

Meeting of:	Cabinet
Date of Meeting:	Thursday, 11 May 2023
Relevant Scrutiny Committee:	Environment and Regeneration
Report Title:	The Vale of Glamorgan Local Development Plan 2011-2026: Supplementary Planning Guidance on Retail and Town Centre Development and Economic Development, Employment Land and Premises – Member Briefing Session Feedback
Purpose of Report:	To advise Cabinet on the feedback from a Member briefing session in respect of the Supplementary Planning Guidance (SPG) in relation to Retail and Town Centre Development and Economic Development, Employment Land and Premises.
Report Owner:	Cabinet Member for Community Engagement, Equalities and Regulatory Services
Responsible Officer:	Marcus Goldsworthy – Director of Place
Elected Member and Officer Consultation:	Head of Sustainable Development; Operational Manager Neighbourhood Services: Operations; Operational Manager for Regeneration; Operational Manager Accountancy; Lawyer - Legal Division; Team Leader Economy and Neighbourhood Regeneration; Town Centre Development Officer; Principal Tourism and Marketing Officer; Programme Manager Project Zero (Climate Change).
Policy Framework:	This is a matter for Executive decision by Cabinet.
Executive Summary:	<ul style="list-style-type: none"> A report was presented to Cabinet on 29th September, 2022 (Cabinet Minute C80 refers) where draft Supplementary Planning Guidance (SPG) documents on Retail and Town Centre Development and Economic Development, Employment Land and Premises were approved for public consultation purposes. The report also resolved that all Members, including Planning Committee Members, be invited to attend a Member briefing session to advise them of the forthcoming consultation and content of the draft SPGs. Following the completion of a six-week public consultation exercise, Cabinet considered a subsequent report on the Consultation feedback, Proposed Changes and Adoption on 27th

February, 2023. At this meeting, it was resolved to approve the amended SPGs for use in development management decisions alongside the adopted Local Development Plan (Cabinet Minute C245).

- Following the 27th February, 2023 Cabinet meeting, it was identified that the Member briefing session referenced in the 29th September, 2022 Cabinet report was not held. In order to allow Members further opportunity to comment on the documents, a Member briefing session was held on 31st March, 2023. The additional feedback in respect of each draft SPG is summarised in section 2 of this report.

Recommendations

1. That Cabinet notes the contents of the report and considers the feedback made as part of the Member briefing session as detailed in Appendix 1 and endorses that no further amendments should be made to the Supplementary Planning Guidance (SPG) documents as approved at the 27th February, 2023 Cabinet meeting.
2. That this report is referred to the Environment and Regeneration Scrutiny Committee for its consideration. Should Scrutiny Committee resolve to accept Recommendation 1 that no further amendments should be made to the approved SPGs, the documents will be used with immediate effect as part of the Development Management process.
3. That Members of the Planning Committee be advised of the outcome of the public consultation, Member briefing session and adoption of the SPGs.

Reasons for Recommendations

1. To provide a summary of the Member briefing session undertaken on the Retail and Town Centre Development and Economic Development and Employment Land and Premises SPGs; and to seek Cabinet's endorsement that no further changes are required to the finalised SPGs.
2. To ensure appropriate scrutiny of the report.
3. To inform Planning Committee of the adoption of the SPGs as material considerations in the determination of future planning applications.

1. Background

- 1.1 Cabinet will recall a previous report of 29th September, 2022, which outlined the need to prepare new SPGs in accordance with the monitoring framework of the adopted Vale of Glamorgan Local Development Plan 2011- 2026 (LDP). The report sought approval to undertake a 6-week public consultation on a batch of update/new SPGs in respect of the following topics:
 - Retail and Town Centre Development; and
 - Economic Development, Employment Land and Premises
- 1.2 In accordance with minute C80, the 6-week public consultation exercise on the draft SPGs took place between Thursday 20th October and Thursday 1st December, 2022 with the relevant documentation being made available at the main Council offices and on the Council's website.
- 1.3 Cabinet minute C80 also resolved that all Members, including Planning Committee Members, be invited to attend a Member briefing session to advise them of the forthcoming consultation and the content of the draft SPGs. Due to a change in

officers within the Planning Policy team, this Member briefing session did not take place as part of the wider public consultation exercise as originally anticipated.

- 1.4** Cabinet considered a subsequent report on the Consultation feedback, Proposed Changes and Adoption on 27th February, 2023, where the results of the consultation undertaken on the draft Retail and Town Centre Development SPG and Economic Development, Employment Land and Premises SPG were considered. At this meeting, it was resolved to approve the amended SPGs for use in development management decisions alongside the adopted Local Development Plan (Cabinet Minute C245).
- 1.5** Following the 27th February, 2023 Cabinet meeting, it was identified that the Member briefing session referenced in the 29th September, 2022 Cabinet report was not held as envisaged. In order to allow Members further opportunity to comment on the documents, a Member briefing session was held on 31st March, 2023, to which all Members were invited.
- 1.6** This report details the issues raised as part of the briefing session and the response to the matters raised. Following a consideration of the issues, it is considered that no further amendments are required to the SPG documents.
- 1.7** The report recommends that the report be referred to the Environment and Regeneration Scrutiny Committee for its consideration. If the Scrutiny Committee accepts that no further amendments are required to the SPGs following the Member briefing session, the adopted documents will be published for use as part of the development management process alongside a suite of other adopted SPG documents.

2. Key Issues for Consideration

- 2.1** All Members were invited to the Member briefing session held on 31st March, 2023. Copies of the amended version of the SPGs as endorsed by Cabinet on 27th February, 2023 were circulated to Members in advance of the meeting. In total, 15 Members attended the meeting.
- 2.2** A brief summary of the main points raised during the Members briefing session are set out below for each of the SPGs:

Economic Development, Employment Land and Premises SPG

- 2.3** Parking provision on new employment sites was highlighted as a concern, both in ensuring spaces were of adequate width to accommodate modern vehicles and that sufficient spaces were allocated to meet requirements. Both of these matters are addressed within the Council's SPG on Parking Standards and applicants are advised to read this document alongside the Employment SPG.

- 2.4** The importance of the South Wales Metro and better public transport were also identified as considerations. The SPG does highlight the needs for larger businesses to prepare Travel Plans which consider and provide for sustainable travel choices.
- 2.5** Comments were also made regarding working from home and the needs to ensure that people can travel locally to a mix of uses to encourage an appropriate work-life balance. Whilst not a direct matter for the SPG, the importance of placemaking and ensuring that a mix of uses are available and accessible by sustainable transport modes is an important part of planning policy and something that will be considered in any planning decision.
- 2.6** A further discussion was held around the future use of agricultural land for different types of farming uses or solar farms. Whilst neither of these matters are within the remit of the Employment SPG, they are planning matters addressed in national and local planning policies and will be given due consideration through the planning process.
- 2.7** Whilst a detailed and varied discussion took place on these matters, it is not considered that any of the issues raised would require any further changes to the SPG.

Retail and Town Centre Development SPG

- 2.8** The retail hierarchy and the ranking of particular retail areas within the hierarchy was discussed. Further clarification is provided in Appendix 1 justifying the position of certain centres within the retail hierarchy. It was queried why the Goodsheds in Barry and Paget Road in Barry Island were excluded from the hierarchy. As explained in Appendix 1, the Goodsheds was not operational at the time of the preparation of the adopted LDP but will be considered as part of the Replacement LDP retail hierarchy. Paget Road was excluded as the core uses were predominately non-A1 (retail) and it was not considered to have a retail core.
- 2.9** There was discussion regarding what types of uses would be acceptable within town centres and what could be done to retain the core businesses within town centres, including banks and clothing retailers, as well as allowing for new uses such as health centres. It is considered that the SPG as drafted strikes an appropriate balance between providing some flexibility for appropriate new uses to locate within the town centre in light of the changing nature of retail, whilst still retaining a retail function.
- 2.10** It is recognised that the Council could have a role to play in encouraging the right kinds of businesses and services to locate in the Vale's town centres by facilitating appropriate dialogue between interested parties. However, this would be outside of the remit of the SPG, however, which focuses on retail planning policies. This type of promotion and investment support is delivered via

the Council's regeneration and economic development responsibilities and will be more appropriately supported through place making work rather than directly through the SPG.

- 2.11** It is therefore not considered that any changes to the Retail and Town Centres SPG should be made in light of the comments raised at the Members briefing session. However, the wider comments made around the retail hierarchy will be given due consideration as part of the preparation of the RLDP.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1 Long Term** - The LDP monitoring framework requires the Council to prepare and adopt new / updated SPGs in respect of various topics within a specified timeframe. SPGs support and add detail to specific LDP policies and provide applicants with clarity on how relevant proposals will be assessed. The adopted LDP is evidence based and sets out the planning policy framework for the period 2011 to 2026. The preparation of the new RLDP has officially commenced, new SPGs reflect the most recent and up to date national and regional policy, SPG will be updated to reflect the new RLDP in due course.
- 3.2 Prevention** - The SPGs referred to in this report together with the corresponding policies in the LDP will help to minimise the negative impacts of new development on the built and natural environment and have a positive impact on economic, environmental, social and cultural well-being.
- 3.3 Integration** – Both of the SPGs have been prepared in conjunction with relevant service areas and will assist in the delivery of several of the Council's Well-being Objectives.
- 3.4** The Economic Development, Employment Land and Premises SPG will help to deliver the first well-being goal of the Wellbeing of Future Generations Act – 'A Prosperous Wales' and Objective 2 of the Council's Well-being Plan – 'to reduce poverty and tackle inequalities linked to deprivation'. By protecting existing employment land within the Vale of Glamorgan employment opportunities will be protected, a rise in unemployment rate will be mitigated and local people will have access to jobs which will reduce poverty, deprivation and improve their quality of life.
- 3.5** The Retail and Town Centre Development SPG will help to deliver objectives within the Well-being of Future Generations Act such as 'A Wales of cohesive communities' and 'A Wales of vibrant culture and thriving Welsh language'. The SPG will also help to deliver Objective 4 of the Council's Well-being Plan 'To protect, enhance and value our environment'.

- 3.6 Collaboration** – The adopted LDP was subject to extensive statutory consultation in accordance with the LDP Regulations 2005 (as amended 2015). The new SPGs seek to support the relevant policies in order to assist in the delivery of the relevant LDP objectives
- 3.7 Involvement** - A 6 week public consultation on the draft SPGs has taken place in accordance with the Council's corporate public consultation procedures. Copies of the draft SPGs were made available to view at the Council's main offices and on the website. In addition, officers have directly contacted interested parties so that they were made aware of the consultation. A Member briefing session was held.

4. Climate Change and Nature Implications

- 4.1** The SPGs have been prepared with consideration given to climate change and the nature emergency with the aim of contributing towards Project Zero and meeting the challenges set out in the Climate Change Challenge Plan. Objective 2 of the adopted LDP seeks 'to ensure that the development within the Vale of Glamorgan makes a positive contribution towards reducing the impact of and mitigating the adverse effects of climate change'. The policies within the adopted LDP reflect this objective and the SPGs attached to this report provide further supporting guidance for the implementation of the LDP policies.
- 4.2** The Economic Development, Employment Land and Premises SPG promotes new employment sites in sustainable locations in order to contribute towards climate change mitigation. Policy MD14 permits new employment uses where they are within or adjacent to sustainable settlements in order to meet LDP Objective 3 – to reduce the need for residents to travel to meet their daily needs and enabling them greater access to sustainable modes of transport. The SPG requires that a Travel Plan is submitted with proposals for larger employment development and encourages them for any size. A Travel Plan is a package of practical measures to effectively manage long-term transport and travel needs, it will improve travel choice and reduce the impacts of transport of the local environment.
- 4.3** The Economic Development, Employment Land and Premises SPG also encourages the mitigation of climate change through good design by minimising emissions associated with design, construction, use and eventual demolition. New design should include features that provide effective adaptation to, and resilience against, the current and predicted future effects of climate change.
- 4.4** The Retail and Town Centre Development SPG promotes appropriate uses that are accessible by sustainable transport modes and highlights the importance of location of new development in reinforcing the role and function of sustainable settlements. Reducing the need to travel by car by favouring new development in sustainable locations and preventing car focused developments will reduce emissions and contribute towards Project Zero. The retail SPG also encourages the use of sustainable materials for new and existing shopfronts to contribute towards climate change mitigation and environmental protection, this could be sustainably sourced materials or materials that will improve the energy efficiency of the building.

5. Resources and Legal Considerations

Financial

- 5.1 The preparation of the SPG and proposed public consultation exercise has been undertaken by Council officers within existing departmental budgets.
- 5.2 The adoption the SPG is not anticipated to result in additional expenditure and will assist the Council in the consideration of development proposals in planning applications.

Employment

- 5.3 There are no direct employment implications associated with this report.

Legal (Including Equalities)

- 5.4 On adoption the SPGs will replace the existing SPG set out above and the documents will be used as a material consideration in the determination of planning applications and planning appeals.

6. Background Papers

[Future Wales: The National Plan 2040](#)

[Planning Policy Wales Edition 11 \(2011\)](#)

[Building Better Places \(July 2020\)](#)

[Vale of Glamorgan Local Development Plan 2011-2026](#)

[Cabinet report 27th February 2023 - The Vale of Glamorgan Local Development Plan 2011-2026: Supplementary Planning Guidance on Retail and Town Centre Development and Economic Development, Employment Land and Premises – Consultation Feedback, Proposed Changes and Adoption report](#)

[Cabinet report 29th September 2022 on Vale of Glamorgan Local Development Plan 2011-2026: Public Consultation on Draft Supplementary Planning Guidance on Retail and Town Centre Development and Economic Development, Employment Land and Premises](#)

Appendix 1: Issues raised as part of Member Briefing Session on Economic Development, Employment Land and Premises and Retail and Town Centre Development SPG, 31st March 2023

Members in attendance:

Cllr Anthony Ernest, Cllr Carys Stallard, Cllr Charles Champion, Cllr Eddie Williams, Cllr Ewan Goodjohn, Cllr Gillian Bruce, Cllr Ian Buckley, Cllr Ian Johnson, Cllr Joanna Protheroe, Cllr Lis Burnett, Cllr Mark Wilson, Cllr Neil Thomas, Cllr Sandra Perkes, Cllr William Hennessy, Cllr Ian Perry

Economic Development, Employment Land and Premises SPG

Number	Councillor	Comment	Council Response
1	Cllr Champion	Are we still working to the All Wales Parking Standards? Concern that the size of parking spaces does not meet the requirements of modern cars.	Parking standards are determined in accordance with the Vale of Glamorgan Parking Standards SPG, which are more up to date than All Wales Parking Standards. As part of any future review of the Parking Standards SPG, the planning department will liaise with highways colleagues to determine if the space standards remain appropriate. No changes are required to the Employment SPG.
2	Cllr Buckley	If parking spaces are made too wide, it will encourage people to buy bigger cars. Need to encourage more electric vehicles and smaller cars.	Noted. No changes are required to the Employment SPG.
3	Cllr Buckley	How different is this from the previous guidance?	The SPG seeks to provide further clarity on the adopted LDP employment policies to ensure that an appropriate supply of land for employment uses is allocated and protected, but that there is also some flexibility to use employment land for non-B class uses where appropriate. No changes are required to the Employment SPG.
4	Cllr Ernest	Are developers on employment sites required to provide sufficient parking? There is concern that the provision of bicycle spaces may be used to offset parking, which may lead to an overspill of parking into nearby residential areas.	Parking standards are determined in accordance with the Vale of Glamorgan Parking Standards SPG. Many developers of business units are willing to meet these standards, as appropriate car parking provision improves the marketability of the units. Notwithstanding this,

			<p>proposals that encourage travel to work by active travel means should be supported. The provision of cycle parking can be achieved alongside sufficient car parking provision.</p> <p>No changes are required to the Employment SPG.</p>
5	Cllr Wilson	<p>Policies should encourage working from home but should also encourage a balance in working life where people can travel locally, and active travel and work in different locations. This will require a mix of uses that people working from home can visit e.g., coffee shops.</p> <p>Encourage moving away from the motor car and using active travel and public transport.</p>	<p>Noted. Creating a mix of appropriate uses linked by active travel measures is a key part of the placemaking agenda set out in national planning policy and is something that the adopted LDP seeks to deliver.</p> <p>No changes are required to the Employment SPG.</p>
6	Cllr Ernest	<p>Does the SPG take account of the South Wales Metro and the need for better public transport?</p>	<p>It is important that employment sites are allocated in locations that can be accessed by sustainable transport means. The SPG includes a section of Active Travel and Accessibility, reflecting the adopted LDP policy requirements that new development should provide a safe and accessible environment for all users, giving priority to pedestrians, cyclists and public transport users and have no unacceptable impact on highway safety nor cause or exacerbate existing traffic congestion to an unacceptable degree. The SPG also requires the use of Travel Plans for larger businesses to improve travel choice and increase the accessibility of sites.</p>

			<p>Improvements linked to the Metro will benefit many existing and future businesses by offering alternative means of transport other than the private car.</p> <p>No changes are required to the Employment SPG.</p>
	Cllr Stallard	Does the SPG address how agricultural land is used, specifically in relation to large farms moving towards smaller scale regenerative farming enterprises and more local food production?	<p>This is not specifically dealt with under this SPG, which deals with Employment Land and Premises. However, the issue is covered in national planning policy, specifically Technical Advice Note 6: Planning for Sustainable Rural Communities. LDP policies must reflect the direction of national policy in respect of farm diversification.</p> <p>No changes are required to the Employment SPG.</p>
	Cllr Protheroe	Will it get easier for farmers to put solar farms on their land?	<p>This is not specifically dealt with under this SPG. Previously planning applications for solar farms in the Vale have been viewed favourably in line with national policy. However, any larger application will need to be determined as Developments of National Significance (DNS) and will therefore be outside of the control of the Council to determine. There needs to be a balance between the benefits of renewable energy production and the value of the land for agriculture, with weight being given in some appeal decisions to the retention of the Best and Most Versatile Land for agricultural purposes.</p> <p>No changes are required to the Employment SPG.</p>

Retail and Town Centre Development SPG			
Number	Councillor	Comment	Council Response
1	Cllr Ernest	The Royal Buildings in Penarth is missing from the retail hierarchy at junction of Stanwell Road and Victoria Road.	<p>The Royal Buildings are not a retail centre in their own right as they are located within the town centre boundary for Penarth.</p> <p>No changes are required to the Retail and Town Centre Development SPG.</p>
2	Cllr Ian Buckley	<p>How will new retail development affect parking – how is it considered in planning applications?</p> <p>Does A1 cover health centres, and would this be acceptable in a town centre?</p>	<p>Parking standards are determined in accordance with the Vale of Glamorgan Parking Standards SPG.</p> <p>Health centres are non-A1 but would potentially be acceptable as part of the more flexible approach to town centres. This is set out within paragraph 6.2.22.</p> <p>No changes are required to the Retail and Town Centre Development SPG.</p>
	Cllr Thomas	Concern over loss of banks in Penarth. Can the Council do anything to put pressure on banking services to provide alternatives to banks when they have been removed e.g. banking hubs?	<p>From the planning perspective, it is important that policies are not unnecessarily restrictive in town centres to allow a range of uses to be accommodated.</p> <p>It is understood that shared banking hubs are being considered in other towns in the UK that have lost their last branch of a bank. At these hubs, customers of any bank would have access to cash services including depositing and withdrawing money. If Penarth is identified as a suitable location for such a facility, flexibility planning policies that would allow for</p>

			<p>appropriate non-A1 uses such as banks, which are use class A2, would assist in ensuring a suitable premises could be identified.</p> <p>No changes are required to the Retail and Town Centre Development SPG.</p>
	Cllr Protheroe	The rural communities aren't included in the retail hierarchy. Is the criteria different if you were hoping to start a nursery in the rural area?	<p>Children's day nurseries are not considered to be retail and therefore rather than being covered by the adopted LDP retail policies, they would be considered against general managing development policies, with a key consideration being the sustainability of the location.</p> <p>No changes are required to the Retail and Town Centre Development SPG.</p>
	Cllr Wilson	In town centres, personal services such as hairdressers and hair salons and hospitality are doing well as they can't be replaced online. However, there has been a decline in clothing retailers. We should be striving to retain a mix of uses and policies should support this.	<p>It is important that a balance is achieved between allowing a flexible range of uses to encourage footfall whilst not undermining the retail core of town centres. The SPG and LDP retail policies seek to strike this balance, whilst recognising that retail trends are changing.</p> <p>No changes are required to the Retail and Town Centre Development SPG.</p>
	Cllr Champion	Query on the publication status of the SPG and who was consulted?	<p>It was advised that the SPG was subject to a 6-week public consultation between October and December 2022. Following this consultation, a report was taken to Cabinet on 27th February where it was resolved to approve the SPG.</p>

			<p>The public consultation involved a range of external stakeholders with an interest in retail or employment including Chambers of Trade, key retailers, Town and Community Councils, planning organisations and other key stakeholder including South Wales Police.</p> <p>No changes are required to the Retail and Town Centre Development SPG.</p>
	<p>Cllr Johnson</p>	<p>A number of businesses in Barry have taken over properties without taking into consideration the requirement for planning. This has resulted in enforcement action being taken. Is there an easily searchable list to check if changes of use are permitted development or would be considered appropriate?</p> <p>Retail hierarchy doesn't include the Goodsheds in Barry or the wider Barry Island area.</p>	<p>The Planning Portal, which is hosted externally, provides information on what changes of use require planning permission. This is also included within the SPG.</p> <p>Information on the existing use of a unit can be obtained from the Planning department, as annual surveys of retail units are undertaken as part of the Annual Monitoring Report for the LDP.</p> <p>The Goodsheds is not included in the SPG as the hierarchy set out reflects the hierarchy in the adopted LDP. The Goodsheds was not in existence at the time that the LDP was prepared. Consideration will be given to its inclusion in the Replacement LDP hierarchy.</p> <p>The Paget Road area of Barry Island was not afforded a retail boundary in the adopted LDP as the units at the time of plan preparation were predominately non-A1 uses with a limited retail function.</p>

			No changes are required to the Retail and Town Centre Development SPG.
	Cllr Ernest	There's no reference to charity shops in the SPGs – Does the SPG restricting or restraining the number of charity shops, as they don't offer employment, and they could destroy the retail offer.	<p>Charity shops are A1 uses and therefore it is not possible to control through the planning system the use of a retail unit as a charity shop if the unit had a previous A1 use or if the change of use is one that is considered to be permitted development (for example from A2 professional and financial services to A1 or A3 food and drink to A1. The concerns about the concentration and limited employment opportunities associated with charity shops are noted.</p> <p>No changes are required to the Retail and Town Centre Development SPG.</p>
	Cllr Bruce	Why is Rhoose Fontygary Road identified as a Local Centre in the retail hierarchy? It is considered that it should be a neighbourhood centre due to the low number of shops.	<p>The Local and Neighbourhood Retail Assessment Background Paper prepared to support the adopted LDP identified that Rhoose had 13 units comprising 4 food units and 9 other units. The threshold for a local centre as opposed to a neighbourhood centre was more than 10 retail outlets but less than 3,500m² of retail floorspace.</p> <p>As part of the evidence base for the RLDP, a retail assessment is currently being undertaken to help inform future policies. Consideration will be given to the retail hierarchy as part of this work.</p> <p>No changes are required to the Retail and Town Centre Development SPG.</p>