

Ministerial Interim Planning Policy
Statement 02/2005



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Planning for Retailing and Town Centres



November 2005

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MINISTERIAL INTERIM PLANNING POLICY STATEMENT 02/2005

PLANNING FOR RETAILING AND TOWN CENTRES

The following text amends **sections 10.1 to 10.3 of Planning Policy Wales** (Welsh Assembly Government, 2002) using existing paragraph headings and numbers as far as possible. The amendments will be incorporated in the next full revision of Planning Policy Wales. This Ministerial Interim Planning Policy Statement replaces sections 10.1 to 10.3 of **Planning Policy Wales** which are hereby cancelled

10.1 Objectives

References

10.1.1 The Assembly Government's objectives for retailing and town centres are to:

- secure accessible, efficient, competitive and innovative retail provision for all the communities of Wales, in both urban and rural areas;
- promote established town, district, local and villages centres as the most appropriate locations for retailing, leisure and for other functions complementary to it;
- enhance the vitality, attractiveness and viability of town, district, local and village centres; and to
- promote access to these centres by public transport, walking and cycling.

10.1.2 Wherever possible this provision should be located in proximity to other commercial businesses, facilities for leisure, community facilities and employment. Town, district, local and village centres are the best locations for such provision at an appropriate scale. Such co-location of retail and other services in existing centres, with enhancement of access by walking, cycling and public transport, to provide the opportunity to use means of transport other than the car, will provide the greatest benefit to communities. This complementary mix of uses should also sustain and enhance the vitality, attractiveness and viability of those centres as well as contributing to a reduction of travel demand.

10.1.3 Vitality is reflected in how busy a centre is at different times and in different parts, attractiveness in the facilities and character which draw in trade. Viability, on the other hand, refers to the ability of the centre to attract investment, not only to maintain the fabric, but also to allow for improvement and adaptation to changing needs¹.

10.1.4 Corner shops in urban areas, village shops in rural areas, as well as public houses and other individual outlets with a retail function which are not part of established centres, can play a vital economic and social role and their loss can be damaging to a local community. Their role needs to be taken into account in preparing development plans and in development control, bearing in mind also the policies for diversification of the local economy set out in 2.3 and in Chapter 7.

¹ 'Vital and Viable Town Centres : Meeting the Challenge', Urban and Economic Development Group for DoE, HMSO, 1994

10.2 Development plans and retailing and town centres

10.2.1 Local planning authorities should develop through their Community Strategies and development plans a clear strategy and policies for retail development, and for the future of town, district, local and village centres in their area, which promote a successful retailing sector supporting existing communities and centres. These plans should establish the existing hierarchy of centres, identify those which fulfil specialist functions and be clear about their future roles. They should identify changing pressures and opportunities and devise appropriate responses to them. In some situations it may be necessary to take pro-active steps to identify town or city centre locations for expansion or in others manage the decline in relative importance of a centre as other centres expand. Dealing with change may mean redefining the boundaries of centres or identifying acceptable changes of use.

10.2.2 **New regional shopping centres**, with more than 50,000 square metres of gross floor space, can have a substantial impact over a wide area and severely harm the nearest major centres. Although there may be circumstances where they could fulfil an important retail need, full account needs to be taken of all likely impacts and it is unlikely that opportunities exist for such a centre in Wales at present.

Support for existing centres

10.2.3 In developing policies to revitalise and increase the attractiveness of existing centres, local planning authorities should consult the private sector and local communities and should pay particular attention to the character of historic towns and conservation areas.

10.2.4 Although retailing should continue to underpin town, district, local and village centres it is only one of the factors which contribute towards their well-being. Policies should encourage a **diversity of uses in centres**. Mixed use developments, for example, combining retailing with entertainment, restaurants and housing should be encouraged to promote lively centres as well as reducing the need to travel to visit a range of facilities. Leisure uses can benefit town and district centres and, with adequate attention to safeguarding amenities, can contribute to a successful evening economy.

10.2.5 In existing centres, the restoration of redundant buildings which are worthy of retention can make them suitable for re-use for a variety of retailing, commercial, entertainment, cultural or residential purposes.

10.2.6 Good access to, and convenient movement within, town centres are essential. Development plans should, in particular, **encourage the provision of good access to town and other centres for walkers, cyclists and for public transport**, including bus priority measures and public transport facilities. They should also encourage easy access to and within centres, and appropriate facilities, for people with limited mobility. Access for delivery vehicles should be provided for so as to assist the efficient functioning of centres. Access by car and short-term parking can also help centres compete with existing out of centre locations, but should be managed to minimise congestion, pollution and parking problems which would otherwise reduce the convenience, attractiveness or competitiveness of these centres.

10.2.7 Development plans may **distinguish between primary and secondary frontages in town centres** and consider their relative importance to the character of the centre. Primary frontages are characterised by a high proportion of retail uses, while secondary frontages are areas of mixed commercial development including, for example, restaurants, banks and other financial institutions. Banks and other financial institutions provide important services and local planning authorities should encourage their retention in town centres. This may include the upgrading of premises and the installation of new customer services. However, such uses should not be allowed to dominate primary shopping areas in a way that can undermine the retail function.

10.2.8 Policies and supplementary planning guidance should **support management of town centres** and, where appropriate, of smaller centres. Such management involving enhancement and promotion can be an important factor in achieving vitality, attractiveness and viability of town, district, local and village centres. Appropriate management measures can also contribute to achieving a safe and crime free environment. Partnership between local authorities and the private sector is essential to the success of such management².

² Technical Advice Note (Wales) 4, 'Retailing and Town Centres', 1996

Identifying new sites – the sequential approach

References

10.2.9 Local planning authorities should consider through their development plans whether new sites should be identified in town, district, local or village centres for retail development, leisure development or other **uses best located in centres**. Uses which need to be accessible to a large number of people, including retailing, major leisure uses (such as theatres, multi-screen cinemas, bingo halls and bowling alleys), offices of central and local government, commercial offices, hospitals and tertiary education facilities are preferably to be located in town centres. Smaller scale retail provision, including appropriately sized supermarkets, leisure facilities, and other facilities such as local health centres, branch libraries, area offices of the local authority, and primary schools should preferably be located in district, local and village centres.

10.2.10 In deciding whether to identify sites for retail and leisure developments local planning authorities should in the first instance **consider whether there is a need for additional provision** for these uses. Such need may be quantitative to address a provable unmet demand for the provision concerned. Precedence should be accorded to establishing quantitative need for both convenience and comparison floorspace particularly as a basis for development plan allocations before qualitative factors are brought into play. Qualitative assessment should cover both positive and negative implications. Where the current provision appears to be adequate in quantity, the need for further allocations must be fully justified in the plan This may be the case if new provision can be located where:

- it supports the objectives and strategy of an up-to-date development plan or the policies in this guidance
- it is highly accessible by walking, cycling or public transport;
- it contributes to a substantial reduction in car journeys;
- it contributes to the co-location of facilities in existing town, district, local or village centres;
- it significantly contributes to the vitality, attractiveness and viability of such a centre; or where
- it would alleviate a lack of convenience provision in a disadvantaged area.

If there is no need for further development for retail or leisure uses, there will be no need to identify additional sites.

10.2.11 Local planning authorities should **adopt a sequential approach** to selecting sites where a need is identified for such new development. The sequential approach should also be used when allocating sites for the other uses best located in existing centres (see 10.2.9). Adopting a sequential approach means that first preference should be for town centre locations, where suitable sites or buildings suitable for conversion are available. If they are not then consideration should be given to amending the boundaries of existing centres so that appropriate edge of centre sites are included as referred to in paragraph 10.2.1. Where this is not practical then district and local centres might be considered and, only then, out-of-centre sites in locations that are accessible by a choice of means of transport. When proposing a development plan allocation in an edge of centre or out-of-centre location for uses best located in an existing centre, local planning authorities must have regard to need and the sequential test and be able to fully justify the proposal.

10.2.12 Local planning authorities should take a positive approach, in partnership with the private sector, in identifying additional sites which accord with this approach. Where sites are allocated for different types of retail developments they should take account of such factors as floorspace, quality, convenience, attractiveness and traffic, but should not prescribe rigid floorspace limits, whether for town centres or other development, that would unreasonably inhibit the retail industry from responding to changing demand and opportunity. As proposals for development may come forward after the development plan has been adopted, and may be brought forward irrespective of whether the plan provides allocations, plans should also include criteria based policies in line with this guidance to guide consideration of such proposals.

10.2.13 Development plans should:

- establish the strategic role to be performed by the main centres in the retail hierarchy.
- set out measures to reinvigorate particular centres, as appropriate;
- set out detailed policies to achieve vital, attractive and viable centres;
- allocate sites for new retail and leisure facilities and other uses best located in town centres, where there is assessed to be a quantitative or qualitative need using the sequential approach;

- include a criteria based policy against which proposals coming forward on unallocated sites can be judged;
- set out policies for primary and secondary frontages, where appropriate.

10.3 Development control and retailing and town centres

10.3.1 When determining a planning application for retail, leisure or other uses best located in a town centre, including redevelopment, extensions or the variation of conditions, local planning authorities should take into account:

- compatibility with any Community or up-to-date Development Plan strategy;
- consideration of the need for the development/extension unless the proposal is for a site within a defined centre or one allocated in an up-to-date development plan;
- the sequential approach to site selection;
- the impact on existing centres;
- if redevelopment is involved whether it involves a net gain in floorspace and whether or not it is like-for-like in terms of comparison or convenience;
- the rate of take-up of allocations in any adopted development plan;
- accessibility by a variety of modes of travel;
- any improvements to public transport;
- the impact on overall travel patterns; and
- the best use of land close to any transport hub in terms of density and mixed use.

10.3.2 This approach reinforces the role of centres as the best location for most retail/leisure activities. Unlike locations outside existing centres, consideration of the need for additional provision is not a matter that should be taken into account when proposals for uses best located in centres come forward. It is not the role of the planning system to restrict competition between retailers within centres.

10.3.3 Where need is a consideration precedence should be accorded to establishing quantitative need. It will be for the decision-maker to determine and justify the weight to be given to any

qualitative assessment as outlined in paragraph 10.2.10. Regeneration and additional employment benefits are not considered qualitative need factors in retail policy terms, though they may be material considerations in making a decision on a planning application.

10.3.4 Developers should be able to demonstrate that all potential town centre options, and then edge of centre options, have been thoroughly assessed using the sequential approach, before out-of-centre sites are considered for key town centre uses. The onus of proof that more central sites have been thoroughly assessed rests with the developer and, in the case of appeal the Assembly will need to be convinced that this has been undertaken. This approach also requires flexibility and realism from local planning authorities, developers and retailers.

10.3.5 To maximise the opportunities for new development in centres, developers and retailers will need to be more flexible and innovative about the format, design and scale of proposed development and the amount of car parking, tailoring these to fit the local circumstances. Rather than propose developments with a mixture of large scale retail and/or leisure uses and a large amount of car parking which can only be accommodated at single site out-of-centre or even out-of-town locations, developers are expected to demonstrate why they could not develop elements of the larger scheme on a site, or a number of sites, in more central locations with less car parking.

10.3.6 For major new retail proposals, local planning authorities should consider not only the incremental effects of that proposal but the likely cumulative effects of recently completed developments, together with outstanding planning permissions and development plan commitments, in the catchment areas of those centres.

10.3.7 The commitment to accessible shopping and sustaining existing centres means that local planning authorities should **seek to retain an adequate level of provision for food shopping**, together with post offices and pharmacies in existing town, district and local centres and in villages.

10.3.8 Out-of-centre food supermarkets should not be allowed if their provision is likely to lead to the loss of general food retailing in the centre of smaller towns. Where the inclusion of post offices and pharmacies in out-of-centre retail developments would be likely to lead to the loss of existing provision they should be discouraged by imposing appropriate conditions.

10.3.9 The economic and social role of **local shops, village shops and public houses** should be taken into account when considering applications for a change of use of existing shops into dwellings or other uses. In rural areas local planning authorities should adopt a positive approach to applications for conversion of suitable village properties to shops and for extensions to village shops designed to improve their viability. A positive approach should also be taken, subject to amenity considerations, to re-establish a public house in villages which have completely lost such provision. The lack of public transport in rural areas should not preclude small-scale retail or service developments where this will serve local needs.

10.3.10 Shops ancillary to other uses, such as **farm shops**, that will help meet the demand for fresh produce, craft shops and shops linked to petrol stations can also serve a useful role in rural areas by providing new sources of jobs and services (see Chapter 7). In assessing such proposals, local planning authorities should take account of:

- the potential impact on nearby village shops;
- the desirability of providing a service throughout the year; and
- the likely impact of traffic generated and access and parking arrangements.

10.3.11 Edge-of-centre or out-of-centre retail developments may seek over time to change the range of goods they sell or the nature of the sales area, for example by subdivision to a mix of smaller units, or to a single 'department' store. Sites might come up for redevelopment, be extended or additional floorspace (possibly in the form of a mezzanine floors) might be proposed. If such a change could result in a development that the planning authority would have otherwise refused because it would impact on the vitality, attractiveness or viability of a town centre planning conditions should be used on the initial permission, and any subsequent variation that is allowed, in order to limit the impact and manage future change. Conditions might be appropriate to prevent the

References

development from being subdivided into a large number of smaller shops, limit the range of goods sold or restrict the amount of floorspace. Applications to remove or vary such conditions should be considered in accordance with this guidance.

10.3.12 Some types of retailing such as **stores selling bulky goods and requiring large showrooms** may not be able to find suitable sites in town centres. Such stores should be located at edge of centre sites or, where such sites are not available, at locations accessible to a choice of means of transport. Retail parks, where such stores are grouped, should only be considered where accessible to public transport as well as private transport. The need for retail parks should be tested in accordance with the principles in paragraph 10.3.1 above. The scale, type and location of out-of-centre retail developments should not be such as to be likely to undermine the vitality, attractiveness and viability of those town centres that would otherwise serve the community well, and should not be allowed if they would be likely to put town centre strategies at risk.

10.3.13 **Single retail outlets at factories selling their own products** are likely to be suitable where they do not individually or cumulatively harm the vitality, attractiveness or viability of a town centre and are acceptable in regard to traffic generation, access and parking. Free-standing developments which include a number of factory outlets should be assessed on the same basis as other retail proposals. The central issue is not whether goods are sold at a discount, but whether such retail developments would divert trade in comparison goods away from existing town centres. Such centres may draw customers from a wide catchment area, predominantly by car, and as a result are unlikely to be consistent with the criteria in this guidance unless those issues can be satisfactorily resolved. Factory outlet centres may play a positive role in revitalising declining shopping centres where there is presently unused capacity or a lack of suitable opportunities for conversion.

10.3.14 **Warehouse clubs** share many of the characteristics of very large retail outlets, and they should be treated as if they were retail businesses in assessing planning applications for them.

10.3.15 **Amusement centres** are most appropriately sited in secondary shopping areas or in areas of mixed commercial development. They are unlikely to be acceptable in primary shopping areas, close to housing, or near schools, places of worship, hospitals and hotels, nor in conservation areas or other places of

special architectural, historic, landscape or natural environment character. In resort towns, seafront locations may be preferred (but see section 5.6). Account will always need to be taken of the amount of noise already generated in the area. It will not normally be reasonable to expect amusement centres to be quieter than their neighbours.

10.3.16 When determining applications for renewal of planning permission for retail, leisure, and other uses best located in existing town centres, local planning authorities should determine the application in accordance with the up-to-date development plan and with regard to this guidance including the sequential approach. This may mean that permissions are not renewed where the proposals do not accord with current policy. Proposals to change the use of existing retail allocations which are not in conformity with this guidance (for example, because they are located where access by walking, cycling and public transport is poor) to other more acceptable land uses at those locations, should be supported.

10.3.17 Applications for non-retail use of allocated retail sites which conform to this guidance should not normally be permitted. However, some sites in urban areas with extant but unimplemented permissions for commercial or retailing uses may be suitable for housing development that could help bring vitality to urban centres. Where vacant offices and retail premises in existing shopping centres seem unlikely to be used again for these purposes, authorities should encourage conversion to other appropriate uses.

10.3.18 Planning applications for retail development should not normally be permitted on land designated for other uses. This advice applies especially to land allocated for industry, employment and housing, where retail development can be shown to have the effect of limiting the range and quality of sites that would be available for such uses.