

Meeting of:	COUNCIL
Date of Meeting:	24 SEPTEMBER 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:	Following approval by Cabinet at its meeting on 22 <sup>nd</sup> July 2025, the purpose of this report is to provide Council with an overview of the public consultation exercise that was carried out on the draft Retail and Commercial Development Supplementary Planning Guidance (SPG) document. This report also seeks Council approval to adopt the final form Retail and Commercial Development SPG. Adoption of the SPG will enable effective implementation of the Retail and Commercial Development Policies within the adopted Replacement Local Development Plan, March 2024 (RLDP), the Council's statutory land-use Planning document.

## 1. Purpose of Report

- 1.1 The purpose of this Report is to inform Council of the outcome of the public consultation exercise on the draft Retail and Commercial Development Supplementary Planning Guidance (**SPG**) document.
- 1.2 This Report also seeks Council approval to adopt the final form Retail and Commercial Development SPG (**Appendix 1**) 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, 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 '*Retail and Commercial Development*' SPG is to expand on the above RLDP 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 Development Control Committee was 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 '*Retail and Commercial Development*' 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. Policy ENT7 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. Policy ENT8 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 what type of retail and commercial development 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 ‘Retail and Commercial Development’ 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 form 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 ‘Retail and Commercial Development’ 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 Planning Department and can be viewed on request. Given the extensive publication of the public consultation and direct targeting of consultees, the response rate is considered positive in that there were no wholesale objections to the contents of the draft ‘Retail and Commercial Development’ 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 'Retail and Commercial Development' 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 set out clearly 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 'Retail and Commercial Development' 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.
- 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-out-centre and out-of-centre locations if no suitable alternative sites are available.

3.5 At its meeting on 22<sup>nd</sup> July 2025, Cabinet noted the Officer's (on behalf of the local planning authority) consultation responses to the representations received arising from the public consultation (as described under paragraph 3.3 above), on the draft Retail and Commercial Development SPG, together with the resultant amendments set out in **Appendix 2**. Cabinet also approved presenting the final form Retail and Commercial Development SPG (**Appendix 1**) to Council to seek its adoption.

3.6 If adopted, the Retail and Commercial Development SPG will add weight to the interpretation and application of RLDP Retail and Commercial Development policies, 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 RLDP policies' detailed criteria. This is a key contributory factor to delivering Local Well-being Objective one 'A prosperous place with thriving communities'.
- 5.2 The Retail and Commercial Development 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 Retail and Commercial Development 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 Council:
- a) Note the contents of this Report and approve the Officer's consultation responses to the representations received following public consultation on the draft Retail and Commercial Development SPG, together with resultant amendments set out in attached **Appendix 2**.
  - b) Adopt the final form Retail and Commercial Development SPG (**Appendix 1**) for immediate application in making development management decisions and in the determination of planning applications along with the adopted RLDP, subject to the provisions of Recommendation c) below.

- c) Authorise the Corporate Director – Communities and Group Manager – Planning and Development Services to make minor presentational changes, typographical or factual corrections as necessary prior to publication of the adopted Retail and Commercial Development SPG.

**Background documents**

None