



Welsh Government

Consultation Document

Revision of Planning Policy Wales Chapter 10 Retail Centre Development and Technical Advice Note 4: Retail Centre Development

Date of issue: 3 September 2015

Action required: Responses by 26 November 2015

Overview

This consultation seeks your views on the Welsh Government's proposed revision of national planning policy in relation to retailing and retail centres.

The draft policy documents are a result of research work undertaken by Genecon in 2014 which made 15 recommendations for the revision of planning policy in Wales on retail and town centres.

Chapter 10 of Planning Policy Wales (PPW) has been revised. TAN4 has been rewritten to reflect the changes that have occurred to the retail sector since the first document was published in 1996.

How to respond

The closing date for the consultation is 26 November 2015. You can reply in any of the following ways.

Email:

Please complete the consultation response form at Annex 3 and send it to:
planconsultations-c@wales.gsi.gov.uk

Post:

Please complete the consultation response form at Annex 3 and send it to the address below:

PPW Chapter 10 and TAN4 consultation
Planning Policy Branch
Planning Directorate
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

Planning Policy Wales 2014
www.gov.wales/topics/planning/policy/ppw/?lang=en

Technical Advice Note 4: Retailing and Town Centres
www.gov.wales/topics/planning/policy/tans/tan4/?lang=en

Town Centres and Retail Dynamics - Towards a Revised Retail Planning Policy for Wales
www.gov.wales/topics/planning/planningresearch/publishedresearch/town-centres-and-retail-dynamics/?lang=en

Contact details

If you have any queries about this consultation, please contact:

Richard Spear
Richardspear@wales.gsi.gov.uk
02920 821673

Data protection

How the views and information you give us will be used

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is

an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

What is this consultation about?

Purpose of the Consultation

1. The Welsh Government is committed to ensuring that retail centres continue to thrive despite challenging economic circumstances. Across Government there are a number of ongoing initiatives which seek to make our retail centres the focal point for retailing, commercial, business and social activities.
2. The planning system can play a significant role in supporting retail centres through their promotion as a sustainable location for retail development and by resisting inappropriate development which would draw trade and footfall away from those centres making them vulnerable to decline.
3. Planning Policy Wales (PPW) Chapter 10 Planning for Retail and Town Centres sets out our national planning policy in respect of retailing and retail centres. PPW is supported by Technical Advice Note (TAN) 4: Retailing and Town Centres. TAN4 was published in 1996. This consultation seeks your views on a refresh of Chapter 10 of PPW and a new version of TAN4 which will ensure Wales' national retail planning policies remain fit for purpose.

Why are we proposing change?

4. The Welsh Government's Programme for Government seeks to: "strengthen the conditions that will enable business to create jobs and sustainable economic growth" and to: "improve the planning system to ensure it supports sustainable development". In delivering these actions, the importance of town and other centres in creating employment opportunities and facilitating a high-quality environment for growth and investment is acknowledged by actions across the Welsh Government.
5. Vibrant & Viable Places (VVP) is the Welsh Government's regeneration framework which encourages partnership working between the public, private and third sectors. The framework was created in collaboration with stakeholders and colleagues from various Welsh Government (WG) policy areas including sustainable development, health, education, transport, business, culture and heritage. The framework supports a vision that:

"Everybody in Wales should live in a well-connected vibrant, viable and sustainable community with a strong local economy and a good quality of life."

6. As local authorities are best placed to determine local need and local solutions, the WG has asked them to take on the role of "lead partner" to bring forward coherent schemes to tackle the decline of our town centres and coastal communities and to make links with Communities First Clusters. WG has created a suite of interventions to help achieve

the vision, including the main VVP Programme which will see 11 Local Authorities share £102 million over three years.

7. Chapter 10 of PPW and TAN4 sets out the Welsh Government's current national planning policies for new retail and town centre development. Chapter 10 of PPW was last updated in 2005 (by way of Ministerial Interim Planning Policy Statement (MIPPS)) providing a minor update which did not alter the policy position. TAN4, published in 1996, is limited in scope and deals primarily with retail data and related issues.
8. In January 2012 the Enterprise and Business Committee published the report 'Regeneration of Town Centres'. The report identified 21 recommendations seeking to address challenges facing town centres in Wales. A number of these had implications for Planning, including the need for the Welsh Government to research the effects of supermarkets on town centres, and the need to review and update national planning policy on retailing and town centres. As part of the commitment to keep planning policy under constant review the Welsh Government commissioned the research consultants Genecon to undertake this work in June 2013. The research was published on 2 May 2014.
9. Following this review, the Minister for Natural Resources issued a written statement in October 2014¹ which committed the Welsh Government to a review of PPW Chapter 10 and TAN4, informed by a Technical Advisory Group. This group was formed in January 2015 and has informed the consultation documents.

What are the main issues?

10. The Genecon report includes 15 recommendations which, where appropriate, have been addressed by the draft policy and advice:
 - The planning tests of need and sequential location should remain a central tenet of national planning policy for retailing and town centres but the approach should be clear and applied consistently.
 - The definition of retail planning terms in PPW Chapter 10 should be clearer and more consistent.
 - Supplementary advice should be prepared on how local planning authorities should assess whether the sequential test has been satisfied by applicants for retail and other developments.
 - A central advisory resource should be established to assist authorities in dealing with major or contentious applications.
 - Additional guidance should be provided in PPW Chapter 10 on the weight to be given to 'other material considerations' and the circumstances under which factors such as jobs and economic

¹ <http://wales.gov.uk/about/cabinet/cabinetstatements/2014/retailtowncentres/?lang=en>

benefits might take precedent over planning policy provisions relating to development in and out of centres.

- Consideration should be given to including guidance in PPW on the circumstances in which definition of established out of centre facilities as 'district' or 'town' centres in their own right may be appropriate.
- Supplementary guidance should be provided in PPW Chapter 10 to encourage more effective use of planning conditions by local planning authorities to control range of goods sold, types of occupiers and the ability to extend trading floorspace through, for example mezzanine floor installations.
- The application of the "town centre first" principle should extend to other uses such as business, leisure and assembly which can support diversity and underpin retail sector prospects.
- Distinctions between primary and secondary areas of town centres in PPW Chapter 10 should be reviewed to indicate that a flexible approach should be taken to change of use from retail in appropriate circumstances.
- Consideration should be given to reviewing the Use Classes Order to introduce A4 and A5 uses in line with policy in England. In Wales all food and drink uses are contained within the use class A3. In England food and drink has been separated in to A3 (restaurants and cafés), A4 (drinking establishments) and A5 (hot food takeaways), allowing local planning authorities more flexibility in planning for such uses in retail centres.
- The promotion of LDOs as an option in support of town centre regeneration should be specifically referenced in PPW Chapter 10.
- Consideration should be given to the deletion of the types of centre from TAN 4, leaving the definition of centre types and hierarchies to local planning authorities.
- The terminologies in PPW Chapter 10 require a thorough review to ensure that the language is more precise and that planning tests are clear and unambiguous.
- PPW Chapter 10 should reinforce the role of town centres in supporting employment growth and area competitiveness in line with TAN 23.
- Town centres policy should align or form part of wider economic development strategies and 'place plans'.

11. Not all the recommendations relate to the content of national planning policy; however the Welsh Government is considering how these other recommendations can be taken forward using other means.

What changes are we proposing?

12. The draft Chapter 10 of PPW and TAN4 are published as annexes to this report. They should be read together and are similarly structured. PPW provides the overall policy direction with TAN 4 providing further detailed technical guidance where appropriate. The principal areas of change in PPW are:

- revised objectives for retail planning policy including the need for flexibility in responding to market changes;
- stronger emphasis on the need for retail policies to be framed by a retail strategy in LDPs which is complemented by masterplans and place plans to assist in the delivery of the strategy;
- the requirement for LDPs to set-out a hierarchy of centres using locally derived definitions;
- clearer guidance on uses subject to the sequential test
- revised policies for dealing with new uses and centres undergoing change; and
- a consistent approach to terminology.

13. TAN4 has been rewritten and provides further technical advice on the following topic areas:

- retailing objectives;
- centre hierarchies;
- retail strategies, masterplans and Place Plans;
- retail needs tests;
- the sequential test;
- retail frontages;
- changes of use and development management;
- Local Development Orders; and
- monitoring indicators

Consultation questions

14. Specific consultation questions relating to this consultation are set out below. If you wish to respond please complete the Consultation Response Form at Annex 1.

15. Responses to consultations may be made public on the internet or in a separate report. If you would prefer your response to be kept confidential please indicate this by ticking the relevant box on the response form.

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| Q1 | <p>Do you agree with the revised objectives for retail centres? If not; what amendments would you like to see?</p> <p>Paragraphs 10.1.1 of draft PPW Chapter 10 and paragraphs 2 to 2.5 of draft TAN4 refer to our revised objectives for retail centres.</p> |
| Q2 | <p>Do you agree with the collective term of 'retail centre' to apply to all levels of city, town and district centre etc.? If not, how would you suggest classifying them?</p> <p>Paragraph 10.1.2 of draft PPW Chapter 10 and paragraph 2.1 of draft TAN4 first refer to 'retail centre'.</p> |

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| Q3 | <p>Do you agree with the scope that local planning authorities are advised to work collaboratively on? If not, what other models should be considered?</p> <p>Paragraph 10.1.7 of draft PPW Chapter 10 refers to local planning authorities working collaboratively.</p> |
| Q4 | <p>Do you agree that policies and guidance on retail strategies and support for existing centres are clear? If not which aspects need further clarification?</p> <p>Paragraphs 10.2.1 to 10.2.7 of draft PPW Chapter 10 and paragraphs 5.1 to 5.7 of draft TAN4 refer to our policies and guidance on retail strategies and support for existing centres.</p> |
| Q5 | <p>Do you agree that policies and guidance on the tests of retail need are clear? If not, which aspects require further clarification?</p> <p>Paragraphs 10.2.8 to 10.2.11 of draft PPW Chapter 10 and paragraphs 6.1 to 6.8 of draft TAN4 refer to the tests of retail need.</p> |
| Q6 | <p>Do you agree that policy and guidance on the sequential test is clear? If not, in what way might the test be further clarified?</p> <p>Paragraphs 10.2.12 to 10.2.17 of draft PPW Chapter 10 and paragraph 7.1 of draft TAN 4 refer to the sequential test.</p> |
| Q7 | <p>Do you agree that policy and guidance approach to primary and secondary frontages (emphasising the importance of diversity and flexibility in retail centres) is clear? If not, what other issues need to be addressed?</p> <p>Paragraphs 10.3.1 to 10.3.7 of draft PPW and paragraphs 9.1 to 9.4 of draft TAN 4 refer to retail impact assessments.</p> |
| Q8 | <p>Do you agree that guidance on Local Development Orders is clear? If not, what further information is necessary?</p> <p>Paragraph 10.3.9 of draft PPW and paragraphs 12.1 to 12.4 of draft TAN 4 refer to retail impact assessments.</p> |
| Q9 | <p>Do you agree that policy and guidance on retail impact assessments is clear and sufficient? If not what needs to be added?</p> <p>Paragraph 10.4 of Chapter 10 and paragraphs 8.1 to 8.2 of draft TAN 4 refer to retail impact assessments.</p> |
| Q10 | <p>Do you consider that policy should provide guidance about the re-use</p> |

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| | <p>of redundant out of town retail space for other uses?</p> <p>Paragraph 10.3.2 of draft PPW refers to use of redundant out of town retail space.</p> |
| Q11 | <p>Do you agree that guidance on conditions is clear? If not, what further information needs to be included?</p> <p>Paragraph 10.4.4 of draft PPW and paragraphs 8.1 to 8.8 of draft TAN 4 refer to conditions.</p> |
| Q12 | <p>Do you agree that guidance on Mezzanine floors is clear? If not, what further information is necessary?</p> <p>Paragraphs 11.1 of draft TAN 4 refers to Mezzanines.</p> |
| Q13 | <p>A number of indicators for monitoring the vitality and viability of retail centres have been identified. Do you agree with these indicators? Are there any other indicators that should be included?</p> <p>Paragraphs 13.1 to 13.3 of draft TAN4 refer to the indicators for monitoring of the vitality and viability of retail centres.</p> |
| Q14 | <p>Do you agree with the information listed in the glossary of terms? If not what changes are required?</p> <p>Annex A of draft TAN 4 refers to the glossary of terms.</p> |
| Q15 | <p>We have asked a number of specific questions. If you have any related issues which we have not addressed, please let us know.</p> |