Uses Statement (updated), 3 August 2016), thereby allowing a development at that location to serve residents and holidaymakers across the region. A development located up to 30 minutes' drive from Tiverton would also be able to serve largely the same area. A development that is up to 60 minutes' drive from Tiverton is, however, less likely to be able to properly serve the south west region. Were it to be located in Yeovil, for example, the entire area south west of the Dartmoor National Park would fall outside a 90 minute drivetime. Similarly, were it to be located in, say, Okehampton, the development could not realistically serve residents and holidaymakers beyond Yeovil. In other

words, development located more than 30 minutes from the proposed location of the development would not meet the regional need that has been identified.

- 3.16 The concerns about the area of search raised by Montagu Evans (in representations for The Crown Estate and TH Real Estate dated 14 February 2017), Rocke Associates/Planning Potential (in representations for Hermes dated 13 February 2017) and by North Devon Council (in representations dated 14 February 2017) are, therefore, unfounded
- 3.17 It is agreed that the next step is to assess potential alternative sites within the 30 minute drivetime.
- 3.18 As we note above, the Planning Practice Guidance advises that when identifying sites, their suitability, availability and viability should be considered, with particular regard to the nature of the need that is to be addressed. That need is as set out above, and provided the basis for the sequential assessments by CBRE (for Friends Life Ltd) and by Lichfields (for MDDC).
- 3.19 Those assessments are set out at:
- Town Centre Uses Statement (updated) (section 7), CBRE for Friends Life Ltd, 27 April 2015 and 3 August 2016
 - Critique of Retail and Leisure Statement (section 4), NLP (now Lichfields) for MDDC, 7 March 2016³
- 3.20 The assessments conclude that, taking account of the nature of the need, all of the town centre sites considered are unsuitable and/or unavailable and/or incapable of viable development. It is agreed that, in each case, a thorough assessment of each site has been made and the reason (or reasons) why each site has been dismissed has been clearly explained.
- 3.21 All potential alternative sites in town centres which have any realistic prospect of accommodating the development sought by the draft allocation were considered. No party has identified any specific site which, in their view, ought to have been considered.

³ SSE16

PPG matter #3: If the additional main town centre uses required cannot be accommodated in town centre sites, what are the next sequentially preferable sites that it can be accommodated on?

- 3.22 Taking account of the nature of the need, all of the edge of centre sites considered, together with those out-of-centre sites which have prospects of forming links with town centres, are unsuitable and/or unavailable and/or incapable of viable development. It is agreed that, in each case, a thorough assessment of each site has been made and the reason (or reasons) why each site has been has been clearly explained.
- 3.23 All potential alternative sites at edge of centre locations, or at out-of-centre locations which have prospects of forming links with town centres, which have any realistic prospect of accommodating the development sought by the draft allocation were considered. No party has identified any specific site which, in their view, ought to have been considered.

Conclusions on whether the ‘sequential test’ has been approached with sufficient rigour

- 3.24 In conclusion, it is common ground that the sequential test has been approached with sufficient rigour and, therefore, that the conclusion drawn, that there are no sites sequentially preferable to the allocation site, is robust.

4 IMPACT AND IMPLICATIONS FOR DUTY TO COOPERATE

Basis on which the duty to cooperate is engaged

4.1 Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended) provides that the duty to cooperate is engaged in relation to certain specified activities, including the preparation of development plan documents, so far as they relate to a 'strategic matter'.

4.2 Section 33A indicates that, in single tier authorities, a strategic matter is (emphasis added):

Sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas.

4.3 Therefore, the potential impacts of the retail element of the development sought by the draft allocation of land at Junction 27 would only constitute a 'strategic matter' for the purposes of the duty to cooperate if a significant impact on at least two planning areas was likely to arise.

Extent to which a significant impact arises

4.4 The Planning Practice Guidance advises that when considering impact in the plan-making process, issues of adverse impact should not arise if the Local Plan is based on meeting the assessed need for town centre uses in accordance with the sequential approach.

4.5 Therefore, if there is a demonstrable need for the development sought in the draft allocation and it satisfies the sequential test, a significant adverse impact should not arise. That is the case here and, therefore, the duty to cooperate is not engaged.

4.6 In any case, leaving aside any assessment of need or the application of the sequential test, the two parties agree that no significant impact will arise, on the basis of their analysis in:

- Town Centre Uses Statement for Local Plan Proposed Submission Consultation (section 5 and appendices E and F), CBRE for Friends Life Ltd, 27 April 2015
- Town Centre Uses Statement (updated) (sections 8, 9 and 10), CBRE for Friends Life Ltd, 3 August 2016
- Town Centre Uses Statement (updated) – supplementary, CBRE for Friends Life Ltd, 6 September 2016

- Critique of Retail and Leisure Statement (sections 8, 9 and 10), NLP (now Lichfields) for MDDC, 7 March 2016⁴

4.7 That conclusion was reached on the basis of an assessment of the key considerations are as set out in the Planning Practice Guidance, namely:

- Whether there would be an impact on existing, committed and planned public and private investment, or on the role of centres (paragraph 014, reference ID 2b-014-20140306)
- Whether there would be an impact on the vitality and viability of existing town centres (paragraph 017, reference ID: 2b-017-20140306)

4.8 The assessments of impact were also undertaken in the context of paragraph 14 of the NPPF (emphasis added):

Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless ... any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole ...

4.9 Both parties agree that significant regional benefits arise from the proposal and that, so far as any adverse impacts arise (none of which are significant), they are clearly outweighed by the benefits.

4.10 In light of the above, it is considered that the duty to cooperate is not formally required by reference to the potential impacts of the retail element of the proposed allocation.

Extent to which duty to cooperate has been discharged in the event that it is considered that it is formally required

4.11 If any party was to conclude that the duty to cooperate is formally required, it is agreed that duty has clearly been discharged, as demonstrated in the Duty to Cooperate Statement prepared by MDDC and dated March 2017, most notably in the section headed 'Economy, Retail and Leisure' and in Appendix A, which provides a non-exhaustive list of meetings with duty to cooperate partners, one of which was attended by MDDC's retail planning consultant, Lichfields (then known as NLP).

⁴ SSE16

Conclusions on whether the analysis of the potential impacts of the retail element of the proposal properly fulfilled the duty to co-operate

- 4.12 There is a clear regional need for the proposal and that the sequential test has been satisfied. As a result, the issue of impact should not arise and the duty to cooperate is not engaged so far as it relates to retail.
- 4.13 Analysis of potential impact undertaken for Friends Life Ltd and by Lichfields for MDDC demonstrates that, notwithstanding any assessment of need or the application of the sequential test, no significant adverse impacts arise. As a result, the duty to cooperate is not engaged so far as it relates to retail.
- 4.14 Finally, if the duty to cooperate is engaged, that duty has been discharged, as explained in the Duty to Cooperate Statement prepared by MDDC.

5 'PLANNING CONTROLS' ON OUTLET SHOPPING VILLAGES

- 5.1 The impact of the proposed outlet shopping village on existing town centres would not be significant, and one of the reasons for this is that the way that the proposed outlet shopping village would function means that it would not compete directly with mainstream retailers in nearby town centres.
- 5.2 The typical function of an outlet shopping village is to offer members of the public an opportunity to browse and to purchase, usually at a discount, branded seconds, surplus stock and discontinued lines, with the products typically being clothes, shoes and accessories, together with homewares. Outlet shopping villages are, by virtue of the restricted range and type of goods that they sell, rarely suitable for 'day-to-day' comparison goods shopping, and they are therefore visited infrequently. The effect of this is that town centres (and any existing out of centre retail provision) would continue to be the main destination for most comparison goods shopping, and that the existing town centre uses (and, in particular, shops) would be protected.
- 5.3 A condition (or conditions) could be imposed upon any future planning permission which would ensure that the outlet shopping village functions and operates as intended, thereby ensuring that town centres would continue to be the main destination for comparison goods shopping and, in turn, ensuring that existing town centre uses are protected. That condition (or conditions) would restrict:
- The range of goods that may lawfully be sold, e.g. clothes, shoes and accessories and homewares
 - The type of goods that may lawfully be sold, e.g. branded seconds, surplus stock and discontinued lines
 - The relative price at which most goods may lawfully be sold, e.g. the percentage discount from the price at which the goods would ordinarily have been sold, had they not been seconds, surplus stock or discontinued lines
- 5.4 This approach is reflected in two recent decisions to grant planning permission for outlet shopping villages, at Scotch Corner⁵ and at Tewkesbury⁶. The Secretary of State granted permission for the Scotch Corner development following a call-in inquiry, whilst planning permission was granted for the Tewkesbury development by the local planning authority.
- 5.5 The conditions of relevance that were imposed in the case of the Tewkesbury outlet shopping village were:

⁵ (Richmondshire District Council ref 14/687/FUL and 15/00806/FUL; PINS ref APP/V2723/V/15/3132873 and APP/V2723/V/16/3143678)

⁶ Tewkesbury Borough Council ref 13/01003/OUT)

- All retail sales from the Class A1 floorspace in the FOC shall only be by manufacturers selling their branded seconds, surplus stock, or discontinued lines or other retailers selling rejects, returned goods, seconds, clearance goods and surplus stock, all at discounted prices. Not less than 85% of the total gross Class A1 retail floorspace of the FOC shall offer goods for sale at a price at least 30% below either recommended retail price (if available) or, if that price is not available, the price at which such a good is, or has been, offered for sale at the manufacturers' or their retailers' high street outlets.
- The remainder of the total gross Class A1 retail floorspace of the FOC shall offer goods for sale at a price at least 10% below either recommended retail price (if available) or, if that price is not available, the price at which such a good is, or has been, offered for sale at the manufacturers' or their retailers' high street outlets.
- The retail units other than those in Class A3, A4 and A5 shall not be used for any of the purposes within Class A1 of the Town and Country Planning (Use Classes) Order 1987 as amended other than for the sale of goods by way of factory outlet shopping. The Class A1 retail units shall not be used for the sale of convenience goods, DIY goods, tools, garden furniture, carpets, floor covering, electrical/gas goods/appliances, hardware, motor vehicle spares and accessories.

5.6 The condition of relevance that was imposed in the case of Scotch Corner (Richmondshire District Council ref 14/687/FUL and 15/00806/FUL; PINS ref APP/V2723/V/15/3132873 and APP/V2723/V/16/3143678) was:

- In at least 90% of the floor space within the buildings subject to this permission that is used for sales to members of the public, any goods offered for sale shall be priced at least 20% below the normal price at which similar types of merchandise are or have been offered for sale in their usual place of sale. The operator of the retail floor space shall maintain detailed stock records of goods for sale and pricing, and shall upon written request from the local planning authority produce these records for the previous 12 months for inspection within 2 calendar weeks of the date of request

5.7 A condition (or conditions) could be imposed on any permission for an outlet shopping village at Junction 27, and that if such a condition (or conditions) was worded in a similar way to the conditions for the Tewkesbury and Scotch Corner developments would meet the tests set out in paragraph 206 of the NPPF, in that the condition (or conditions) would be:

- Necessary – the condition would be required in order to ensure that there would be no significant diversion of trade from town centre stores, thereby ensuring the vitality and viability of centres is maintained

- Relevant to planning – maintaining the vitality and viability of town centres is a key component of national planning policy in England, and the condition would clearly be relevant to meeting that objective
- Relevant to the development to be permitted – the condition would specifically restrict the ability of the outlet shopping village to operate, that being the main element of any potential development at Junction 27
- Enforceable – the Scotch Corner example above demonstrates that it is entirely possible to ensure the condition is enforceable, not least by placing an obligation on operators to keep and provide on request records of goods being sold
- Precise – the examples above demonstrate that it is possible to clearly identify the range and type of goods which may be sold and the price point at which they may be sold; it is also entirely possible to provide, if required, a more detailed definition of, for example, 'branded seconds', 'surplus stock' and 'discontinued lines' if required
- Reasonable in all other respects – (a) outlet shopping is a specialist form of retail which, if not suitably controlled, has the potential to give rise to adverse impacts; it is, therefore, entirely appropriate to restrict the operation of an outlet shopping village; (b) given the reliance on the typical function and operational characteristics of an outlet shopping village in demonstrating its acceptability, it is entirely reasonable for outlet shopping village operators to be obliged to demonstrate that they are operating in a manner that is consistent with that function; that is, in any case, information that those operators (or the occupiers) will have as a matter of course.

5.8 In conclusion, the two parties agree that it is entirely possible to protect existing town centre uses through planning controls on the outlet shopping village.