

Meeting of:	DEVELOPMENT CONTROL COMMITTEE
Date of Meeting:	21 AUGUST 2025
Report Title:	RETAIL AND COMMERCIAL DEVELOPMENT SUPPLEMENTARY PLANNING GUIDANCE
Report Owner / Corporate Director:	CORPORATE DIRECTOR – COMMUNITIES
Responsible Officer:	LOUIS PANNELL PRINCIPAL STRATEGIC PLANNING POLICY OFFICER
Policy Framework and Procedure Rules:	There is no impact on the policy framework or procedure rules.
Executive Summary:	The purpose of this report is to provide the Development Control Committee with an overview of the public consultation responses on the draft Retail and Commercial Development Supplementary Planning Guidance (SPG) document. It also summarises the resultant changes made to the draft SPG and informs Committee of the intention to present the amended draft final form SPG document to Council to seek its adoption following Cabinet approval on 22 <sup>nd</sup> July 2025. Adoption of the SPG will enable effective implementation of the Retail and Commercial Development Policies within the adopted Replacement Local Development Plan (RLDP), the Council's statutory land-use Planning document.

## 1. Purpose of Report

- 1.1 The purpose of this report is to inform Members of the Development Control Committee of the outcome of the public consultation exercise on the draft Retail and Commercial Development Supplementary Planning Guidance (**SPG**) document.
- 1.2 The report also informs the Development Control Committee of the intention to present the amended draft final form Retail and Commercial Development SPG (**Appendix 1**) to Council to seek its adoption in order to support the Retail and Commercial Development Policies within the adopted Replacement Local Development Plan (**RLDP, March 2024**).

## 2. Background

- 2.1 The adopted RLDP has a key role in ensuring that Town, District and Local Centres (**Centres**), are promoted as hubs of socio-economic activity, and are the focal points for a diverse range of services which support the needs of the communities they serve. Town Centres offer a wide range of shops and facilities serving a large catchment area, whereas District and Local Centres usually contain a small food store

and a range of services that serve a smaller, more limited catchment area. They act as the most appropriate and sustainable locations for new retail, leisure and supporting commercial development. This accords with the 'Town Centre First' policy contained within 'Future Wales: The National Plan 2040' (**Future Wales**), Planning Policy Wales and Technical Advice Note 4: Retail and Commercial Development (**TAN4**), to help build resilient communities, and respond to the long-term impacts of Covid-19, which have not only re-focused the lives of people and communities but acted as a further driver towards making such Centres multi-functional places.

- 2.2 The framework for the management of retail and commercial development in the County Borough is provided by Policy SP12, and its supporting Policies ENT6, ENT7, ENT8 and ENT9. The *Retail Study 2018* formed a key part of the adopted RLDP's evidence base and helped form the basis of these policies. The *Retail Study 2018* sets out a number of recommendations, including 'retail need' (the demand for additional retail floorspace), the distribution of retail need and the definition of "Primary Shopping Areas" and "Secondary Shopping Areas", to inform the policies contained within the adopted RLDP. The *Retail Study Update 2022*, further analysed trends affecting the retail sector across the County Borough, considered how trends may change over time and then assessed future needs for 'comparison' retail (retail that sells goods that consumers compare before purchasing or goods that are usually higher value and purchased infrequently e.g. furniture, clothing, electronics), and 'convenience' retail floorspace (retail that stocks a wide range of everyday items e.g. groceries), to 2033.
- 2.3 In recognising that Centres are moving away from their traditional retail roles, Policy SP12, and its supporting policies, seek to ensure that such Centres become the focus of a wider variety of services and facilities. The 'Town Centre First' approach is key to enabling such Centres to increasingly become multi-functional places and community focal points, thereby rendering them more viable as "go-to" destinations.
- 2.4 The purpose of this SPG is to expand on the above policies and provide clarity in respect of their future interpretation and application, and setting out what the Council expects from applicants in respect of satisfying the detailed criteria of those policies.
- 2.5 Members of the Development Control Committee were informed of the need to produce a SPG for Retail and Commercial Development on 8<sup>th</sup> August 2024. Councillor Easterbrook, volunteered to champion production of the SPG for Retail and Commercial Development and has since been working alongside the Principal Strategic Planning Policy Officer to progress the SPG.
- 2.6 The draft SPG provides updated, specific guidance on:
  - *Policy ENT7: Development in the Commercial Centres of Bridgend, Porthcawl and Maesteg* – This Policy defines Primary Shopping Areas and Secondary Shopping Areas within these three commercial Centres. This Policy seeks to protect these areas to ensure their existing function is not diluted so they can continue to operate as viable shopping centres. The SPG will provide further clarity on what is deemed acceptable within these named Centres.
  - *Policy ENT8: Non-A1, A2 and A3 Outside of Primary Shopping Areas* – The RLDP allows more flexibility to introduce shops, financial/professional services and food

and drink uses outside of Primary Shopping Areas. This Policy explains what other uses may be acceptable in commercial Centres. The SPG will clarify what uses may be acceptable within commercial Centres outside of Bridgend, Porthcawl or Maesteg.

- *Policy ENT9: Retail Development Outside of Retailing and Commercial Centres* – This Policy explains the type of retail and commercial development that is acceptable outside of retailing and commercial Centres. The SPG will provide guidance on the loss of retail and commercial floorspace outside of commercial Centres in addition to explaining what types of development would be appropriate on existing retail parks.

### **3. Current situation / proposal**

3.1 On 11<sup>th</sup> March 2025, a draft version of the SPG was presented to Cabinet. Cabinet resolved to approve that draft SPG as the basis for a public consultation period of 6 weeks. Cabinet also authorised officers to make appropriate arrangements for that public consultation before reporting the outcome back to Cabinet for approval to send a report to Council to seek adoption of the final SPG.

3.2 A 6-week public consultation period was held from 19<sup>th</sup> March 2025 to 30<sup>th</sup> April 2025. The consultation was advertised in the following ways:

- Information on the consultation, including all the documentation, representation forms and how to make representations was placed on the Council's online Consultation Portal.
- Consultation details were sent directly to approximately 140 targeted consultees including all Elected Members, Town and Community Councils, planning consultants, house builders and Registered Social Landlords (**RSLs**).
- A social media campaign was launched to promote the consultation across various social media platforms, aiming to generate awareness throughout the public consultation period. Periodic posts were made on the Council's X (formerly Twitter), LinkedIn and Facebook accounts.

3.3 At the close of the public consultation period, two representations were received on the draft SPG: one from an Elected Member and one from a planning consultant on behalf of McArthurGlen. These representations, together with the Local Planning Authority's (**LPA's**) responses to the comments raised, are provided in **Appendix 2** to this report. Copies of the full representations are held by the Local Planning Authority and can be viewed upon request. Given the extensive publication of the public consultation and the direct targeting of consultees, the response rate is positive in that there were no wholesale objections to the contents of the draft SPG.

3.4 The representors principally commented on the wording of certain paragraphs. Therefore, only minor amendments to the SPG are considered necessary in light of the comments received. These proposed amendments are now incorporated within the final form draft of the SPG, which is attached at **Appendix 1**. The paragraphs proposed for amendment following the consultation are detailed in full at the end of **Appendix 2** for ease of reference and include:

- Minor amendment to clearly set out the acceptable uses permitted on edge-of-centre and out-of-centre retail allocations;
- Removal of a specified floorspace limit for small scale ancillary/incidental uses on edge-of-centre and out-of-centre retail allocations to avoid being overly prescriptive. Furthermore, the role of the SPG is to augment and interpret what is already contained in adopted RLDP policies rather than introduce new policies. Any application for ancillary/incidental uses will be judged on a case-by-case basis to determine their appropriateness; and,
- Minor amendment to the Sequential Test – Assessment Checklist detailed in Appendix B, to require the test to be based on a sound methodology. This will add further detail ensuring that applicants set out a clear methodology with regard to their assessment of the suitability of alternative sites. A sequential test is used to assess the suitability of sites for retail and commercial uses, prioritising development in defined retail and commercial centres first, followed by edge-of-centre and out-of-centre locations if no suitable alternative sites are available.

3.5 On 22<sup>nd</sup> July 2025, Cabinet resolved to approve the presentation of the draft final form Retail and Commercial Development SPG (**Appendix 1**) to Council to seek its adoption. When formally adopted, the SPG will add weight to the interpretation and application of RLDP Retail and Commercial Development policies, will provide more detailed advice and guidance to applicants preparing planning applications and will become a material consideration in the determination of planning applications.

#### **4. Equality implications (including Socio-economic Duty and Welsh Language)**

4.1 An initial Equality Impact Assessment (**EIA**) screening has identified that there would be no negative impact on those with one or more of the protected characteristics, on socio-economic disadvantage or the use of the Welsh Language. It is therefore not necessary to carry out a full EIA on this policy or proposal.

#### **5. Well-being of Future Generations (Wales) Act 2015 - implications and connection to Corporate Well-being Objectives**

5.1 The Retail and Commercial Development SPG will provide additional guidance and material weight to support adopted RLDP Policies and seeks to provide clarity in respect of their future interpretation and application, setting out what the Council expects from applicants in respect of satisfying those policies' detailed criteria. This



is a key contributory factor to delivering Local Wellbeing Objective one '*A prosperous place with thriving communities*'.

5.2 The SPG will also contribute to the following goals within the Well-being of Future Generations (Wales) Act 2015:

- A prosperous Wales – Ensuring retail and commercial Centres are protected, promoted and support a prosperous Wales by ensuring such Centres act as hubs of socio-economic activity and are the focal points for a diverse range of services which support the needs of the communities they serve.
- A resilient Wales – Ensuring retail and commercial Centres are protected, promoted and support a resilient Wales by ensuring such Centres become increasingly multifunctional, which will help to respond to the long-term impacts of Covid-19 and online shopping.

## **6. Climate Change and Nature Implications**

6.1 There are no direct climate change and nature implications from this report, although the SPG will provide additional guidance to ensure that new retail and commercial development is directed to existing retail and commercial Centres that are well connected by established active travel routes and public transport links. This will help to encourage a sustainable modal shift, reducing carbon emissions that are released from car-borne travel.

## **7. Safeguarding and Corporate Parent Implications**

7.1 There are no safeguarding and corporate parent implications arising from this report.

## **8. Financial Implications**

8.1 There are no financial implications arising from this report.

## **9. Recommendations**

9.1 It is recommended that Development Control Committee:

- a) Note the contents of the report, the final form draft Retail and Commercial Development SPG (**Appendix 1**) and the summary of consultation responses received on the draft Retail and Commercial Development SPG, together with resultant amendments attached as **Appendix 2**.

## **Background documents**

None



**Bridgend County Borough  
Local Development Plan  
2018-2033**

**Draft Retail and Commercial Development  
Supplementary Planning Guidance  
July 2025**

Cyngor Bwrdeistref Sirol

Teiry-bont ar Ogwr  
**BRIDGEND**  
County Borough Council

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Wyndham Street, Bridgend

Bridgend Local Development Plan 2018-2033

Retail and Commercial Development Supplementary Planning Guidance



## 1.0 Introduction

- 1.1 The purpose of this Supplementary Planning Guidance (SPG) is to support and provide further direction on the implementation of the retail and commercial development policies contained within the adopted (March 2024) Bridgend Replacement Local Development Plan (RLDP). It outlines further guidance on retail and commercial development to protect the vitality, attractiveness, and viability of the designated retail centres in accordance with the approach outlined in National Planning Policy. This guidance aims to assist applicants and decision makers when considering specific changes of use in retail centres and other town centre developments, in accordance with the policies contained within the RLDP, National Plan 2040 (Future Wales) and in light of other material considerations to ensure the County Borough's retail centres are sustainable in the long term.
- 1.2 This SPG will be a material consideration in the determination of all planning applications for retail and commercial development including applications for renewal of consents.
- 1.3 Anyone wishing to submit an application for retail and commercial development within Bridgend County Borough is urged to consider this SPG and to contact the Local Planning Authority (LPA), in advance of submitting a planning application, to discuss the issues that are raised in this document on a site-specific basis.
- 1.4 The SPG provides specific guidance on:
- Development in commercial centres of Bridgend, Porthcawl and Maesteg (including Primary Shopping Areas, Secondary Shopping Areas and outside of shopping areas but within commercial centres);
  - Non A1, A2 and A3 uses in commercial centres outside of Bridgend, Porthcawl and Maesteg; and
  - Retail development outside of retail and commercial centres.

## 2.0 Policy and Legislative Context

- 2.1 The National Planning Policy context for the provision of retail and commercial development through the planning system is set out in Future Wales: The National Plan 2040, Planning Policy Wales (PPW) and Technical Advice Note 4 November 2016 (TAN4) Retail and Commercial Development.
- 2.2 **Future Wales: The National Plan** is the National Policy framework setting out the direction for development in Wales to 2040. ‘Town Centre First’ is a key policy within Future Wales (Policy 6), and it is recognised that the planning system has a long-established role in this respect. Future Wales recognises the need to re-think the future of town and city centres, which are moving away from their traditional retail roles towards more multi-functional places. Town centres remain important focal points of communities and are increasingly becoming places to live, centres of community and cultural activity, a focus for public services such as health and education, and the location of new co-working spaces.
- 2.3 **PPW (Edition 12)** sets out the National priorities and considerations with regards to new commercial and retail development and for managing change within existing commercial and retail centres. PPW requires local planning authorities to establish through their development plan a clear strategy for retail development, supported by policies, to achieve vibrant, attractive and viable retail and commercial centres. The Welsh Government operates a ‘Town Centre First’ approach in relation to the location of new retail and commercial centre development (Policy 6, Future Wales, as referred above).
- 2.4 **TAN 4: Retail and Commercial Development** sets out National Policy and guidance in relation to the changes of use in Primary and Secondary retail and commercial Areas. TAN4 identifies a number of overarching objectives for retail and commercial centres where the planning system must promote viable urban and rural retail and commercial centres as the most sustainable locations to live, work, shop, socialise and conduct business; sustain and enhance retail

and commercial centres' vibrancy, viability and attractiveness; and improve access to, and within, retail and commercial centres by all modes of transport, prioritising walking, cycling and public transport.

- 2.5 **TAN 23: Economic Development (February 2014)** defines economic development broadly so that it can include any form of development that generates wealth, jobs and income, recognising that retail is an economic land use.
- 2.6 **Building Better Places: The Planning System Delivering Resilient and Brighter Futures - Placemaking and The Covid-19 Recovery (Welsh Government, July 2020)** recognises that town centres should become places where a variety of retail, employment, commercial, community, leisure, health and public sector uses come together in a hub of activity to make them viable as go-to destinations. Flexible, local co-working spaces could also be a crucial new element to increase space to work. Residential uses are also key to the vitality of centres, provided that they do not curtail the commercial activities which take place and that noise impacts are considered.
- 2.7 **Town and Country Planning (Use Classes) Order 1987 (as Amended) (Use Classes Order 1987)** identifies uses of land and buildings and places them within various categories known as 'Use Classes'. The Use Classes Order 1987 does not contain a definitive list of all the different types of uses of land and buildings but provides broad categories to allow developers and decision makers to understand which Use Class should apply.
- 2.8 Table 1 sets out the types of uses which would fall under the retail Use Classes contained under Part A Schedule 1 of the Use Classes Order 1987:

**Table 1: Retail Use Classes**

Use Class	Examples
<b>A1 Shops</b>	Shops, retail warehouses, post office (not sorting offices), hairdressing, undertakers, dry cleaners, pet shops, sandwich bars, showrooms and domestic hire shops.
<b>A2 Financial and professional services</b>	Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies.
<b>A3 Food and drink</b>	For the sale of food and drink for consumption on the premises – restaurants, snack bars and cafes, drinking establishments and take-aways.

**2.9 Town and Country Planning (General Permitted Development) Order 1995 (as Amended) (GPD Order 1995)** identifies that certain types of minor development changes can be made to land and buildings without requiring planning consent. These are known as permitted development rights and are contained within the GPD Order 1995. In relation to proposals involving similar types of Use Classes a change of use to the building or land may not require planning consent. For example, a hairdressers could be changed to a shoe shop without the need for permission as these uses fall within the same 'Class', a restaurant could be changed to a shop or an estate agency as the Use Classes Order allows this type of change to occur without requiring planning permission.

**2.10** However, most external building work associated with a change of use is likely to require planning permission, for example new advertising for the new use.



Regarding change of uses which fall under the Use Class A retail uses, Table 2 outlines where a change of use would be considered a permitted development.

**Table 2: Permitted Development, Retail Uses**

Existing Use	Permitted Change of Use
<b>A2 (professional and financial services) when premises have a display window at ground level</b>	A1 (shop)
<b>A3 (food and drink)</b>	A1 or A2
<b>Sui Generis – Car showrooms and Betting Offices only</b>	A1 Shop
<b>A1 or A2</b>	A1 plus a single flat above
<b>A2</b>	A2 plus a single flat above

2.11 Please note in some areas of the County Borough permitted development rights are more restricted. If the land or building is located in a Conservation Area (including Bridgend Town Centre, Porthcawl Town Centre and Maesteg Town Centre), planning permission will be required for certain types of development works which may not apply in other areas. There are also additional restrictions if a building has been designated as a Listed Building. Furthermore, the existing use may have been permitted but subject to the removal of permitted development rights so that planning consent would be required for the changes of use shown in Table 2. In some instances, a use may have been restricted to a specific user or subject to other limitations, consequently it is important that the planning history of a building or land is fully understood before undertaking any type of permitted development. The LPA offers a pre-application service (details available on the Council's website), which offers advice before a planning application is submitted. This will help to identify issues that may be of relevance to a particular site.







## 3.0 Background

3.1 The RLDP sets out the Council's land use planning policies up to 2033. The Retail Study 2018 (Stantec) formed a key part of the adopted RLDP's evidence base setting out recommendations on retail need (the demand for additional retail floorspace), the distribution of retail need and the definition of "Primary and Secondary Shopping Areas" to inform the policies contained within the adopted RLDP. The Retail Study Update 2022 (Stantec) further analysed trends affecting the retail sector across the County Borough, considered how trends may change over time and then assessed future needs for comparison and convenience retail floorspace to 2033, based on existing market shares. In the consideration of planning applications for retail and commercial development, the following policies are particularly relevant:

- SP12: Retailing, Commercial and Service Centres
- ENT6: Retail and Commercial Development
- ENT7: Development in Commercial Centres
- ENT8: Non-A1, A2 and A3 Uses Outside of Primary Shopping Areas
- ENT9: Retail Development Outside of Retailing and Commercial Centres

3.2 The policies listed above can be viewed within the RLDP Written Statement.

3.3 Policy SP12 promotes specified town, district, and local centres (Centres) as hubs of socio-economic activity and as the focal points for a diverse range of services which support the needs of the communities they serve. These Centres are denoted on the RLDP Proposals Map. Policy ENT7 also defines Primary Shopping Areas (a central part of a retail and commercial Centre where A1 retail uses are concentrated) and Secondary Shopping Areas (located adjacent to or near a Primary Shopping Area that consists of a wider range of uses) located in Bridgend, Porthcawl and Maesteg, which adds an additional layer of protection in defining a retail 'mass' where policy controls apply in respect of retail activity.

- 3.4 The distribution of shopping facilities in Bridgend fits within the wider regional hierarchy. Cardiff and Swansea are the highest order Centres within the regional hierarchy. As the sub-regional town centre, Bridgend contains the largest number and widest range of shops, services and leisure and is the principal shopping centre for much of the County Borough and some communities outside.
- 3.5 The other significant town centres of Maesteg and Porthcawl offer a wide range of shops and facilities, including a medium sized convenience offer to meet the needs of their immediate catchment areas.
- 3.6 District and local Centres within the County Borough usually contain a small foodstore and a range of services which serve a smaller, more limited catchment area. These Centres primarily provide only essential goods available for 'top up' shops.
- 3.7 The County Borough's retail hierarchy comprising of sub regional, town, district and local Centres is set out in Table 3. This excludes existing '*edge of centre*' and '*out of centre*' retail sites.

**Table 3: Retail Hierarchy**

<b>Sub Regional Centre</b>	<b>Bridgend Town Centre</b>
<b>Town Centres</b>	Maesteg and Porthcawl
<b>District Centres</b>	Aberkenfig (Valleys Gateway); Kenfig Hill, Ogmore Vale, Pencoed, Pontycymmer and Pyle
<b>Local Centres</b>	Bettws North, Bettws South, Blackmill, Blaengarw, Brackla, Broadlands, Bryntirion, Caerau, Laleston, Nantymoel, North Cornelly, Nottage, Pontrhydycyff, Sarn, Verlands Court (Pencoed), Wildmill and Five Bells Road (Bridgend)





## 4.0 Planning Requirements

### 4.1 Policy ENT7 – Development in Commercial Centres of Bridgend, Porthcawl and Maesteg

- 4.2 Policy ENT7 defines the Primary and Secondary Shopping Areas of Bridgend, Porthcawl and Maesteg. Policy ENT7 aims to ensure that commercial centres do not lose their ‘critical mass’ of retail units to the extent that they can no longer function as viable shopping centres. This section will clarify how Policy ENT7 applies to Primary Shopping Areas and Secondary Shopping Areas in turn, before providing further clarity on the status of the remaining broader commercial centres.

#### Primary Shopping Areas

- 4.3 Primary Shopping Areas are frontages within the town centre which are focussed on providing an opportunity for shopping and therefore the dominant use should be A1 retail. In relation to Primary Shopping Areas, strict criteria need to be met before a change of use to a non-A1 use will be considered as acceptable.

- 4.4 The following paragraphs will address each policy criterion in turn.

#### 4.5 Policy ENT7: Criterion 1

*‘The development would not, by virtue of its nature, design and scale, materially dilute the continuity of the primary shopping frontage.’*

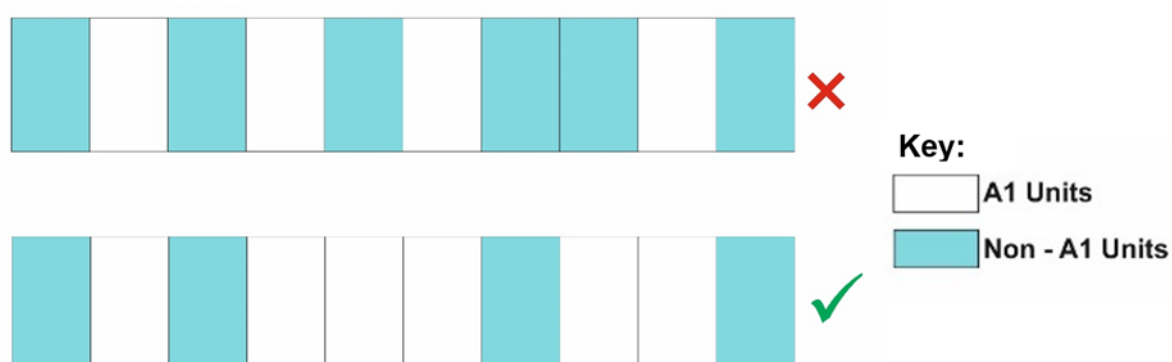
- 4.6 Proposals which are considered to ‘tip the balance’ in terms of diluting the ‘critical mass’ of A1 retail frontage will not be supported.
- 4.7 In determining the impact of a proposed change of use, consideration should be given to the following:

- i) **The proportion of non-A1 uses that already exist in the Primary Shopping Area in the street scene and in the frontage within which it is located.**

Consideration will be given to where the introduction of another non-A1 use would *'tip-the-balance'* in terms of diluting the *'critical mass'* of A1 uses. Figure 1.1 provides an illustrative example of this dilution effect. This scenario reduces the number of A1 uses, with the non-A1 uses becoming dominant and therefore unacceptable in planning terms. This phenomenon dilutes the primary retail character of the area, reducing its appeal as a shopping destination.

Consideration of this dilution effect will need to be reviewed on a case-by-case basis.

**Figure 1.1: Primary Shopping Area Dilution**



- ii) **The scale and design of a shop front to which the change of use relates.**

Whilst the proposal may not numerically 'tip the balance' in favour of non-A1 uses, loss of a large shop front with a prominent design or presence in the frontage can have a significant impact in terms of dilution as illustrated in Figure 1.2.

**Figure 1.2: Primary Shopping Area Dilution**



#### 4.8 Policy ENT7: Criterion 2

*'The development would not exacerbate an existing, nor create a new, undue concentration of non-A1 uses.'*

4.9 Criterion 2 is concerned with clusters of non-A1 uses in the Primary Shopping Area. Whilst a change of use might be acceptable in the context of Criterion 1 in terms of the number of units in the frontage as a whole, a number of non-A1 units in close proximity can have a similarly detrimental impact on the frontage.

4.10 When considering applications for a change of use in the context of Criterion 2, applicants should consider the units that surround the proposal and whether the introduction of an additional non-A1 use would create a noticeable 'gap' in the A1 retail frontage. Figure 1.3 provides an illustrative example.

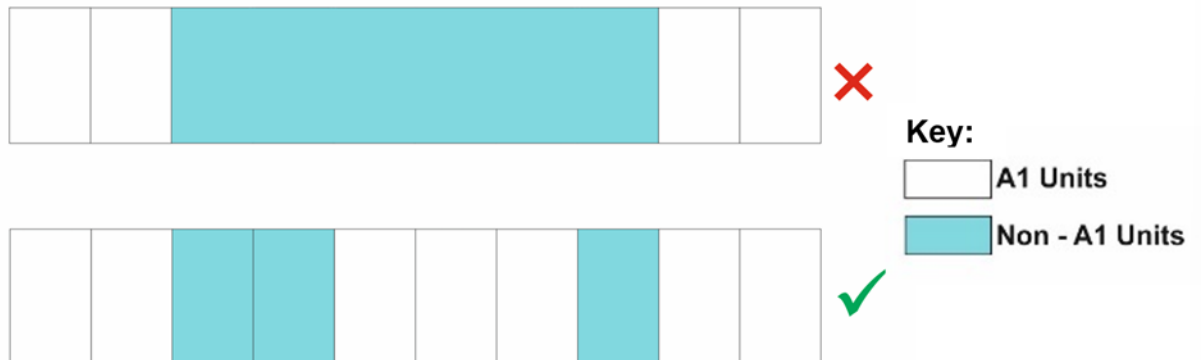
**Figure 1.3: Undue Concentration**





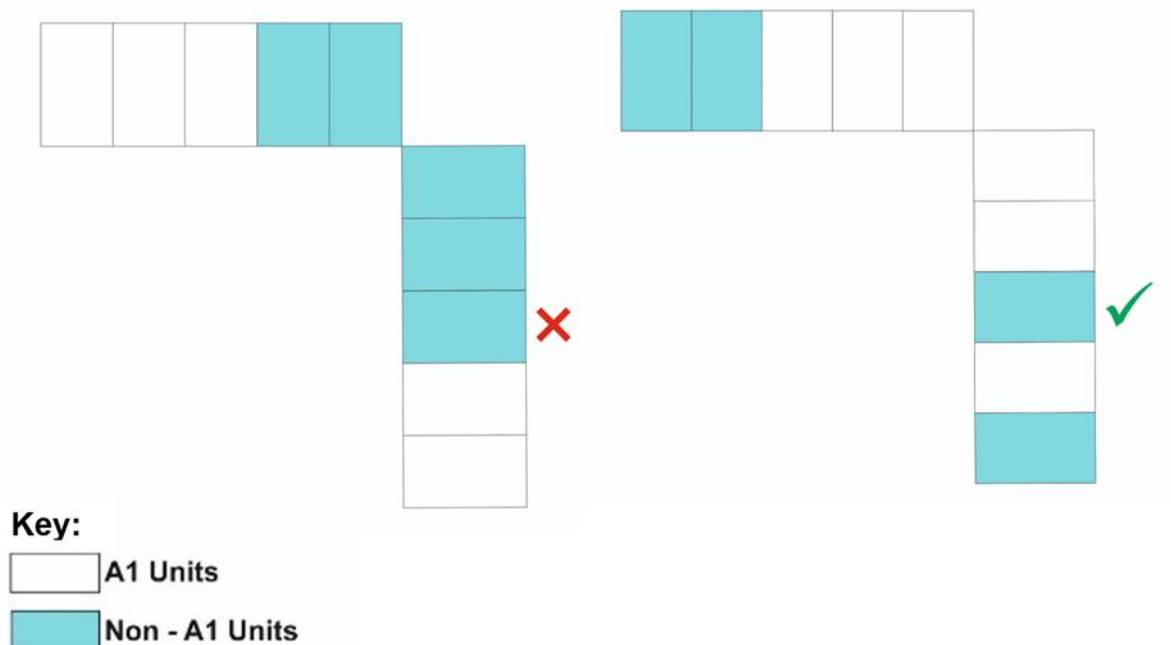
4.11 The impact may be exaggerated by the scale of the shop front. Loss of a large and/or prominent A1 frontage is likely to have an impact far greater than a regular sized frontage as illustrated by Figure 1.4.

**Figure 1.4: Undue Concentration**



4.12 Additionally, the location of the proposal may be of significance. For example, a proposal which is located in a gateway location and/or on a corner will have a far more noticeable impact as illustrative by Figure 1.5.

**Figure 1.5: Undue Concentration**



#### 4.13 Policy ENT7: Criterion 3

*'The development would not create a dead frontage but would rather stimulate passing trade and maintain public interest.'*

4.14 This Criterion 3 relates to individual units. All units in the Primary Shopping Area should seek to create attractive and vibrant shopping frontages of interest to passers-by. A dead window frontage is not only concerned with the design of the frontage (i.e. blank facades or blanked out windows), but it also refers to the operations within the unit. For example, a B1 office use could have a similar dead frontage impact as a blank façade because the operation within the unit may not be of interest to the shopping public and may also be unlikely to operate on the basis of passing trade. A dead window frontage can also be created by A3 hot food takeaway establishments where the operating hours are associated with the nighttime economy and are closed during the daytime operating hours of the town centre.

4.15 However, certain non-A1 uses can maintain the interest of passers-by provided that they are acceptable in the context of the other Policy ENT7 Criteria. For example, A3 cafes and coffee shops which have window displays, outside seating and opening hours consistent with A1 retail operations can introduce an element of vibrancy to the town centre.

4.16 Therefore, consideration should be given to the nature of the use in terms of its operational requirements, opening hours and window displays, which could make the proposal acceptable in accordance with Criterion 3.

#### 4.17 Policy ENT7: Criterion 4

*'Individually or cumulatively the proposal would not adversely affect the vitality, viability and character of the centre.'*

4.18 Diversity of retail and commercial Centres is the key to their success, and careful attention should be paid to proposals within Centres, which will enhance their vitality and viability. Some proposals can have an adverse effect on a

Centre, damaging both the vitality and viability of the retail and entertainment uses within it.

4.19 Factors that will be considered in the determination of planning applications, to ensure that any loss of A1 floorspace would not undermine the vitality, viability and character of a Centre, include:

- Whether the existing use is surplus to requirements;
- The nature of the proposed use and the contribution to vitality it might bring;
- The number of vacant premises in the Primary Shopping Area or Centre;
- The length of continuous frontage in non-retail use that would be created.

#### 4.20 Policy ENT7: Criterion 5

*‘The development would not give rise to new, nor materially exacerbate existing, local problems due to traffic generation, congestion, highway safety, noise, smell, crime, anti-social behaviour or other amenity considerations.’*

4.21 With regards to traffic generation, congestion and highway safety, town centres are highly accessible locations with ample car parking, therefore small-scale proposals for change of use within the Primary Shopping Area are not likely to have an adverse impact.

4.22 However, for some larger proposals that are likely to generate significantly higher levels or densities of traffic, a traffic statement may be required to support a planning application. Applicants are advised to contact the LPA prior to the submission of a planning application to ascertain what additional information, if any, is required.

4.23 A traffic statement should include information on:

- Likely patron/visitor attraction;
- Staffing levels;
- Parking requirements;
- Potential area of attraction;

- Means of accessing the site by sustainable means i.e. public transport; active travel; and
- A travel plan may also be of benefit, assuming the proposal is large enough to warrant this.

4.24 Any highway infrastructure improvements to cater for an increase in traffic, such as a widened or new footway or a junction or carriageway improvement, should be included as part of the planning application.

4.25 With regards to noise, smell, crime, anti-social behaviour and other amenity considerations, applicants should consider the nature of the proposal, its impact on its surroundings and the impact of the surroundings on the proposal.

4.26 For example, if the proposal was for A3 hot food takeaway use, potential issues relating to noise and smell (generated by the extractor fans or otherwise), in addition to noise and litter generated by customers, will need to be given due consideration.

4.27 Applicants should consider the following:

- Is the land or building located amongst other similar uses?
- Are there residential units in close proximity?
- What opening times will the use be operating within?
- How will the site accommodate delivery to the unit?
- Will the operation offer a delivery service?

4.28 In addition to the above requirements [and considerations], **all developments that involve the loss of an existing A1 use on the ground floor must be actively marketed** prior to submission of a planning application. A marketing strategy (See Appendix 1 for Marketing Strategy Checklist) should be submitted to and agreed by the LPA in advance of any marketing being undertaken. Providing the LPA has approved the marketing strategy in advance and is satisfied that the strategy has been executed appropriately, one year of

marketing will be considered acceptable. Otherwise, the LPA will need to be satisfied that marketing has been undertaken on reasonable terms for at least two years prior to the submission of a planning application. Residential development on the ground floor will not be permitted within Primary Shopping Areas.

### Secondary Shopping Areas

4.29 In relation to **Secondary Shopping Areas**, greater flexibility exists to promote a wider range of retail uses to address long-term vacancy rates. Development proposals must be for A1, A2 and A3 unless they satisfy the Criteria under Policy ENT7. Residential development on the ground floor will not be permitted within Secondary Shopping Areas.

4.30 The following paragraphs will address each Criterion in turn.

#### 4.31 Policy ENT7: Criterion a)

*‘Individually or cumulatively the proposal would not adversely affect the vitality, viability and character of the centre.’*

4.32 Diversity of retail and commercial Centres is the key to their success and careful attention should be paid to proposals within Centres, which will enhance their vitality and viability. Some proposals can have an adverse effect on a Centre, damaging both the vitality and viability of the retail and entertainment uses within it.

4.33 Factors that will be considered in the determination of planning applications to ensure that any loss of A1, A2 and A3 floorspace would not undermine the vitality, viability and character of a Centre, include:

- Whether the existing use is surplus to requirements;
- The nature of the proposed use and the contribution to vitality it might bring;
- The number of vacant premises in the Secondary Shopping Area or Centre;
- The length of continuous frontage in non-retail use that would be created.

#### 4.34 Policy ENT7: Criterion b)

*'The development would not give rise to new, nor materially exacerbate existing, local problems due to traffic generation, congestion, highway safety, noise, smell, crime, anti-social behaviour or other amenity considerations.'*

4.35 This Criterion b) will be assessed in accordance with the guidance detailed under Policy ENT7 Criterion 5 (paragraph 4.20 above).

#### 4.36 Policy ENT7: Development outside of Primary and Secondary Shopping Areas but within the commercial Centres of Bridgend, Porthcawl and Maesteg

4.37 Greater flexibility exists within the commercial Centres of Bridgend, Porthcawl and Maesteg that are located outside of Primary and Secondary Shopping Areas. New development that provides retail, office, leisure, entertainment, cultural or community floorspace will be permitted within these retailing and commercial Centres as outlined by Policy SP12 (RLDP). Residential development will be encouraged and permitted on the first and upper floors of properties.



John Street,  
Porthcawl





Well Street, Porthcawl



#### 4.38 Policy ENT8: Non A1, A2 and A3 Uses Outside of Primary Shopping Areas

4.39 Paragraphs 5.4.65 – 5.4.67 of the RLDP provide the rationale behind Policy ENT8, however, it is considered that additional guidance on meeting the policy criteria under this Policy ENT8 would be beneficial to applicants wishing to introduce a non-A1, A2 or A3 use within commercial Centres that do not relate to Bridgend, Porthcawl or Maesteg (See table below).

**Table 4: Commercial Centres Outside of Bridgend, Porthcawl and Maesteg**

<b>District Centres</b>	Aberkenfig (Valleys Gateway), Kenfig Hill, Ogmore Vale, Pencoed, Pontycymmer and Pyle.
<b>Local Centres</b>	Bettws North, Bettws South, Blackmill, Blaengarw, Brackla, Broadlands, Bryntirion, Caerau, Laleston, Nantymoel, North Cornelly, Nottage, Pontrhydycyff, Sarn, Verlands Court (Pencoed), Wildmill and Five Bells Road (Bridgend)

4.40 The following paragraphs will address each Policy ENT8 Criterion in turn.

#### 4.41 Policy ENT8: Criterion 1

*‘If for residential purposes: a) The premises/floorspace has been vacant for at least two years and has been actively marketed over that time’*

4.42 In terms of demonstrating that the premises has been vacant for at least two years, it should be noted that the LPA conducts an annual survey of all retail premises within established town, district and local service Centres.

4.43 As such, the LPA maintains an annual “*snapshot*” of the use and occupancy of each retail unit, which will be used to assist in identifying how long a retail unit may have been vacant for. In addition to the length of any vacancy period, the LPA must be satisfied that the property is no longer required for its retail function. Applicants must therefore provide evidence of the length of time the property has been vacant and demonstrate that the property has been actively marketed on reasonable terms for retail occupancy/sale over that time.



- 4.44 This will include due consideration as to 'where' and 'how' the marketing has taken place, together with the advertised sale price/rent compared to comparable properties within the locality.
- 4.45 It should be noted that the LPA will require evidence to demonstrate the requirements under paragraph 4.41 above, which may include letters of instruction to agents; published letting/sales material and/or photographic evidence (See Appendix 1 for the 'Marketing Strategy Checklist').
- 4.46 In some Centres, it is acknowledged that existing retail and commercial uses may have only been operating for a short period of time. Where applicants can robustly demonstrate that this is the case and that a long-term residential use was previously established, a more pragmatic approach may be adopted for residential development proposals following an investigation into the nature and duration of the existing use.

#### 4.47 Policy ENT8: Criterion 1

*'If for residential purposes: b) The premises/floorspace does not form part of a purpose-built retail environment or a continuous frontage of three or more existing commercial units.'*

Purpose-built retail environments refer to those retail sites which have been developed to meet a specific retail need. Examples include shopping Centres such as Brackla Local Service Centre or retail centres which were developed to specifically serve a housing development such as the Broadlands Local Service Centre.

#### 4.48 Policy ENT8: Criterion 2

*'If for other purposes: The proposal does not involve the loss of existing A1 floorspace.'*

- 4.49 In terms of the acceptability of uses other than A1, A2 and A3 within the boundaries of existing retailing and commercial Centres; developments that

provide office, leisure, entertainment, cultural or community floorspace will be permitted within these retailing and commercial Centres, providing the proposal does not involve the loss of occupied and operational A1 floorspace.

4.50 The final requirement of Policy ENT8 Criterion 2 states:

*‘Wherever possible, proposals for a change of use of existing floorspace must be designed so as not to prejudice a future conversion back to a retail or commercial use.’*

4.51 It is accepted that changes of use to residential cannot practicably retain a retail frontage within its final design. However, non-retail commercial uses should wherever possible limit the external alteration to the unit to retain its external appearance. This would limit the visual impact of the change of use on the street scene and enable the unit to re-use its primary A1, A2 or A3 retail function, should the non-retail use vacate the property, without unnecessary complication and costs.

#### 4.52 Policy ENT9: Retail Development Outside of Retailing and Commercial Centres

4.53 The first requirement of Policy ENT9 of the RLDP states:

*‘Development proposals outside of Retail and Commercial Centres that result in the loss of retail and commercial floorspace will only be permitted where there is proven to be other sufficient provision locally or where the premises/floorspace has been vacant for at least 12 months and has been actively marketed over that time.’*

4.54 It is recognised that local shopping facilities play an important role in serving local communities and their provision can mean a vital service is provided to local people. The loss of a single retail store to another use could lead to a deficit in provision locally. Policy ENT9 seeks to ensure that any loss of shopping facilities serving local communities outside of retail and commercial Centres will not lead to an under-provision in the area. Applicants must demonstrate that there is other sufficient provision locally. The LPA will

undertake a check of the surrounding area to determine whether there is sufficient local provision to justify the loss of retail use. If there is no other local provision, applicants proposing a loss of local retail use must demonstrate that the property has been actively marketed for at least 12 months prior to the submission of a planning application. The LPA will need to be satisfied that marketing has been undertaken on reasonable terms and, as a minimum, would require sales particulars and information from sales/letting agents to be submitted as part of an application (See Appendix 1 for Marketing Strategy Checklist). Examples of uses that are considered to offer a local convenience service, include but are not limited to the following:

- Newsagent/convenience store
- Bakery
- Café/restaurant/hot food takeaway
- Post Office
- Pharmacy

4.55 Policy ENT9 also states:

*‘Retail development outside of Retail and Commercial Centres will be concentrated at the following existing locations:’*

Location	Acceptable Uses	Type
<b>Bridgend Retail Park</b>	Bulky Comparison & Convenience	Out-Of-Centre
<b>Waterton Retail Park</b>	Bulky Comparison & Convenience	Out-Of-Centre
<b>Sainsbury, Cefn Hirgoed</b>	Convenience	Out-Of-Centre
<b>Tesco, Brewery Lane</b>	Convenience	Edge-Of-Centre
<b>Tesco, Llynfi Lane, Maesteg</b>	Convenience	Edge-Of-Centre
<b>Bridgend Designer Outlet Village</b>	Controlled by s106	Out-Of-Centre

4.56 Whilst Proposals for new out-of-centre retail will not be encouraged, Policy ENT9 acknowledges the presence of existing retail developments outside of Town, District and Local Centres. Retail development at these locations defined in Policy ENT9 will be restricted to the acceptable uses outlined in the table above, by means of appropriate planning conditions and/or legal agreements. Extensions within the boundaries of these locations, increases to the allocated floorspace or relaxations/changes to the types of goods sold, may require a needs test, sequential test and retail impact assessment, as detailed within National Policy (TAN4: Retail and Commercial Development / PPW), depending on the nature of the proposal and the potential impacts. This will also apply to planning applications which seek to vary conditions to change the types of goods sold from sites at these locations or the subdivision of units, both of which could potentially undermine the vitality and viability of town and district Centres if not properly controlled.



4.57 In respect of the ‘types’ of bulky comparison goods that are likely to be permitted at Bridgend and Waterton Retail parks, these are defined as:

- Carpets and flooring;
- Baby and toddler equipment;
- Cycles and accessories;
- DIY and home improvements;
- Electrical and other durable goods;
- Footwear;
- Gardening items and equipment;
- Sports camping and leisure goods (excluding clothing);
- Textiles and soft furnishings;
- Toys, games and hobbies;
- Vehicle and motorcycle sales;
- Vehicle accessories; and
- Bulky food and drink outlets.

4.58 In general terms, the LPA considers that the above list reflects accurately what could be considered as ‘*bulky*’ and is the starting point in determining whether it is a ‘*bulky*’ item or not, although this is not an exhaustive list. As a further guide in determining acceptability the following two questions are useful:

1) *Can the item fit within a bag and be easily carried around a town or district Centre?*

(The purpose of allowing out-of-centre retailing for bulky items is because the items, by their very nature do not allow easy movement between shopping units and require the use of a car within close proximity of the store to transport items with them).

2) *Are there other stores already located within any of the town and district Centres which sell similar items?*

(If there are stores selling similar items within a town, district or local Centre already, this could be used as an indication that an ‘*out-of-centre*’ location is not required).

4.59 Whilst there have been subsequent variations of conditions based on individual circumstances, the above list (paragraph 4.57), remains the basis for determining what constitutes a ‘*bulky*’ item in the above described retail parks and will be the starting point in determining planning applications on those retail parks.

4.60 Proposals for non-Bulky goods

4.61 As highlighted above, development within allocated ‘*edge of centre*’ and ‘*out of centre*’ locations will be restricted to specific goods that would not typically be sold from premises within a Centre. The tests of ‘*retail need*’, ‘Sequential’ approach and impact will apply to the consideration of **all development proposals** at ‘*edge of centre*’ and ‘*out of centre*’ locations.

4.62 Proposals for ancillary and incidental uses such as Use Class A3 (food and drink) floorspace within designated ‘*out of centre*’ locations will be restricted to small scale provision that supports the primary retail function of the wider site, or comprises a facility that due to its operational and functional requirements cannot reasonably be accommodated within a Centre. Ancillary and incidental uses will be judged on a case-by-case basis and will not be permitted if judged to give rise to a critical mass.

4.63 Class D2 (leisure) proposals will only be permitted at ‘*out of centre*’ locations if the applicant demonstrates that there is no viable prospect of the proposed scheme being accommodated within the retailing, commercial and services hierarchy outlined under Policy SP12 (RLDP), as required by the Sequential Test (used to assess the suitability of sites for retail and commercial uses, prioritising development in defined retail and commercial centres first, followed by ‘*edge of centre*’ locations, and finally ‘*out-of-centre*’ locations if no suitable alternative areas are available) (See Appendix 2 for Checklist).

4.64 Leisure uses will not be permitted at these locations if judged to give rise to a critical mass and range of facilities that pose a threat to the future vitality, viability and attractiveness of the retail, commercial and district Centres. The

policy aim is to protect the threat of '*out of centre*' allocations becoming '*all round destinations*' for customers to have such a range and opportunity for retail and leisure experiences that it negates the need to undertake any separate visit to existing retail, commercial and district Centres.

- 4.65 Certain proposals have operational requirements that cannot reasonably be accommodated within Centres. A '*drive through*' restaurant/café proposal, for example, represents a Class A3 operation that, due to its circulation requirements and size constraints, would not typically be located within a Centre and may instead be accommodated within an '*out of centre*' allocation.



## Appendix A: Marketing Checklist for Applicants

Marketing Requirement	Further Information
<b>Period of Marketing</b>	
1. Has the site and/or premises been actively and comprehensively marketed for its current and/or last permitted use for the minimum continuous period specified in the relevant RLDP Policy?	Marketing is required under Policy ENT7: (RLDP): <i>Development in Commercial Centres of Bridgend, Porthcawl and Maesteg</i> (Supporting paragraph 5.4.62) for the change of use from A1 to non-A1.  Marketing is required under Policy ENT8: (RLDP): <i>Non-A1, A2 and A3 Uses Outside of Primary Shopping Areas</i> for the change of use from non-A1, A2 or A3 to residential.
<b>Flexibility of use</b>	
2. Does the marketing include marketing of the site/premises on a freehold as well as leasehold basis?	The purpose of marketing the freehold of a site and/or building is to increase the likelihood of sale by enabling potential purchasers to use it for a wider range of future uses than if they rented or purchased the site/building's leasehold.
<b>Forms of marketing</b>	
3. Advertising board posted in a prominent location on site throughout the period of marketing. The board should include contact information and be clearly visible. Photographic evidence should be provided with the application and/or pre-application enquiry.	
4. Registration of the property with at least one commercial property agent. The site should be continuously included on the commercial agent's website over the period of the marketing campaign. The site/premises should also be advertised on commercial property search sites and online advertising portals.	The requirement for registration with at least one commercial agent is a Minimum. The LPA will expect to see evidence of a range of methods of advertising throughout the required marketing period in order to demonstrate wide market exposure and an active approach to marketing. This may include mailshots, printed and online advertising (see point below) and use of a number of commercial agents.



5. Have details of where and how often the site was advertised, with copies of all printed advertisements placed and web pages, including publication dates, been supplied?	Any advertisements on websites should appear continuously throughout the required marketing period.
<b>Price and terms</b>	
6. Has evidence of the asking price and/or rent at which the property has been offered been included in the marketing statement?	
7. Has the site/premises been independently valued by at least two independent agents and marketing at a reasonable and competitive guide sale price and lease amount and terms that reflects its current value taking into account the current state of the property (including in relation to use, condition, quality and location of floorspace) and local sales/rents? Evidence of the above should be provided with the application and/or pre-application enquiry.	
8. Have details of any reductions in price throughout the marketing period also been recorded and included with the valuation evidence referred to in question 7?	Note: This information should be provided to indicate the price and/or rent at which the property has been offered.
9. Does the marketing statement include the number and detail of enquiries and/or offers received for the site/premises, reasons for refusal of any offers and reasons why any offers fell through?	
10. Does the marketing statement include the reasons for prospective tenants not making an offer and/or taking up the space, and how these problems have been addressed?	
11. Have the dates and periods for each individual marketing activity been clearly shown on the marketing statement?	

## Appendix B: Sequential Test - Assessment Checklist for Applicants

Sequential Assessment	Further Information
1. Description of the proposed use	
2. The size of the unit	Whether existing or proposed
3. The area covered by the sequential search	
4. Justification for the area search	If it is less than Borough-wide or limited to particular types of centres
5. The types of units searched for	
6. Justification for any limitations applied to the types of units considered	
7. A list of the alternative, available, sequentially preferable units identified	<ul style="list-style-type: none"> <li>• This list should set out the address and size of the unit and if it is suitable or not. The suitability of a unit should be based on a sound methodology and will be assessed on a case-by-case basis.</li> <li>• If a unit is unsuitable, full justification and evidence should be provided alongside the listing.</li> <li>• A conclusion as to whether the Sequential Test is met, looking at both the availability and suitability of those sites to accommodate the proposal.</li> <li>• If the Sequential Test is not met, an explanation of any overriding material considerations that would justify the grant of planning permission.</li> </ul>

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## Appendix 2: Consultation Representations, Responses and Resultant Action

Do you have any comments on the proposed guidance for Policy ENT7: Development in Commercial Centres of Bridgend, Porthcawl and Maesteg detail in Section 4	
<b>Organisation</b>	NTR Planning Ltd (on behalf of McArthurGlen)
<b>Representation</b>	<p>The draft SPG sets out specific measures concerning the interpretation of Policy ENT7 in order to promote the vitality and viability of Bridgend town centre. These should be applied flexibly to enable the centre to respond to those changes in shopping patterns that have occurred over the last five years, both as a result of the pandemic and the shift towards online shopping. It should be noted that these changes have affected outlet centres as well, particularly given the growth in the availability of online outlet shopping channels.</p> <p>It is important that these flexible measures are applied without unnecessary burden in order to support a dynamic and changing retail environment, as well as to support alternative uses within centres. This is promoted at page 71 of Future Wales: The National Plan 2040 under the supporting text to Policy 6:</p> <p><i>‘The principle of ‘Town Centre First’ is well established in planning policy in relation to retail developments. However, good planning can help us re-think the future of town and city centres, which are moving away from their traditional retail roles.’</i></p> <p>This approach ought to apply in equal measure to other centres, including Bridgend Designer Outlet Centre, in order for it to also remain vital and viable and to continue to act as an important tourist attractor and to maintain the aforementioned synergy.</p>



<b>Local Planning Authority Response</b>	Policy ENT7 specifically deals with development within the commercial centres of Bridgend, Porthcawl and Maesteg, of which does not include edge-of-centre or out-of-centre allocations such as Bridgend Designer Outlet Centre. Any proposal that relates to Bridgend Designer Outlet Centre will be assessed against Policy ENT9 and uses specified by the associated Section 106 Agreement. Policy ENT7 takes into account the impacts of both the pandemic and the shift towards online shopping recognising that centres are moving away from their traditional retail roles. This policy ensures that these centres do not lose their 'critical mass' of retail units to the extent that they can no longer function as viable shopping centres. However, there is sufficient flexibility embedded within this policy and other policies to enable such centres to become multifunctional places and community focal points, thereby rendering them more viable as go-to destinations in light of the impacts of the pandemic and shift towards online shopping.
<b>Resultant Action</b>	No action necessary – the SPG provides supplementary information and guidance in respect of the adopted RLDP policy framework, but it cannot introduce new policies or change the policies in the adopted RLDP. Furthermore, there is considered to be sufficient flexibility embedded into Policy ENT7 and other retail and commercial policies contained within the RLDP. Policy ENT7 does not relate to out of town retail provision such as Bridgend Designer Outlet Centre.
<b>Do you have any comments on the proposed guidance for Policy ENT9: Retail Development Outside of Retailing and Commercial Centres detailed in Section 4</b>	
<b>Organisation</b>	BCBC Elected Member
<b>Representation</b>	<p>I request that, where a commercial premises such as a corner shop is located in a residential area, then any application to instal a parcel locker system adjacent to the premises should be subject to a planning condition which restricts its use to match the agreed permitted opening hours of the business in question.</p> <p>Such a condition would address problems of additional traffic generation and associated overnight noise and disturbance experiences by neighbours.</p>

<b>Local Planning Authority Response</b>	Comments noted. Whilst it is beyond the scope of the policy and this SPG to include specific guidance on parcel locker systems, planning conditions can be attached to future planning consents to control the operating hours of parcel lockers in circumstances where it is deemed to be necessary and appropriate. This would ensure that the local planning authority would retain effective control over the hours of operation of the business in the interests of general amenity.
<b>Resultant Action</b>	No amendments necessary – this issue can be addressed at the planning application stage through the use of appropriate conditions.
<b>Organisation</b>	NTR Planning Ltd (on behalf of McArthurGlen)
<b>Representation</b>	Paragraph 4.56 identifies that retail development at the locations defined in Policy ENT9 will be restricted to bulky goods retailing. The paragraph should be amended to confirm that the Outlet Centre will not be restricted to bulky goods, as these, as I am sure you will be aware, are not the prevailing range of goods that are sold from the centre. We suggest that the reference to bulky goods sales be referenced specifically to the retail parks listed.
<b>Local Planning Authority Response</b>	Comments noted. As drafted, the current wording of paragraph 4.56 states that retail development at the locations defined in Policy ENT9 are restricted to bulky goods retailing of which is misleading. As such, further clarity will be made to paragraphs 4.56 and 4.61 to ensure that the acceptable uses on edge-of-centre and out-of-centre allocations are clearly outlined.
<b>Resultant Action</b>	Paragraphs 4.56 and 4.61 will be amended to clarify the permitted uses on edge-of-centre and out-of-centre retail and commercial allocations.
<b>Organisation</b>	NTR Planning Ltd (on behalf of McArthurGlen)
<b>Representation</b>	We are supportive of paragraph 4.62, which sets out support for ancillary/incidental A3 uses at out of centre retail destinations. We would however suggest that the reference to ‘200 sqm’ be amended to read ‘in the region of’ 200 square metres so to be less prescriptive. Given that every planning application is considered on its own merits it is not considered appropriate (or necessary) for the Council to impose a specified floorspace limit, as this may act as a moratorium to certain

	development, even if the applicant was able to demonstrate compliance with the impact and sequential tests. The guidance set out in 4.64 on critical mass will likely assist in controlling total A3 provision in any of the identified out of centre locations, were a further proposal to arise.
<b>Local Planning Authority Response</b>	Support for paragraph 4.62 is noted. The representor's suggestion to amend paragraph 4.62, specifically requesting a change in wording from '200sqm' to 'in the region of 200sqm' is acknowledged. Furthermore, the purpose of the SPG is to augment and interpret existing adopted RLDP policies. As such, removal of a specific floorspace figure is considered appropriate in this instance, and any proposed ancillary and incidental use on an edge-of-centre or out-of-centre allocation will be assessed on a case-by-case basis regarding its appropriateness.
<b>Resultant Action</b>	Paragraph 4.62 will be amended to be less prescriptive regarding the size of ancillary/incidental uses at edge-of-centre and out-of-centre retail allocations, making it clear that each application will be considered on a case-by-case basis.
<b>Organisation</b>	NTR Planning Ltd (on behalf of McArthurGlen)
<b>Representation</b>	We are supportive of paragraph 4.63 and 4.64, which relate to D2 uses.
<b>Local Planning Authority Response</b>	Noted.
<b>Resultant Action</b>	No amendments necessary.
<b>Organisation</b>	NTR Planning Ltd (on behalf of McArthurGlen)
<b>Representation</b>	What is important, and what we consider is missing from this section of the draft SPG, is reference to other appropriate commercial uses that would also be considered small-scale/ancillary and incidental to the primary retail function of the out of centre destination listed. Examples would include A2 (Financial and professional services) uses, e.g. a bank, and D1 (Non-residential institutions) uses, e.g. a crèche. Such uses are provided in smaller units than those typically provided in the retail warehouse parks identified, so their inclusion in this section of the SPG might be more appropriate with specific reference to Bridgend Designer Outlet only.

	<p>There is no reason why such uses should be considered differently to the A3 and D2 uses listed and there would be a clear synergy with the primary purpose served by the Outlet Centre with those additional Use Classes identified above and when taking into account the critical mass point. In this regard, we are mindful that the Council has supported the provision of a bureau de change unit (Use Class A2) at Bridgend Designer Outlet under planning permission ref. P/15/774/FUL. Here, it was identified in the officer's report that:</p> <p><i>'The proposed installation of a kiosk to provide money exchange facilities will, it is considered, be ancillary to the main retail uses contained within the centre and therefore not significantly change the character of the centre.'</i></p>
<b>Local Planning Authority Response</b>	<p>The representor's suggestion to reference additional examples that could also be considered small-scale/ancillary and incidental to the primary retail function of the edge-of-centre and out-of-centre allocations is acknowledged. The policy aim is to avoid 'out of centre' allocations becoming 'all round destinations' for customers with such a range and opportunity for retail and leisure experiences that they would negate the need to undertake any separate visit to existing retail, commercial and district centres. This would be considered out of accord with the 'Town Centre First' approach outlined in national planning policy. However, it is acknowledged that a limited number of appropriate uses can support or complement the primary retail function.</p> <p>Further detail will be included in the supporting text to clarify that uses that are ancillary and incidental (not exclusively those operating under Use Class A3) to the primary retail function of the wider site will be permitted where appropriate, while clarifying that each proposal will be judged on a case-by-case basis.</p>



<b>Resultant Action</b>	Paragraph 4.62 will be amended to clarify that uses which are considered to be ancillary and incidental to the primary retail function of an edge-of-centre or out-of-centre retail allocation will be judged on a case-by-case basis to determine their appropriateness.
<b>Do you have any comments on the proposed Sequential Test – Assessment Checklist for Applicants detailed in Appendix B?</b>	
<b>Organisation</b>	NTR Planning Ltd (on behalf of McArthurGlen)
<b>Representation</b>	<p>This section is helpful but perhaps lacking in detail. In undertaking any sequential test (where relevant) it is necessary to consider whether any alternative site is suitable for the broad nature of development proposed, as established by well documented case law. Whilst suitability is referenced in the 'Further information' part of the table, it is normal practice for an applicant to set out a methodology in undertaking an assessment. Whilst unit size is referenced in the table, there are other factors that would inform a judgement on the suitability of any alternative site as part of the applicant's methodology. These details could be incorporated or referenced in the draft SPG for clarity, or at least reference to the requirement of the test to be based on a sound methodology.</p> <p>For retail development, examples might include:</p> <ol style="list-style-type: none"> <li>1. the ability of any alternative site to accommodate a specified minimum site size.</li> <li>2. the ability of any alternative site to accommodate a store of a specified minimum gross floor area.</li> <li>3. the ability of any alternative site to the safe manoeuvring of customer vehicles and delivery vehicles.</li> <li>4. the ability of any alternative site to offer a viable trading environment.</li> <li>5. the ability of any alternative site to be easily accessible by a choice of means of transport.</li> <li>6. the ability of any alternative site to be able to provide suitable servicing arrangements to enable deliveries.</li> </ol> <p>Clearly, each case would be considered differently based on the requirements of the proposal under consideration.</p>

	We consider that the appendix be expanded to include reference to 'methodology' and expand on matters relating to 'suitability' on a 'case-by-case basis', with reference to 'established case law'.
<b>Local Planning Authority Response</b>	Support for the sequential test assessment checklist for applicants is noted. The sequential test assessment checklist provides guidance to prospective applicants, clarifying the necessary information to support a planning application for a proposal on an edge-of-centre or out-of-centre allocation, that should in the first instance be located within a designated centre as per the retailing, commercial and services hierarchy outlined by Policy SP12 of the RLDP. The representor recommends adding further detail, specifically making reference to the requirement of the test to be based on a 'sound methodology'. The representor also suggests introducing several additional factors to expand upon the suitability criteria of any alternative site. Whilst this is acknowledged, the inclusion of such criteria is considered too prescriptive and would vary based upon the nature of the proposed use. However, in the interests of providing further detail, the appendix will be amended to make reference to the requirement for all assessments to be based on a sound methodology.
<b>Resultant Action</b>	Appendix B – Sequential Test Assessment Checklist for Applicants will be updated to include a reference to the requirement that the test be based on a sound methodology in relation to the suitability of alternative sites.

## Proposed SPG Changes as a Result of the Consultation

The paragraphs proposed for amendment following the consultation are detailed below, for the reasons explained in the previous table. Strikethrough text is used to indicate proposed deletions from the SPG, whereas blue text is used to indicate proposed additions to the SPG. Only paragraphs proposed for amendment are included below, there are no proposed changes to the remainder of the draft SPG following consultation. The final draft version of the SPG (Appendix 1) incorporates the proposed amendments below.

- 4.56 Whilst **Proposals for new out-of-centre retail will not be encouraged**, Policy ENT9 acknowledges the presence of existing retail developments outside of Town, District and Local centres. Retail development at these locations defined in Policy ENT9 will be restricted to **bulky goods retailing** the acceptable uses outlined in the table above, by means of appropriate planning conditions and/or legal agreements. Policy ENT9 respects the specific role and function of sites at these locations, which can provide a complementary role to town and district Centres by providing opportunities for large format, bulky goods retailing that does not compete with 'in-Centre' trading. Extensions within the boundaries of these locations, increases to the allocated floorspace or relaxations/changes to the types of goods sold, may require a needs test, sequential test and retail impact assessment, as detailed within National Policy (TAN4: Retail and Commercial Development / PPW), depending on the nature of the proposal and the potential impacts. This will also apply to planning applications which seek to vary conditions to change the types of goods sold from sites at these locations or the subdivision of units, both of which could potentially undermine the vitality and viability of town and district Centres if not properly controlled.
- 4.61 As highlighted above, development within allocated 'edge of centre' and 'out of centre' locations will be restricted to the sale of predominantly bulky goods, and/or other goods **specific goods** that would not typically be sold from premises within a Centre. The tests of 'retail need', 'Sequential' approach and impact will apply to the consideration of **all development proposals** at 'edge of centre' and 'out of centre' locations.
- 4.62 Proposals for **ancillary and incidental uses such as Use Class A3 (food and drink)** floorspace within designated 'out of centre' locations will be restricted to small scale provision that is ancillary and incidental to **supports** the primary retail function of the wider site, or comprises a facility that due to its operational and functional requirements cannot reasonably be accommodated within a Centre. **Proposals for ancillary and incidental uses will be judged on a case-by-case basis and will not be permitted if judged to give rise to a critical mass.** 'Small scale', for the purposes of this policy refers to a facility less than 200 sqm gross floor area.

## Appendix B: Sequential Test – Assessment Checklist for Applicants

Sequential Assessment	Further Information
1. Description of the proposed use	
2. The size of the unit	Whether existing or proposed
3. The area covered by the sequential search	
4. Justification for the area search	If it is less than Borough-wide or limited to particular types of centres
5. The types of units searched for	
6. Justification for any limitations applied to the types of units considered	
7. A list of the alternative, available, sequentially preferable units identified	<ul style="list-style-type: none"> <li>• This list should set out the address and size of the unit and if it is suitable or not. <b>The suitability of a unit should be based on a sound methodology and will be assessed on a case-by-case basis.</b></li> <li>• If a unit is unsuitable, full justification and evidence should be provided alongside the listing.</li> <li>• A conclusion as to whether the Sequential Test is met, looking at both the availability and suitability of those sites to accommodate the proposal.</li> <li>• If the Sequential Test is not met, an explanation of any overriding material considerations that would justify the grant of planning permission.</li> </ul>