

Retail and Town Centre Development



Supplementary Planning Guidance

March 2023



THE VALE OF GLAMORGAN ADOPTED LOCAL DEVELOPMENT PLAN 2011-2026

RETAIL AND TOWN CENTRE DEVELOPMENT

SUPPLEMENTARY PLANNING GUIDANCE

MARCH 2023

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1. INTRODUCTION

- 1.1. The retail sector in the Vale of Glamorgan is strongly influenced by its proximity and easy access to Cardiff City Centre which is the primary retail attractor within the region and offers a wide range and assortment of convenience and comparison shopping. Within the Vale of Glamorgan shopping provision is largely concentrated within Barry Town Centre and the District Retail Centres of Penarth, Cowbridge and Llantwit Major. Barry Town Centre provides for a broad range of retail, service, employment and leisure uses that serve more than a local need. Retail provision in the district centres is characterised by a range of local and national retailers and service providers that predominantly serve local catchment areas. Elsewhere within the Vale of Glamorgan, smaller independent retailers provide important daily convenience services for the immediate catchment area surrounding the local and neighbourhood centres. The major out of centre Retail Park at Culverhouse Cross on the eastern periphery of the Vale of Glamorgan is in close proximity to and impacts upon the main town and district centres of the Barry, Penarth and Cowbridge and is a significant retail attraction in its own right.
- 1.2. The Vale of Glamorgan Local Development Plan (LDP) 2011 – 2026 was adopted on 28th June 2017 and provides the local policy framework for planning decisions in the Vale of Glamorgan. LDP Policy MG12 sets out the following retail hierarchy:
- Town centres:** Barry
- District centres:** Barry (High Street/Broad Street), Cowbridge, Llantwit Major, Penarth
- Local centres:** Barry: Main Street, Cadoxton; Vere Street, Cadoxton; Park Crescent; Barry Road, nr. Cadoxton; Upper Holton Road, Dinas Powys; Cardiff Road; Dinas Powys village centre, Penarth: Cornerswell Road, Rhoose: Fontygary Road, St Athan: The Square
- Neighbourhood centres:** Barry: Bron-y-Mor; Cwm Talwg; Gibbonsdown Centre; Park Road, Boverton, Dinas Powys: Camms Corner; Castle Court/The Parade, Font-y-Gary: Adenfield Way, Llantwit Major: Crawshay Drive, Penarth: Pill Street; Tennyson Road
- 1.3. This Supplementary Planning Guidance (SPG) document provides further guidance on the application of LDP retail policies which seek to protect the vitality, attractiveness, and viability of the designated retail centres in accordance with the approach outlined in national planning policy.
- 1.4. Since the preparation of the LDP there have been a number of changes in the Vale's retail centres resulting from the continued economic challenges

facing local businesses and communities. For some centres, this has seen a reduction in traditional A1 retail units and an increase in longer term vacancies.

- 1.5. Future Wales – The National Plan places a stronger emphasis on the principle of ‘Town Centre First’. It recognises that we 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.
- 1.6. 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 adopted LDP policies, Future Wales and in light of other material considerations to ensure our retail centres are sustainable in the long term.

2. PURPOSE OF THE SUPPLEMENTARY PLANNING GUIDANCE

- 2.1. This SPG document has been produced to support the policies of the Adopted Vale of Glamorgan Local Development Plan (LDP) 2011-2026, to help secure its aims and objectives including:

Objective 6: To reinforce the vitality, viability and attractiveness of the Vale of Glamorgan’s town, district, local and neighbourhood shopping centres

- 2.2. It is intended to assist applicants developing proposals in the Vale of Glamorgan’s retail centres in meeting the requirements of the Plan’s retail and design policies, in addition to considering national policy.
- 2.3. It provides advice about how the Council will deal with proposals for retail development outside the Vale’s retail centres. It also provides further advice on the application of LDP Policies MG14 (Non-A1 Retail Uses within Town and District Retail Centres) and MG15 (Non-A1 Retail Uses within Local and Neighbourhood Retail Centres) where development proposals involve the loss of an existing or vacant A1 retail unit.
- 2.4. The SPG also provides shopfront design guidance for proposals involving the alteration of facades in designated retail centres to help satisfy LDP design policies.

3. STATUS OF THE GUIDANCE

- 3.1. Only the policies of the Development Plan can have the special status afforded by Section 38(6) of The Planning and Compulsory Purchase Act 2004, which requires that, “where in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.” The Welsh Government advises that SPG may be a material consideration provided it is consistent with the LDP, the weight afforded to it being increased if it is consistent with LDP policies and has been the subject of consultation.
- 3.2. The Vale of Glamorgan Adopted Local Development Plan 2011-2026 forms the local authority level tier of the development plan framework and ‘Future Wales – the National Plan 2040’ is the national development plan. This SPG supplements the policies contained within the development plans and will be relevant for the determination of planning applications and appeals for new development within the Vale of Glamorgan.
- 3.3. The draft SPG was approved by Cabinet for public consultation on the 29th September 2022 (Minute No. C80 refers). The council undertook a 6-week public consultation exercise 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. The council considered the representations received during the consultation before finalising this document. This SPG was approved by cabinet on 27th February 2023 (Minute No. 245 refers) and is now a material consideration in the determination of relevant planning applications and appeals in the Vale of Glamorgan.

4. LEGISLATIVE AND POLICY CONTEXT

4.1.1. The following sections set out the legislative and policy framework in relation to retail planning and the consideration of new development proposals within the Vale of Glamorgan's Town and District Centres, Local Centres, and Neighbourhood Centres.

4.2. WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

4.2.1. The Well-being of Future Generations (Wales) Act (2015) is concerned with improving the social, economic, environmental, and cultural well-being of Wales. It requires the public bodies listed in the Act to think more about the long-term, work better with people, communities, and each other, look to prevent problems and take a collaborative approach to working. The Act puts in place seven well-being goals under a range of headings.

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsive Wales.

4.2.2. The Act places a duty on the Council to take reasonable steps in exercising its functions to meet the wellbeing objectives set out above. This SPG has been prepared as part of the Council's duty and the 'sustainable development principle', as set out in the Act and has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

4.3. TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987 (AS AMENDED)

4.3.1. The Town and Country Planning (Use Classes) Order identifies uses of land and buildings and places them within various categories known as use classes. The Order 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.

4.3.2. The following list gives an indication of the types of uses which would fall under the retail use classes contained under Part A Schedule 1 of the Order:

- A1 Shops - Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners and funeral directors.
- A2 Financial and professional services - Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies.
- A3 Food and drink - For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes, drinking establishments and take-aways.

4.3.3. Where a person is unsure which use class applies to a building or parcel of land, they should check the planning history for the site and identify the latest planning permission that was approved and enacted on the site. This can be accessed using the Council's Planning Register on the Council's webpage. If there are any issues determining the existing use class of land or buildings, please contact the Local Planning Authority using the contact details provided under Section 10 of this SPG for further advice.

4.4. TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 (AS AMENDED)

4.4.1. Certain types of minor changes can be made to land and buildings without requiring planning consent. These are known as permitted development rights and are contained within the Town and Country Planning (General Permitted Development) Order 1995 (as amended). 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 permission as these uses fall within the same 'class', and a restaurant could be changed to a shop or an estate agency as the Use Class Order allows this type of change to occur without requiring planning permission.

4.4.2. However, most external building work associated with a change of use is likely to require planning permission such as new advertising for the new use.

- 4.4.3. Regarding change of uses which fall under the Class A retail uses, the following table outlines where a change of use would be considered a permitted development:

Table 1: Permitted Development Rights for Retail Uses

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

- 4.4.4. Please note in some areas of the country permitted development rights are more restricted. If the land or building is located in a Conservation Area, a National Park, or a World Heritage Site you will need to apply for planning permission for certain types of work which do not need an application in other areas. There are also additional restrictions if a building has been designated a listed building. Additionally, the existing use may have been permitted subject to permitted development rights being removed meaning planning consent would be required for the above changes. In some instances, the use has been restricted to a specific user or other limitations, consequently it is important that developers fully understand the planning history of a building or land before undertaking forms of permitted development.
- 4.4.5. If there is uncertainty surrounding the existing use and whether permitted development rights have been removed, please contact the Local Planning Authority using the details provided under Section 10 of this SPG.

**WELSH GOVERNMENT CORONAVIRUS COVID-19 RESPONSE
– TEMPORARY PERMITTED DEVELOPMENT RIGHTS TO
SUPPORT BUSINESSES**

- 4.4.6. In response to the detrimental impact Covid-19 restrictions had on the retail sector, the Welsh Government temporarily relaxed planning controls for specified development through amendments to the Town and Country Planning (General Permitted Development) Order 1995. The amendments to the Order came into force between 30th April 2021 and 2 January 2022.
- 4.4.7. Welsh Government acknowledged that prior to the pandemic, there was a growing need for diversifying retail and commercial centres so they can adapt to future retail trends to continue to meet the needs of their local communities. This need to diversify was exacerbated by the impact of COVID-19. In the short term, the Welsh Government sought to facilitate temporary changes of use to enable businesses to trial alternative uses within town centres for a short period of time. This was intended to enable them to trial alternative uses and get initial feedback as to whether the start-up was likely to be viable without the expense and delay associated with submitting a planning application.
- 4.4.8. The temporary changes of use only related to sites located within town centres which are defined under the relevant Local Development Plan policies. In relation to the Vale of Glamorgan LDP, Policy MG12 – Retail Hierarchy identifies the retail centres where the permitted developments were applicable. The temporary permitted development that was covered by the amendment to the Order is detailed in the table below:

Table 2: Temporary Permitted Development Rights in Town Centres

Part 4A	Existing Use (within town centres only)	Permitted Change
Class C	Use class A1 (shops)	<ul style="list-style-type: none"> • A2 (financial and professional services); • A3 (food and drink); • B1 (business); • D1 (non-residential institutions); • D2 (assembly and leisure).
Class D	Use class A2 (financial and	<ul style="list-style-type: none"> • A1 (shops); • A3 (food and drink);

	professional services)	<ul style="list-style-type: none"> • B1 (business); • D1 (non-residential institutions); • D2 (assembly and leisure).
Class E	Use class A3 (food and drink)	<ul style="list-style-type: none"> • A1 (shops); • A2 (financial and professional services); • B1 (business); • D1 (non-residential institutions); • D2 (assembly and leisure).

4.4.9. All changes of use that took place were permitted for a six-month period beginning with the date on which the development began and were required to end on or before 29th April 2022, unless planning permission was granted for the retention of the use. The use of the building was permitted revert to the original use at any time during the six-month period. To ensure the impacts of the permitted change of use were appropriately recorded developers had to notify the Local Planning Authority of the temporary change of use as soon as reasonably practicable.

4.4.10. It should be noted, development was not permitted if the proposed A3 use was for the sale of hot food for consumption off the premises; or where the proposed use is Class B1(c) (i.e. for any industrial process). These uses can potentially result in planning impacts that require further consideration through the submission of a planning application such as noise impacts on residential neighbours.

4.4.11. However, although these changes were only in place until the end of April 2022, the Welsh Government ran a consultation between 16th November 2021 and 15th February 2022 on making them permanent. The outcome of this consultation is still awaited.

4.5. CRIME AND DISORDER ACT 1998 (AS AMENDED)

4.5.1. Section 17 of The Crime and Disorder Act 1998 requires local authorities to consider the crime and disorder implications of all their activities and functions and do all they reasonably can to reduce these problems. Designing out crime and designing in community safety through planning is a vital tool in fulfilling this duty.

4.5.2. New retail developments should be built to Secured by Design Standards in consultation with South Wales Police in order to prevent anti-social behaviour, theft and burglary. It is advised that applicants and developers

consult South Wales Police Designing Out Crime Officers on development proposals that fall within the criteria of 'Public Accessible Places' as early as possible in the design and concept stages.

4.6. FUTURE WALES: NATIONAL DEVELOPMENT PLAN 2040

4.6.1. **Future Wales: The National Plan 2040**, sets out the Welsh Government's strategic national development framework and builds upon the key objectives of Planning Policy Wales. It outlines the Welsh Government's strategies for addressing key national priorities through the planning system. These include sustaining and developing a vibrant economy, providing quality development in the right places for the right reasons, achieving decarbonisation and climate-resilience, developing strong ecosystems, and improving the health and well-being of communities.

4.6.2. The National Development Plan outlines a number of strategic policies which development proposal must consider and will inform how decision makers determine planning decisions. The following strategic policies are considered relevant to retail proposals in the Vale of Glamorgan:

- Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

“The growth and regeneration of towns and cities should positively contribute towards building sustainable places that support active and healthy lives, with urban neighbourhoods that are compact and walkable, organised around mixed-use centres and public transport, and integrated with green infrastructure.”

- Policy 6 – Town Centre First

“Significant new commercial, retail, education, health, leisure and public service facilities must be located within town and city centres. They should have good access by public transport to and from the whole town or city and, where appropriate, the wider region.

A sequential approach must be used to inform the identification of the best location for these developments, and they should be identified in Strategic and Local Development Plans.”

The 'Town Centre First' approach puts the health and vibrancy of town centres as the starting point of locational decision-making. It also directs

facilities and services to where intended users can easily walk, cycle and/or use public transport to access them.

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. The impact of COVID-19 on the retail sector is a further driver towards making our town centres 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. They are more than the extent of designated retail areas.

- Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

4.7. PLANNING POLICY WALES

4.7.1. Planning Policy Wales (PPW) (Edition 11) 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. The key statements from PPW which are relevant to the contents of this SPG are outlined below:

MIXED USES AND PRIMARY AND SECONDARY SHOPPING AREAS

4.7.2. PPW promotes A1 uses within identified retail centres as the underpinning use for these areas. However, it is acknowledged that the "*although retailing (A1) uses should underpin retail and commercial centres, it is only one of the factors which contribute towards their vibrancy.*" (PPW, para.4.3.30, 2021).

4.7.3. A distinction is made between different areas within retail centres in PPW which states "*Primary areas are typically characterised by a high proportion of A1 retail uses, and their designation requires an understanding of the existing distribution of uses in a centre together with careful consideration of a centre's role and how it relates to the retail strategy for the area. Secondary areas typically contain mixed uses, for example shops, cafes and restaurants, financial establishments and other services and community facilities.*" (PPW, para.4.3.31, 2021). These different areas are identified by LPAs within their LDP with evidence supporting the allocation of these areas within the centres.

- 4.7.4. The different characteristics of the Primary and Secondary areas defined in PPW allow LDP policies to encourage a diversity of uses in retail centres. PPW states “*Vibrant and viable centres are distinguished by a diversity of activity and uses which should contribute towards a centre’s well-being and success, whilst also reducing the need to travel. Development plans should include policies describing the types of use that are likely to be acceptable in primary and secondary areas.*” (PPW, para.4.3.33, 2021)
- 4.7.5. Different commercial uses can be appropriate within centres and LPAs should consider how “*leisure and entertainment, and food and drink uses can benefit retail and commercial centres, and with adequate attention to safeguarding amenities can contribute to a successful evening economy.*” (PPW, para.4.3.34, 2021) Furthermore, PPW supports “*mixed use developments, which combine retailing with entertainment, restaurants and, where appropriate, residential*” (PPW, para.4.3.34, 2021) within retail centres which can promote active centres with beneficial day and evening economies.
- 4.7.6. However, it is acknowledged that “*achieving diversity of uses and activities may require a flexible approach to planning. Where the right balance of use and activity is not being achieved, planning authorities should consider making changes to the acceptable uses in primary or secondary areas, or the retail and commercial centre boundaries themselves.*” (PPW, para.4.3.35, 2021). To ensure retail centres are healthy “*Planning authorities should assess retail and commercial centre performance and the effectiveness of development plan policies by monitoring their health. They should use the strategy in their development plan to manage change and take action where necessary to address this.*” (PPW, para.4.3.36, 2021). In instances where economic decline is impacting on a retail and commercial centre, emphasis on retaining A1 uses in premises either in primary or secondary areas, which have been vacant for a period of time, may undermine a centre’s viability and vitality due to their unsightly appearance and the creation of dead frontages. In these circumstances planning authorities should consider how non-A1 uses may play a greater role to increasing diversity and reducing vacancy levels.
- 4.7.7. Regarding SPGs PPW states they “*should support the management of retail and commercial centres where appropriate. Such management, involving enhancement and promotion, can be an important factor in achieving vibrancy, viability, and attractiveness in retail centres. Management measures can also contribute to the achievement of a safe and crime free environment. Partnership between local authorities and the private sector is essential to the success of such management strategies.*” (PPW, para.4.3.39, 2021)

- 4.7.8. In relation to smaller retailing areas such as local and village shops which fall outside of identified retail centres, PPW acknowledges “*Local and village shops, and public houses provide an important role in the local community and their loss can have a detrimental impact, particularly in rural locations.*” (PPW, para.4.3.40, 2021)

4.8. BUILDING BETTER PLACES - THE PLANNING SYSTEM DELIVERING RESILIENT AND BRIGHTER FUTURES (JULY 2020)

- 4.8.1. Building Better Places was published by Welsh Government to setting out their response to Placemaking and the Covid-19 recovery.

- 4.8.2. The Building Better Places document outlines the approach Welsh Government will seek to implement as the country recovers from the pandemic, which pinpoints the most relevant policy priorities and actions to aid in the recovery. It states “*Our 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 once more. 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 soundscapes are considered.*

Evidence suggests that traditional retailing uses will not be as prevalent and the demand for new retail space will be very low for the foreseeable future, therefore primary retail areas will need to be urgently reviewed. This must be realistic and not done in the expectation that retail occupiers will return in the numbers we witnessed prior to the pandemic. Unreasonable and inflexible policies should be challenged through the development plan process, as much more creative thinking will be needed to reimagine and re-purpose these areas.” (Building Better Places, p.18, 2020).

- 4.8.3. Although the Retail Strategy outlined in Building Better Places will need to be addressed in a reviewed LDP this will likely come forward by 2024/25. Due to the timescales surrounding the LDP process it is imperative decision makers respond flexibly to planning proposals, “the planning system must respond to this situation by ensuring that our retail and commercial centres can operate as flexibly as possible” (Building Better Places, p.18, 2020).

- 4.8.4. The Building Better Places document is also referenced in PPW stating “Building Better Places recognises the pivotal role that planners play in shaping our society for the future. They must plan for our priorities around placemaking, decarbonisation and well-being. Building Better Places starts to identify action to achieve this and upon which we must build; future reviews of Planning Policy Wales will enable us to further integrate this work. Everyone has a part to play to ensure that the communities of tomorrow benefit from the foresight of today” (PPW, para.2.23, 2021).

4.9. TECHNICAL ADVICE NOTE 4: RETAIL AND COMMERCIAL DEVELOPMENT

- 4.9.1. Technical Advice Note 4: Retail and Commercial Development (November 2016) sets out national policy and guidance in relation to changes of use in Retail and Commercial Primary and Secondary Areas.
- 4.9.2. In relation to retail centres which are under performing, TAN4 advises *“when a retail and commercial centre’s performance is poor, due perhaps to local or national economic conditions, and frontages become characterised by persistently high vacancy rates, local planning authorities should consider applying a more flexible strategy. Local planning authorities should decide if restricting change of use from A1 to non-A1 uses in primary areas is the most effective strategy. In these circumstances over emphasis on A1 uses alone in primary areas may serve to weaken the centre’s prospects of being vibrant and viable; making it more vulnerable to decline. The positive role that non-A1 uses such as food and drink, financial, and other services can bring to both primary and secondary areas should be examined by local planning authorities. In addition, the role that residential uses can play in supporting centres should also be recognised. Whilst residential use is unlikely to be appropriate at ground floor level in primary areas, residential use on upper floors can add to a centre’s vibrancy and viability, increasing footfall and contributing to both the daytime and evening economies of a centre”* (TAN4, para.9.2, 2016).
- 4.9.3. In these centres it is important decision makers use a flexible approach when considering the benefits of non-A1 uses within a centre. TAN 4 states *“Flexibility to expand or contract primary and secondary areas and to allow changes of use to attract investment and diversify the range of businesses is essential within vulnerable or declining centres. In larger more diverse centres that are more resilient to downturns in the economy a more restrictive approach to change of use may still be appropriate. However, in smaller centres this may not be the case and a more restrictive approach*

to change of use could act against opportunities to strengthen a centre through greater diversity.” (TAN4, para.9.3, 2016)

4.9.4. The flexible approach applied in underperforming centres needs to be balanced with decision makers understanding that *“individual use classes may contain both desirable and undesirable forms of activity which when clustered together may have a negative cumulative impact. Planning conditions may be used to ensure the most appropriate development is permitted within a use class.”* (TAN4, para.9.4, 2016). Additionally, *“changes of use can create new concentrations of single uses, such as take away food outlets, where the cumulative effects can cause local problems. Such proposals should be assessed against the development plan policies, on their contribution to diversification of the retail and commercial centre and on the cumulative effects on matters such as parking and local residential amenity.”* (TAN4, para.9.7, 2016)

4.9.5. Persistent or long-term vacant units within retail centres represent an issue for the attractiveness and economic viability of centres. LPAs should look positively on *“Temporary or ‘pop-up’ units may be a positive short-term option to reduce the impact of vacancies. A pop-up-unit is established on a short-term lease through agreement with the landlord and where such shops are successful may lead to a long-term tenancy. Whilst pop-up-units are typically used for shops they can be used for other purposes, for example, art galleries and community projects. Local planning authorities should consider using supplementary planning guidance to describe the types of pop-up uses likely to be acceptable in a retail and commercial centre and how they may, if necessary, be controlled through the planning system.”* (TAN4, para.9.5, 2016).

4.10. VALE OF GLAMORGAN ADOPTED LOCAL DEVELOPMENT PLAN 2011-2026

4.10.1. The Vale of Glamorgan Adopted Local Development Plan (LDP) (2011-2026) provides the planning policy framework for managing the use and development of land within the authority. The LDP includes ten strategic objectives which set out the overall social, economic, and environmental context and policy direction of the Plan. The following objectives and policies are of relevance to this SPG:

- Objective 1: To sustain and further the development of sustainable communities within the Vale of Glamorgan, providing opportunities for living, learning, working and socialising for all.

- Objective 2: To ensure that development within the Vale of Glamorgan makes a positive contribution towards reducing the impact of and mitigating the adverse effects of climate change.
- Objective 4: To protect and enhance the Vale of Glamorgan's historic, built, and natural environment.
- Objective 6: To reinforce the vitality, viability and attractiveness of the Vale of Glamorgan's town, district and neighbourhood shopping centres.
- Objective 9: To create an attractive tourism destination with a positive image for the Vale of Glamorgan, encouraging sustainable development and quality facilities to enrich the experience for visitors and residents.

4.10.2. The Vale of Glamorgan Adopted Local Development Plan (LDP) 2011 - 2026 contains the following local planning policies dealing with new retail developments.

- Policy SP6 – Retail
- Policy MG12 – Retail Hierarchy
- Policy MG13 – Edge and Out of Town Retailing Areas
- Policy MG14 – Non-A1 Retail Uses within Town and District Retail Centres
- Policy MG15 – Non-A1 Retail Uses within Local and Neighbourhood Retail Centres

4.10.3. LDP Annual Monitoring Report (AMR) monitoring data indicated that some retail centres do not meet or are close to their respective A1-use thresholds referred to under LDP Policies MG14 and MG15 reflecting market pressure for non-A1 uses.

4.10.4. The AMRs demonstrate only Penarth Retail Centre and the primary frontage in Cowbridge retail centre have sufficient A1 uses to reflect the LDP policy thresholds.

4.10.5. This SPG seeks to address and clarify how Policies MG14 and MG15 of the LDP should be applied and detail how decision makers should apply flexibility depending upon the contextual considerations of a proposal.

4.11. SUPPLEMENTARY PLANNING GUIDANCE

- 4.11.1. The following SPGs are particularly relevant to this guidance and should be read in conjunction with this document. All SPGs are available on the LDP pages of the Council's website.
- 4.11.2. The **Parking Standards SPG** sets out the Council's parking requirements for new developments and changes of use. The SPG relates to commercial vehicles, cars, motorcycles, and bicycles. It also refers to travel plans (which is covered in more detail in a separate **Travel Plan SPG**) as well as the need for provision for Ultra Low Emission Vehicle charging points.
- 4.11.3. The **Planning Obligations SPG** - provides clarification of where, what, when and how planning obligations will be sought, in order to assist the Council in creating sustainable communities that provide social, economic, and environmental benefits. This guidance offers advice on planning obligations in support of the policies in the Vale of Glamorgan LDP.
- 4.11.4. The Council also has a set of Conservation Area Appraisals and Management Plans that will be relevant to development proposals within Conservation Areas, which includes some of the town and retail centres in the Vale of Glamorgan.

5. RETAIL DEVELOPMENT OUTSIDE RETAIL CENTRES

- 5.1.1. PPW states: “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; [and] sustain and enhance retail and commercial centres’ vibrancy, viability and attractiveness” (paragraph 4.3.3 refers).
- 5.1.2. The Vale of Glamorgan retail hierarchy comprises of the town, district, local and neighbourhood centres identified within Policy MG12, and excludes any existing edge of centre or out of town retail parks within the Vale of Glamorgan. Policy MG 13 reinforces the principle of national policy that retail and similar development is best located in our existing retail centres where they are readily accessible by sustainable transport methods and where such uses can complement one another to reinforce the role and function of sustainable settlements. Therefore, it requires developers to demonstrate that edge or out of centre retail must be needed and it would not have an unacceptable impact on the main retail centres.
- 5.1.3. Existing edge of centre and out of town retail areas in the Vale of Glamorgan have been identified at the following locations:

EDGE OF CENTRE

- Barry: Barry Waterfront; Palmerston; Pencoedtre; Highlight Park
- Penarth: Terra Nova Way

OUT OF TOWN

- Culverhouse Retail Park, Culverhouse Cross
- Brooklands Terrace Retail Park, Culverhouse Cross
- Valegate Retail Park Culverhouse Cross
- Penarth Road Retail Park

POLICY MG13 – EDGE AND OUT OF TOWN RETAILING AREAS

Proposals for new retail development on new sites or existing retail areas in edge and out of town locations, including changes of use, extensions, the merger or subdivision of existing units or amendments to existing planning conditions relating to the sale of goods will only be permitted where:

1. It can be demonstrated that there is an additional need for the proposal which cannot be provided within an existing town, or district retail centre, and
2. The proposal would not either individually or cumulatively with other recent or proposed consented developments have an unacceptable impact on the trade, turnover, vitality and viability of the town, district, local or neighbourhood centres.

5.1.4. Proposals for new retail development in edge and out of town retailing areas will be strictly controlled in accordance with national policy, in order to support existing established retail centres in the retail hierarchy.

5.1.5. Policy MG13 sets out the criteria by which proposals for new retail development in edge and out of town locations will be assessed in line with national policy. It applies to all proposals that create additional retail floor space, including changes of use, extensions, the subdivision / merger of existing units, mezzanine floors and variations to relevant planning conditions.

5.2. DEMONSTRATING ADDITIONAL RETAIL NEED

5.2.1. TAN 4 reinforces the need for retail developments outside retail centres to demonstrate additional need. It does not prescribe the methodology for assessing retail need but advises that developers should ensure assessments are prepared in a clear logical and transparent way with the use of robust and realistic evidence.

5.2.2. Quantitative need assessments usually include:

- Existing and forecasted population levels and distribution.
- Forecast expenditure for specific classes of goods to be sold, within the broad categories of comparison and convenience goods, which are provided at the lowest geographical area possible to reflect local circumstances.
- Sales density data for both existing and future retail provision which is realistic and benchmarked against similar retail developments in the area; and
- Catchment areas for centres and individual stores which reflect the size and scale of the development and the likely draw of a particular scheme.

5.2.3. Where additional need is demonstrated, developers will need to prove that it cannot be met within an existing town or district retail centre by following

the sequential test locational preference for retail, leisure and other complementary uses:

- Firstly, within retail and commercial centres identified in the retail hierarchy where suitable sites, or buildings for conversion are available. The planning application must be of an appropriate scale in relation to the role and function of the centre.
- If no suitable sites are available in retail and commercial centres then edge-of-centre locations should be considered, with preference given to brownfield sites that are or will be well connected to the existing centre and accessible by a variety of means of transport, particularly walking, cycling and public transport.
- Only when retail and commercial centres and edge of centre locations have been considered and found to be unsuitable can out-of-centre options within, and then outside, a settlement area be considered. Where out of centre sites are concerned preference should be given to brownfield sites which are or will be well served by a choice of means of transport and are close to an established retail and commercial centre.

5.2.4. Where a developer favours a development site on the edge of or outside a retail and commercial centre the developers will need to provide evidence to explain why potential sites or buildings within the centre are unable to accommodate the format, scale and design of a proposed development. Developers will be expected to be reasonably flexible in this regard having regard to wider planning principles like sustainability and accessibility. TAN 4 states: *“Developers and retailers should be flexible and innovative about the format, design and scale of proposed development and the amount of car parking needed, tailoring these to fit local circumstances.”*

5.3. RETAIL IMPACT ASSESSMENT

5.3.1. In addition to demonstrating need and that the sequential test for location has been applied, developers must show that their proposals for retailing on an edge or out-of-centre location would not either individually or cumulatively with other recent or proposed consented developments have an unacceptable impact on the trade, turnover, vitality and viability of the town, district, local or neighbourhood centres.

- 5.3.2. PPW recognises that retail developments outside designated retail and commercial centres can impact on the viability and vibrancy of a centre. Impacts resulting from such development, whether individual or cumulative, may include changes in turnover and trading ability, consumer choice, traffic and travel patterns, footfall, as well as affect centre regeneration strategies and existing or proposed retail sites allocated in the development plan. The purpose of the retail impact assessment is to consider these issues and determine if these developments are likely to have detrimental consequences.
- 5.3.3. PPW sets a threshold where a retail impact assessment is required for applications that are proposed on the edge of or outside designated retail and commercial centres of 2,500 sq. metres or more gross floorspace. For smaller retail planning applications, it states, planning authorities will need to determine whether an assessment is necessary, for example when a smaller proposal may have a significant impact on a centre. These will be assessed on a case-by-case basis and developers should seek pre-application advice for more information about specific requirements relating to the precise location, scale and form of development proposed.
- 5.3.4. Where planning permission is granted for new edge and out-of-centre retail development conditions may be imposed to control the nature and scale of the retail activity and to minimise any potential impact on the existing retail centres within the retail hierarchy.

5.4. SMALL SHOPS AND LOCAL NEED

- 5.4.1. The aim of Policy MG 13 is to preserve and enhance the vitality, viability and attractiveness of existing town, district local and neighbourhood centres as well as promoting sustainable communities and sustainable travel patterns. In this regard, proposals for small shops that serve a local neighbourhood or rural village, and farm shops will be favoured outside existing retail centres.
- 5.4.2. Furthermore, the LDP recognises the importance of local neighbourhood shops and Policy MD 5 states that development within settlement boundaries will be permitted where it would not result in the unacceptable loss of community facilities which could include a local shop, post office or public house.

6. DEVELOPMENT WITHIN RETAIL CENTRES

6.1 POLICY MG14 - NON-A1 RETAIL USES WITHIN TOWN AND DISTRICT RETAIL CENTRES

6.1.1 The Adopted Vale of Glamorgan Local Development 2011 – 2026 contains the following policy for proposals for non-A1 uses within retail centres:

POLICY MG14 - NON-A1 RETAIL USES WITHIN TOWN AND DISTRICT RETAIL CENTRES

Proposals for non-A1 retail uses at ground floor level within the town and the district centres will be permitted where:

1. They would not result in more than 35% of non-A1 retail uses within the primary shopping frontage;
2. They would not result in more than 50% of non-A1 retail uses within the secondary shopping frontage;
3. They would not create an over concentration of non-A1 retail uses within the centre;
4. They complement the character of the existing centre, benefit the daytime economy, and maintain an attractive shop frontage; and
5. They would not prevent the beneficial use or reuse of upper floors.

Within the town and district retail centre boundaries, proposals for the conversion of a ground floor existing A1 unit to a non-A1 use will only be permitted where it can be demonstrated that the unit has been appropriately marketed and that the proposed use would have no unacceptable impact on the role and function of the retail centre.

6.1.2 This relates to the following retail centres (see maps at LDP Appendix 5):

- Town centres: Barry
- District centres: Barry High Street / Broad Street, Cowbridge, Llantwit major, and Penarth

6.2 POLICY MG15 - NON-A1 RETAIL USES WITHIN LOCAL & NEIGHBOURHOOD RETAIL CENTRES

POLICY MG15 - NON-A1 RETAIL USES WITHIN LOCAL & NEIGHBOURHOOD RETAIL CENTRES

Within local retail centres, proposals for non-A1 retail uses will be permitted where:

1. They would not result in excess of 50% non-A1 retail uses;
2. It is demonstrated through active and appropriate marketing that the existing use is no longer economically viable; and
3. The proposal would not result in an over concentration of non-A1 uses that would be detrimental to the vitality, attractiveness, and viability of the local centre.

Within neighbourhood retail centres, proposals for non-A1 retail uses will be permitted where it is demonstrated that the new use would not have an unacceptable impact on the vitality, attractiveness, and viability of the centre through:

- The over concentration of non- A1 retail uses;
- The creation of a dead window frontage; or
- An unacceptable effect on the amenity of neighbouring uses.

6.2.1 In accordance with the Plan's retail hierarchy this relates to the following retail centres:

LOCAL CENTRES

- Barry: Main Street, Cadoxton; Vere Street, Cadoxton; Park Crescent; Barry Road, nr. Cadoxton; Upper Holton Road
- Dinas Powys: Cardiff Road; Dinas Powys village centre
- Penarth: Cornerswell Road
- Rhoose: Fontygary Road
- St Athan: The Square

NEIGHBOURHOOD CENTRES

- Barry: Bron-y-Mor; Cwm Talwg; Gibbonsdown Centre; Park Road
- Boverton
- Dinas Powys: Camms Corner; Castle Court/The Parade
- Font-y-Gary: Adenfield Way
- Llantwit Major: Crawshay Drive
- Penarth: Pill Street; Tennyson Road

- 6.2.2 These policies recognise the important part that A1 retail uses play in giving vitality and activity to retail centres. They tend to be uses that attract a high number of customers throughout the day, increasing footfall within the centre and working collectively to complement the retail experience of the centre. The overall aim of the policies, by seeking to maintain a high proportion of A1 uses, is to ensure the vitality, attractiveness, and viability of retail centres. Within these centres development proposals for non-A1 uses should ensure there are no unacceptable impact on the role and function of the retail centre. The advice below explains how applicants can demonstrate compliance with the policy.
- 6.2.3 The supporting text to Policy MG14 clarifies for the purposes of Policy MG14 non-retail uses includes A2, A3 and B1 as well as the other non-A1 uses stating “*Within these areas the range and mix of uses will be carefully managed and controlled to ensure the continued vitality, viability and attractiveness of the retail centres. While non-retail uses such as financial and professional services (A2), food and drink outlets (A3), and offices (Class B1) can contribute to the diversity of a retail centre and generate increased footfall, a proliferation of such uses can also have a negative impact upon the long term vitality, viability and attractiveness of the centre dispersing retail premises and diluting the retail core*” (LDP, p.74, 2017).
- 6.2.4 Where a proposal relates to a change of use from an existing commercial non-A1 use to another commercial non-A1 use (for example an A2 office to an A3 cafe) the development would not affect the overall proportion of A1 uses in the centre (MG14 (1-3) and MG15 (1) refer).
- 6.2.5 The Vale of Glamorgan Council undertakes annual retail surveys which records the use class of commercial units within the centre, their function and whether they are occupied or vacant. The surveys allow decision makers to better understand the vitality, viability, and attractiveness of retail centres in the area including the proportion of A1 uses in them. The surveys are available upon request. Analysis of this information will assist developers and decisions makers to consider whether proposals create an unacceptable concentration of non-A1 uses.
- 6.2.6 Proposals for non-A1 uses need to complement the character of the existing centre, benefit the daytime economy, and maintain an attractive shop frontage. This will preclude uses like residential or B1 offices at ground floor, but favours uses that complement the main role and function of retail centres.

6.2.7 LDP Policies MG 14 and MG 15 (2) requires proposals for existing A1 units to a non-A1 use to demonstrate that the unit has been appropriately marketed. Applicants should submit a marketing report with such applications outlining the following:

- Details the existing use or the previous use of the site / premises if vacant;
- The length of time the unit has been vacant for (if applicable);
- Details of the marketing strategy employed and its duration, including the type of use the unit was marketed for, the price / contract terms, any incentives offered, details of the site / premises particulars including its condition / state of repair, copies of advertisements placed;
- Details of the amount of interest in the unit during the marketing period – this should detail the number of queries, the type of uses sought by potential purchasers, and if known, the reason for not pursuing an initial enquiry.

6.2.8 To demonstrate the marketing strategy was meaningful and realistic as a minimum the marketing strategy followed should:

- Have been undertaken for a 12-month continuous marketing period;
- Have a sale / rental price that reflects the market conditions for the current use and condition of the site / premises. If the building or site requires extensive conversion/repairs, the price should be based on the unconverted state unless the works are to be undertaken prior to completion. The price should not include any potential residential or other non-A1 use values.
- Have 'active' marketing on site, be listed on appropriate marketing websites, use a local / regional property agent to market the site, including direct mailing to targeted businesses, and advertised in appropriate marketing literature.
- Applicants should be prepared to offer the property or site on both a leasehold and freehold basis in order to widen appeal and help ascertain the level of interest.

6.2.9 Where a unit has been vacant for a significant time period (at least 12 months) this might demonstrate the previous use was not viable at the location, if supported by appropriate marketing evidence. Vacant units will generally have a detrimental impact upon the attractiveness, vitality and economic viability of the retail centre. Therefore, the Council will take this

into account when considering applications for a change of use which would maintain commercial activity in the retail centre but would not be an A1 use.

6.2.10 Proposals for non-A1 uses need to demonstrate they would have no unacceptable impact on the role and function of the retail centre. In this regard considerations would include:

- Customer profile / use of the premises and whether it would increase footfall in the centre
- Hours of operation / use reflecting the wider function of the centre throughout the day / evening and weekend
- Shop frontage and advertising – proposals should have ‘active’ frontages that enhance the public realm of the centre
- External impacts – traffic, congestion, servicing vehicles, noise, pollution, anti-social behaviour
- Providing local employment or services
- Enabling the beneficial use of upper floors to the benefit of the wider retail centre
- Meeting an evidenced social need not currently met in the locality (e.g. childcare services, health care, leisure activities etc).

MARKET CHANGES AND A FLEXIBLE RESPONSE

6.2.11 The policies explained above, demonstrate the Council’s desire to maintain the retail function of town, district, local and neighbourhood centres in the Vale of Glamorgan and this will remain the starting point in the consideration of applications for non-A1 uses in these centres. However, national policy in Future Wales, PPW and other Welsh Government publications recognise the need for a more flexible approach to respond to market impacts and to reinforce the role and function of town centres as the heart of sustainable urban communities. PPW states: “*Although retailing (A1) uses should underpin retail and commercial centres, it is only one of the factors which contribute towards their vibrancy*” (paragraph 4.3.30 refers).

6.2.12 Therefore, under this SPG, the Council will adopt a more flexible approach to the application of Policies MG14 and 15 to give consideration to the individual impacts of the proposals and give weight to the benefits that can be secured from other non-A1 uses that can benefit the overall vitality and viability of our retail centres.

- 6.2.13 TAN 4 sets out where it is considered acceptable to apply a flexible approach to proposals for non-A1 uses in retail centres stating *“when a retail and commercial centre’s performance is poor, due perhaps to local or national economic conditions, and frontages become characterised by persistently high vacancy rates, local planning authorities should consider applying a more flexible strategy. Local planning authorities should decide if restricting change of use from A1 to non-A1 uses in primary areas is the most effective strategy. In these circumstances over emphasis on A1 uses alone in primary areas may serve to weaken the centre’s prospects of being vibrant and viable, making it more vulnerable to decline. The positive role that non-A1 uses such as food and drink, financial, and other services can bring to both primary and secondary areas should be examined by local planning authorities.”* (TAN4, para.9.2, 2016). The performance of a centre will be determined by the latest available evidence such as the Annual Retail Survey.
- 6.2.14 In ‘Brighter Futures: Placemaking and the Covid-19 Recovery’ Welsh Government have recognised recent market impacts on retail centres: *“Evidence suggests that traditional retailing uses will not be as prevalent and the demand for new retail space will be very low for the foreseeable future, therefore primary retail areas will need to be urgently reviewed. This must be realistic and not done in the expectation that retail occupiers will return in the numbers we witnessed prior to the pandemic. Unreasonable and inflexible policies should be challenged through the development plan process, as much more creative thinking will be needed to reimagine and re-purpose these areas.”* (p.18, 2020).
- 6.2.15 Furthermore, Future Wales recognises the role of town centres as places that can meet more than just retail needs in its ‘Town Centre First’ Policy, which states that in addition to retail, significant new commercial, education, health, leisure and public service facilities must be located within town centres. The ‘Town Centre First’ approach puts the health and vibrancy of town centres as the starting point of locational decision-making. It also directs facilities and services to where intended users can easily walk, cycle and/or use public transport to access them.
- 6.2.16 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. The impact of COVID-19 on the retail sector is a further driver towards making our town centres 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. They are more than the extent of designated retail areas.

6.2.17 Consequently, due to the current national context and the ongoing impacts of Covid-19 on the retail sector it is considered reasonable and appropriate for Development Management decisions to take a flexible approach to change of use proposals where it is considered the proposal would benefit the centre and contribute to the vitality, viability and attractiveness of the centre.

6.2.18 To reflect the need for flexibility in retail centres, Welsh Government have recently made temporary amendments to The Town and Country Planning (General Permitted Development) to provide greater flexibility for changes of use within town centres. This change in legislation allows for the temporary change of use from A1 to A2, A3, B1, D1 and D2 within retail centres for a 6-month period without the need to receive planning consent from the LPA. During the six-month trial period, planning permission can be sought, and the local planning authority would have an evidence base from which to assess the impact of the alternative use. Where it has been demonstrated during the temporary period that the planning impacts are minimal, or where the impacts could be managed through conditions, the Council will give weight to the social, economic and broad regeneration benefits of retaining an alternative use.

6.2.19 Under this SPG, which builds on Future Wales Policy 6 and well as the earlier LDP policies, planning applications for non-A1 uses in retail centres will be considered 'in the round' having regard to the wider environmental, social, economic or cultural benefits they offer to the centre.

6.2.20 Proposals which create an opportunity for a mix of complementary uses will be considered favourably in accordance with the Placemaking principles set out in Future Wales. Although non-A1 uses may be secondary to the main retail function / use they can help to create a destination which could lead to increased footfall to the existing A1 uses within the Retail Centre.

SEQUENTIAL APPROACH TO NON-A1 USES

6.2.21 In applying the Town Centre First principle endorsed in Policy 6 of Future Wales and taking a more flexible approach to non-A1 uses in retail centres than LDP policies MG14 and 15 strictly advocate, it is appropriate to take a sequential approach to such proposals. This means that preference will be given to non-A1 uses that have a similar role, function and impact to A1

uses rather than other uses, such as residential uses, that have a very different character and purpose and could undermine the long-term sustainability of retail centres by reducing daytime activity or removing 'active' frontages.

6.2.22 Where non-A1 uses are considered to be justified for the reasons set out in this SPG, the following types of uses be favoured because they can complement the main role and function of retail centres:

- A2 Financial and professional services - Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies.
- A3 Food and drink - For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes, drinking establishments and take-aways.
- B1 Business – office, research and development or industrial process being a use which can be carried out in any residential area without detriment to the amenity of that area
- C1 - Hotels and hostels
- D1 - Non-residential institutions – e.g. medical or health services, crèche, day nursery, gallery, museum, public library, exhibition hall, place of worship
- D2 - Assembly and leisure – e.g. cinema, concert hall, bingo hall or casino, indoor or outdoor sports or recreation
- Sui generis uses that are similar in nature to retail uses – e.g. betting offices or car showrooms.

6.2.23 This does not mean that these uses will automatically be granted planning permission, either conditionally or unconditionally, as developments will need to satisfy other policy considerations such as design, impact on neighbouring amenity, environmental impacts, traffic, congestion and parking. Furthermore, consideration will need to be given to the context and current state of the retail centre to ensure that a proliferation of a particular use (such as A3 take-away food outlet) does not undermine the overall role and function of the retail centre.

6.2.24 Residential uses can help to bring 'life' to retail centres particularly in the evening when traditional A1 uses may be closed, but they should generally be located within adjacent areas outside the core primary / secondary shopping frontages or on upper floors or basements rather than on the ground floor / street frontage. The benefits of residential use of upper floors in retail centres will be recognised when consideration is given to the

relaxation of standards for parking and amenity space, particularly in locations with good access to sustainable transport options and local facilities including open space.

7 SHOPFRONT DESIGN GUIDANCE

- 7.1.1 The Vale of Glamorgan contains a wide range of Town, District and Local and Neighbourhood Retail Centres which have undergone many changes over recent years as these centres adapt to changing needs and demands.
- 7.1.2 The shopfront is the most visible part of any retail unit, and an attractive design is fundamental to ensuring units contribute towards the attractiveness of retail centres throughout the Vale of Glamorgan. The insertion/creation of new, and the alteration or replacement of existing shopfronts requires planning permission under Schedule 2, Part 42, Class A, of the Town & Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013. This guidance sets out the key design principles that should be considered and adopted when designing a new or replacement shopfront, depending on its context.
- 7.1.3 While each centre has its own characteristics there are a number of good design principles that can be followed when designing development proposals for building frontages. For example, by conserving or enhancing original shopfront features or by avoiding changes which create featureless or dead window frontages.
- 7.1.4 The Council has longstanding good practice design guidance which applicants and prospective developers should refer to when developing their proposals.
- 7.1.5 The Council's Adopted Local Development Plan contains design policies which require development proposals to create high quality, healthy, sustainable, and locally distinct places (Policy MD2: Design of New Development refers). Furthermore, Planning Policy Wales requires local authorities and developers to address sustainable placemaking objectives and achieve the national planning outcomes.
- 7.1.6 Where required, planning Statements, and Design and Access statements, should explain how proposals have taken account of this design guidance to achieve high quality design and address the sustainable placemaking objectives set out in national policy.

7.2 DESIGN POLICY CONTEXT

ADOPTED VALE OF GLAMORGAN LOCAL DEVELOPMENT PLAN (2011 – 2026)

- 7.2.1 Policy MG12 relates to the hierarchy of retail centres within the Vale of Glamorgan and identifies the town and district centres of Barry, Cowbridge, Llantwit Major, and Penarth as being the principal shopping areas. Culverhouse Cross, bordering Cardiff, is also identified in Policy MG13, as one of the main out of town retail parks in the Vale.
- 7.2.2 Policy MG14 relates to non-A1 (retail) uses within town and district centres and highlights under criterion 4 that they should continue to complement the character of the existing centre, by maintaining an attractive shopfront that contributes towards improving the vitality and attractiveness of retail centres. Dead frontages can detract from the commercial and vibrant character of town, district, and out of town retail centres. Similar issues and considerations apply to non-A1 uses within local and neighbourhood retail centres, as identified by Policy MG15.

PLANNING POLICY WALES, EDITION 11 (FEBRUARY 2021)

- 7.2.3 Chapter 3, Strategic and Spatial Choices, of Planning Policy Wales Edition 11 includes principles of good design and recognises that it creates sustainable spaces for all of society to enjoy. The policy states that designs should respond appropriately to the context and character of an area, to ensure that new developments are sympathetic to their surroundings. This can be applied to shopfront design in so far as they are the most visible and influential part of the high street. A well-designed active frontage provides a shopping area with its identity and is fundamental to ensuring the attractiveness of town and district centres in the Vale of Glamorgan.

WELSH GOVERNMENT TECHNICAL ADVICE NOTE 12 (DESIGN)

- 7.2.4 The Welsh Government's Technical Advice Note 12 (Design) highlights the importance of appraising the context of an area, to ensure new designs respond well to local townscapes. In doing so, designs must create an appropriate visual impression of the building and wider street scene by paying attention to the materials, colours, lighting, textures, and styles used.

FUTURE WALES, THE NATIONAL DEVELOPMENT PLAN 2040

7.2.5 Policy 6, Town Centre First, of Future Wales prioritises the health and survival of town centres by providing a clear focus for new commercial, retail, health, leisure, education, and civic service developments that are unsustainable in most suburban areas. This policy also aims to ensure town centres can grow and regenerate, which involves creating a safe and attractive public realm, where streets are lined with active frontages.

7.3 BROAD DESIGN PRINCIPLES

7.3.1 Shops provide high streets with an active frontage. Shopping areas that display regular blank facades and non-active frontages are generally perceived as lacking character. Therefore, all occupied and empty retail units should be well designed, to support the vitality of town and district centres throughout the Vale of Glamorgan.

7.3.2 Key Principles:

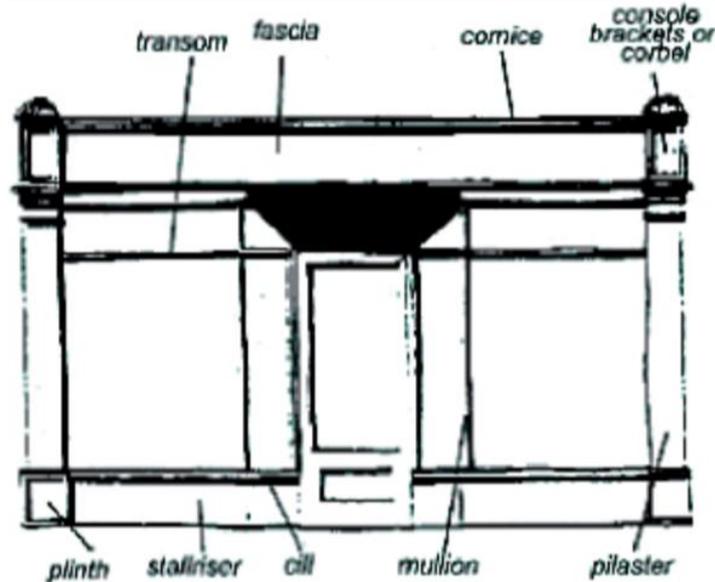
- i. The design of new or replacement shopfronts should respond appropriately to the local context and character of the surrounding shopping area in terms of their composition and the colours, form, lighting, materials, scale, and textures used.
- ii. New or existing shopfronts should be designed to enhance the quality of the street scene.
- iii. Shopfronts in conservation areas and well-preserved street scenes should be designed to preserve and enhance the historic character of the townscape.
- iv. New and existing shopfronts should be constructed using sustainable materials wherever possible.

TRADITIONAL SHOPFRONTS

7.3.3 Traditional shopfronts are most prevalent in conservation areas in the Vale of Glamorgan, including in Penarth, Cowbridge, and the lower part of Llantwit Major town centre. High Street in Barry is also recognised for its historic character. In these shopping areas, new or replacement shopfronts should be based upon classical precedents that have remained similar since the 1700s. These shopfronts tend to be more detailed and constructed of traditional materials, such as wood and metals as opposed

to plastics. Traditional shopfronts are characterised by their classical uniformity and are generally made up of the following parts.

Figure 1: Traditional Shopfront Design Aspects



FASCIA

7.3.4 The fascia is the area where the shop's name is located. The scale of the fascia should be in proportion to the design of the shopfront and the length of the whole building. Traditional shopfronts were often canted (or tilted) forwards and contained within the console brackets.

CORNICE

7.3.5 This is a moulding which crowns or finishes the shopfront and provides a horizontal division between the shopfront and the upper floors of the building. Traditionally the cornice is of timber construction.

MULLION

7.3.6 This is a vertical element that separates and often supports windows, doors, or panels in a shopfront.

TRANSOM

7.3.7 This is a horizontal bar, traditionally in timber, across the shopfront window. It can also separate a door from the fanlight above it.

SHOP WINDOWS

7.3.8 The size and style of windows, glazing bars, mullions and transoms should be in scale and proportion with the rest of the shopfront and the building as a whole. The means and pattern of dividing up glazed areas should relate well to the upper floors and any adjoining buildings.

- Stall riser
 - This provides a solid base for the shopfront and protects the shop window and the bottom element of the shopfront from damage as well as acting as a screen for unattractive floor areas. It also helps to provide a horizontal link to adjoining buildings.
- Pilaster
 - Located either side of the stall riser are the pilasters, which are flat or decorated columns which define the width of the shopfront and enclose the window frame.
- Plinth
 - This is a square or rectangular block which normally is located at the base of the pilaster.
- Console or Corbel
 - Traditionally located at the head of the pilasters are plain or decorated console brackets, or corbels, which support any overhanging fascia.

MODERN SHOPFRONTS

7.3.9 Contemporary shopfronts are often found in less preserved and often highly commercial street scenes, such as Holton Road in Barry, or in parts of Llantwit Major town centre. Some modern shopfronts will include many of the design features of a traditional shopfront. However, provided they are constructed using sustainable materials and respond well to the context and character of the street scene, alternative designs such as frameless shopfronts may be considered appropriate.

7.4 DESIGNING SHOPFRONTS

MATERIALS

7.4.1 The materials that finish new or replacement shopfronts should complement the textures and tones of the building above and where suitable, with neighbouring buildings. Generally, the number of materials used to finish the shopfront should be kept to a minimum, to avoid a clash with the adjoining buildings and the overall character of the street. Sustainable materials that have low embodied emissions and a short lifecycle should be used wherever possible, to minimise the environmental impact, whilst plastics, some metals, and similar unsustainable materials should be avoided where possible.

TRADITIONAL

7.4.2 Timber is the preferable material for traditional shopfronts. It is a versatile and durable material, which makes it an attractive and cost-effective option. It is capable of being finely detailed, moulded to different profiles, and by simple repainting, can be refreshed or altered, without detriment to the character of the whole building. Meanwhile, if it is regularly maintained, timber can have a long life, and avoids the rapidly dating look of many modern finishes.

7.4.3 Aluminium is a more modern, low maintenance alternative to timber. Despite being non-traditional, a powder-coated finish may be considered acceptable. However, natural, or anodised aluminium can weather badly and is unlikely to be considered acceptable for new or replacement shopfronts. Likewise, plastics are generally not appropriate on older buildings and are considered unsustainable. Although some largely plastic shopfronts already exist in areas of Cowbridge, Penarth, Llantwit Major, and High Street in Barry, any new or replacement traditional shopfronts should avoid plastic finishes.

MODERN

7.4.4 Typically, contemporary shopfronts are finished in a wider range of materials. This includes but is not limited to aluminium, tiles, polished granite, render, plastics, and painted wood. The list of materials is extensive and provided the shopfront is finished to a high-quality, responds well to its surroundings, and is constructed using sustainable materials, then contemporary or alternative designs may be considered appropriate.

COLOUR

- 7.4.5 Colour is a detail that significantly affects the visual appearance of a shopfront and can impact considerably on the wider street scene. Colour can be used to emphasise important elements of the design or to reinforce certain aspects such as mouldings and other lettering. However, generally the number of colours used within a single scheme should be kept to a minimum.
- 7.4.6 Additionally, shiny reflective material finishes, or garish colouring should be avoided in all settings. Neutral colours that have less of a visual impact in the street and on the building are the preferred option.

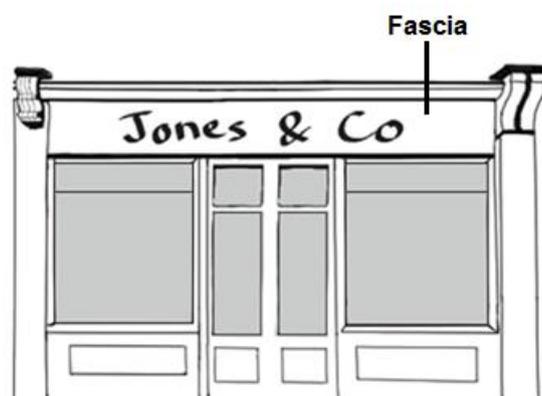
FASCIA

- 7.4.7 The fascia forms a visual break between the shop window and the upper floors of a building. They should be well designed to ensure they add to the quality of the shopfront, while also advertising the business. A prominent, over-scaled and unattractive fascia can reflect badly on the wider shopping area.
- 7.4.8 The depth of the fascia in general should be no deeper than 20% of the shopfront's overall height. The highest point of the fascia should not exceed the floor level of the first storey above.

TRADITIONAL FASCIAS

- 7.4.9 Boxed fascias, which project forward of the face of the building, are likely to be inappropriate in most settings, especially in conservation areas and more traditional street scenes, as they appear bulky and detract from the appearance of the shopfront. Fascias should instead be set within the shopfront and its frame, rather than giving the impression that they have been placed on top of it as a later addition.

Figure 2: Traditional Fascia Design





This illustrates a traditional design, where the fascia has been set within the shopfront and its frame.

7.4.10 Traditional shopfronts should not exceed the surrounds of the original retail unit and where a store occupies more than one adjacent unit, each should have a separate fascia, linked visually by a common design. Shopfronts that span the width of several buildings may detract from the quality of the high street, as they remove the original features and erode the rhythm and distinction between individual units.

Figure 3: Example of Good Traditional Shopfront Design



The image above is of a traditional and well-designed shopfront on Cowbridge High Street, that has retained the individuality of the original buildings.

Figure 4: Example of Inappropriate Shop frontage for a Traditional Setting



Above is a shopfront in Barry that spans several original units that would appear visually incongruous in a well preserved and historical street scene, such as Cowbridge High Street.

MODERN FASCIAS

7.4.11 Many modern shopfronts mimic traditional designs. In those cases, the fascia remains integral and should therefore be set within the shopfront and its frame. However, it is acknowledged that some of the most contemporary shopfronts are frameless and subsequently remove the fascia altogether from the design and position signs internally. Provided that the shopfront responds well to the context of the wider shopping area and is not situated within identified conservation areas or historical street scenes, a frameless design with no fascia may be considered appropriate.

7.4.12 The best examples of large modern shopfronts in older buildings are those which retain the original spacing between each adjacent unit. However, in highly commercialised settings, such as Holton Road in Barry, some retailers have existing singular frontages that span several adjacent units. While these are generally less attractive designs, it is acknowledged that in some contexts and depending on the character of the host building, they may not be harmful to the street scene. Furthermore, shops that occupy larger units built in the 1960's, 70's, and 80's often have considerably larger fascia than older buildings, and this may be considered appropriate in post war street scenes.

Figure 5: Example of Well-Designed Modern Shop Frontage



Above is an example of a well-designed modern shopfront on Holton Road, Barry, whereby the unit is identified by a unified design that is split between several well-proportioned fascia's and equally spaced between Pilasters.

WINDOWS

TRADITIONAL

7.4.13 Large glass windows with no transom or mullion to split the frontage can appear disproportionate to the rest of the building and incongruous in the street scene, especially if there is a strong horizontal emphasis. Therefore, large panes of glass should be broken up, to add detail and strength, and improve the overall proportion of the shopfront.

7.4.14 Traditional corner units, where the shopfront wraps around the corner of the building, should retain the original windows. The window facing the secondary side street should not be covered or blocked up, as this would result in a dead frontage. Instead, they should be retained to improve to preserve the aesthetic appearance of the building and the character of the wider street scene.

MODERN

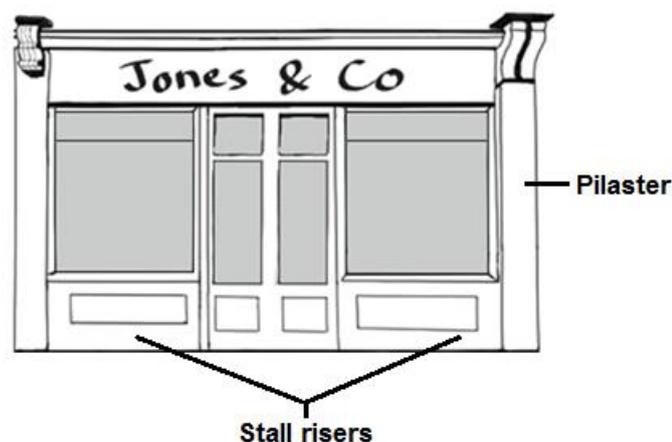
7.4.15 Modern designs are often characterised by large, glazed frontages, especially in frameless designs. Provided that such designs appear in keeping with the context of the wider shopping area and do not result in the removal of any historic detailing from the building that they relate to, they may be deemed appropriate.

STALL RISERS & PILASTERS

TRADITIONAL

7.4.16 Stall risers are an intrinsic part of a traditional shopfront, as they provide it with balanced proportions, support for the glazing, and create a solid visual base for the building. Similarly, pilasters are usually highly detailed and break up adjacent units. They should therefore be a strong feature both in dimensions and structure and where stall risers and pilasters are present or have been removed from a traditional shopfront, they should be retained or replaced.

Figure 6: Example of a Traditional Stall Risers & Pilasters



Here, the stall risers and pilasters on either side provide the shopfront with detail and creates a well-balanced design.

7.4.17 Pilasters can be used to hide drainpipes that are channelled behind them. In these cases, care should be taken to ensure that the pilaster is not damaged in any way. In addition, where drainpipes are external features, they should not obscure the stone surrounds or details of the pilaster.

MODERN

7.4.18 Most modern designs also incorporate stall risers and pilasters, to provide a base for the shopfront and to give visual separation from adjacent units. Despite this, it is acknowledged that some contemporary designs are frameless or have considerably narrower stall risers and pilasters than those used in traditional shopfronts. However, as with all aspects of the design, it is important that the shopfront responds well to the context and character of the building and wider shopping area.

Figure 7: Example of a Modern Shopfront incorporating Stall Risers



The image above illustrates a modern shopfront with stall risers that is considered acceptable within its context.

BLINDS & CANOPIES

7.4.19 Canopies and blinds can introduce colour to the street scene and give shelter to pedestrians. They are more often incorporated into the design of traditional shopfronts as opposed to modern and if they are attractively designed, the rhythm of blinds along a street can add to its character. However, it is important that they are appropriate for the individual building and their design/depth and form should not result in a structure that appears incongruous in the street scene. Therefore, the merits of introducing blinds or canopies to traditional shopfronts will be carefully considered for each individual unit.

7.4.20 Key Principles:

- i. Canopies should be fitted below first floor level, either above or below the fascia.
- ii. Plastic blinds are not appropriate and should be avoided. The visual impact, poor weathering and advertising on 'wet look' plastic blinds makes them a poor alternative to traditional blinds.
- iii. Canopies should be fully retractable.
- iv. The blind box should be designed into the shopfront and hidden from view.
- v. A canopy's colour should be consistent with or complementary to the overall shopfront colour theme.
- vi. Canopies should not be fitted across pilasters or shopfront surrounds.

Figure 8: Example of Well-Designed Canopies



The above image shows a series of well-designed canopies along High Street, Barry, that contribute towards the commercial character of the street and comply with the key principles included above.

ILLUMINATION

7.4.21 Illumination of all advertisements on shopfronts should be limited to the fascia signage and where appropriate a single projecting or hanging sign.

TRADITIONAL

7.4.22 It is preferable to illuminate fascia signs 'externally' (subject to the design of the lighting element) or with subtle internal halo lighting, rather than illuminating the whole fascia internally.

7.4.23 Trough lights with a hood finish, to match the background colour of the fascia, are often the most appropriate form of external lighting. Spotlights or swan-neck lights may also be appropriate. Where external lighting is proposed, it should be discrete and minimal.

Figure 9: Example of Swan-neck and Trough Lighting



Above is an example of swan-neck lighting in a traditional context

MODERN

7.4.24 An attractive alternative to externally lit signs is 'halo lit' signs. These comprise individual letters or symbols which stand proud of a surface and are lit from behind, to produce a halo effect around the lettering or logo. If designed well, 'halo lit' signs can add to the quality of a contemporary shopfront, within a modern shopping environment.

Figure 10: Example of Attractive Modern Lighting



✓	Above is an example of a modern 'halo lit' sign that is considered to add to the quality of the shopfront.
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7.5 ADVERTISEMENTS

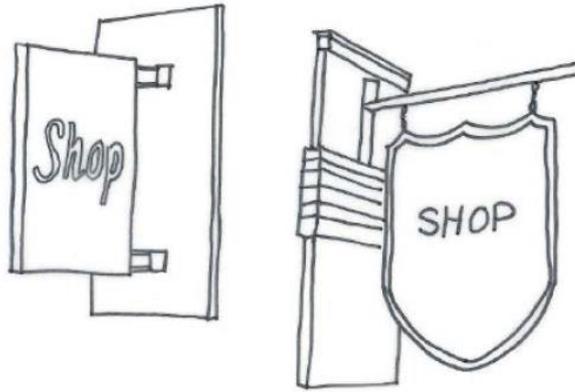
7.5.1 External advertising is important for commercial activity in both traditional and modern settings and can come in a variety of forms. Well-designed advertisements displayed upon buildings can enhance the overall appearance of a shopping area. Likewise, ill conceived, over-scaled or poorly sited advertising can detract from the property and the area in which the shop is located. As such, a balance between satisfying the commercial needs of advertising and protecting the amenity and character of the surrounding area is required.

PROJECTING & HANGING SIGNS

7.5.2 Well-designed projecting signs can enliven the street scene, at the same time as providing additional advertising to a traditional or modern shopfront. They should be positioned at or below fascia level, allowing at least 2.1metres in between the pavement and the lowest edge.

7.5.3 Projecting signs should be limited to one per shop and are usually best used close to pilasters, emphasising the division of shop units. Generally projecting box signs are deemed inappropriate. Hanging bracket signs and projecting plates provide a more attractive and elegant form of advertising. Below are two examples of a projecting sign (left) and a hanging sign (right).

Figure 11: Examples of Projecting Signage



SIGNS ON WINDOWS & DOORS

- 7.5.4 Care should be taken to keep the number of signs on window and door areas to a minimum. Excessive window stickers and poster displays will detract from the shopfront, by creating a cluttered appearance and should therefore be avoided.

7.6 SHOPFRONT SECURITY

- 7.6.1 Shopfront security measures should be considered in full during the initial design stage of a development, to ensure that the attractiveness and vitality of the street scene is preserved or enhanced. The importance of security for business premises is recognised by the Council. However, a balance is required between addressing a shop's security issues and ensuring the attractiveness of buildings and the wider street scene is not compromised. Furthermore, security measures should be integrated successfully within an overall design, irrespective of whether proposals relate to a new or existing shopfront, in a traditional or modern setting.
- 7.6.2 Internal retractable grilles or perforated or lattice roller shutters, that sit behind the shop window and are coated in a colour powder or plastic, are the preferred option for all types of shopfront. This type of shutter system provides a visible form of security measure, that does not compromise the external appearance of the shop.

Figure 12: Example of Alternative Shutters



Above are examples of internal lattice shutters that protect the shopfront, while also ensuring a positive image is upheld outside the opening hours.

7.6.3 External security shutters that are substantially perforated, slotted or the lattice type may be considered acceptable for modern shopfronts, provided they meet the following criteria:

- The shutter housing is concealed either internally or appropriately behind the fascia.
- Tracks are discrete.
- Pilasters, cornices, fascia's and other features of the shop front remain visible.

Figure 13: Example of External Lattice Type Shutter



Here is an example of an external lattice type shutter, that secures the front of this modern shopfront, while allowing it to remain visible in the street.

7.6.4 The closed, also referred to as 'solid' type shutter, must not be used on traditional shopfronts and should be avoided in modern contexts. This is because when the shutters are rolled down, they create a dead frontage and cover the interesting and attractive features of the building and shopfront. They are also prone to vandalism and can have an adverse impact on shop security, as they prevent intruders from being seen once they have entered the building.

Figure 14: Example of Inappropriate Shutters



Above is a vandalised solid shutter, that creates a dead frontage and damages the overall quality of the building and detracts from the wider shopping environment.

7.7 SHUTTER HOUSING

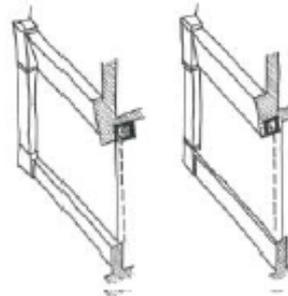
- 7.7.1 Boxes housing the shutter mechanism will not be permitted where they project in front of the shop front, as they are inherently unattractive. Instead the shutter housing should be located internally within the shop or recessed behind the fascia area, to allow the fascia board to sit flush with the shopfront.

Figure 15: Shutter housing

Acceptable forms of shutter housing.

Left: *Internal shutter box, shutter inside shop window (preferred option).*

Right: *Shutter box located behind fascia, external shutter.*



7.8 ALTERNATIVES TO SHUTTER SECURITY

- 7.8.1 While it is acknowledged that occupiers of shops may desire shutters, some traditional designs are able to incorporate other successful security measures into the design, that uphold security while maintaining aesthetics. These include:

STALL RISERS

- 7.8.2 As well as supporting the shopfront, stall risers can prevent damage from kicking or objects that are thrown or roll towards the shop.

Figure 16: Stall Risers



A row of several shops in Cowbridge, all have stall risers for structure, balance, and protection from damage.

METAL GATES

- 7.8.3 The use of steel or wrought iron gates to shut enclosed doorways outside of hours is generally a good method of upholding security, without having to install unattractive roller shutters.

Figure 17: Metal Gates

A good example of a metal gated entrance, out of opening hours.



PERMANENT OR FIXED RAILINGS

- 7.8.4 The erection of low-level steel or wrought iron railings can help to protect the shopfront from being damaged as easily.

Figure 18: Fixed Railings

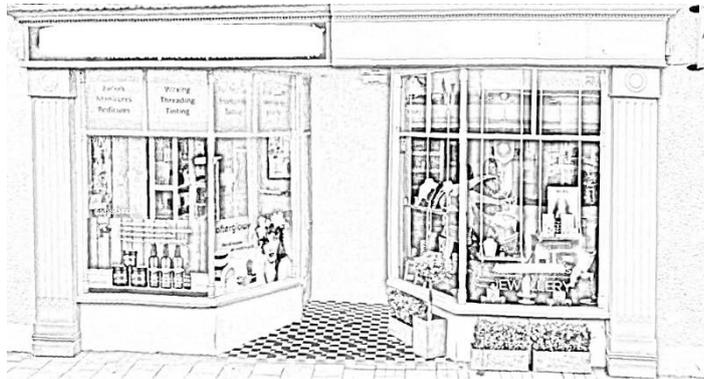


An example of low-level railings to protect the shop.

DIVIDING WINDOWS

7.8.5 Avoiding large windows with just one or two panes of glass is key to strengthening the shopfront. To uphold security, windows should be split up and frames should be reinforced.

Figure 19: Dividing Windows



Both neighbouring shops have split up the window towards the top, adding to the strength of the shopfront.

REMOVABLE OR FIXED WOODEN SHUTTERS

7.8.6 Wooden shutters are sometimes considered appropriate, but care should be taken to avoid creating a dead frontage.

REMOVABLE GRILLS

7.8.7 The use of removable mesh grills is sometimes considered appropriate, depending on the context as well as the colours and textures used.

7.9 WHEN IS PLANNING PERMISSION REQUIRED FOR SHOPFRONT SECURITY?

7.9.1 Planning permission will be required for all types of external security shutters. In circumstances where existing external security shutters are replaced with a different type of shutter, the external appearance of the premises will change and therefore planning permission will usually still be required. Subject to the design, internal only security shutters are generally an exception to this and usually do not require planning permission.

7.9.2 It is important to note that planning permission will likely be refused for poorly designed shutters even if similar examples already exist in the locality.

7.10 ACCESS

7.10.1 Access to any publicly accessible buildings must be given special consideration when designing new or replacement shopfronts, as required by the Disability Discrimination Act, 1995. Every opportunity must be taken to ensure that access to and circulation within a building is possible for all members of the public.

7.10.2 All designs should conform to current standards of the Building Regulations where applicable. Further details are available from our Building Control Department.

7.11 OUT OF TOWN & EDGE OF CENTRE RETAIL PARKS

7.11.1 There are several out of town and edge of centre retail parks within the Vale of Glamorgan which are listed in the supporting text to Policy MG13. The largest and most significant is Culverhouse Cross which also partly lies within Cardiff Council's administrative boundary. Whilst shopfronts in retail parks are typically much larger and more contemporary than smaller town centre units, similar design principles apply.

7.11.2 Key design principles:

- i. The design should respond appropriately to the context and character of the surrounding area in terms of the colours, form, lighting, materials, scale, and textures used.
- ii. Shopfronts should be constructed out of sustainable materials wherever possible.

Figure 20: Example of Retail Park Frontage Design



The photograph above is of the Barry Waterfront Retail Park. Whilst it is a contrast to the design of both traditional and modern shopfronts found in town centres, the edge of centre location allows greater flexibility in the

design, which in this case is considered to respond appropriately to the context of the wider area.

7.12 VACANT SHOPFRONTS

7.12.1 In the event a shop is left unoccupied for any significant length of time, care should be taken when considering how to leave the frontage. Shopfronts that are either boarded up or covered by solid roller shutters create a dead frontage, which detracts from the quality of the street scene and can also harm the appearance of out of town and edge of centre retail parks. Whilst vacant units will inevitably lead to less natural surveillance and quieter shopping areas, shop owners and the proprietors of buildings should consider how the frontage can maintain an active appearance once the premises are empty.

7.12.2 To ensure the high street as well as other shopping areas remain attractive destinations to shoppers, shopfronts should remain visible. Windows could be covered by illustrative vinyl stickers, to give the impression that a new tenant is forthcoming. Alternatively, the shopfront could be covered by an attractive art hoarding, or in some cases used to display goods/adverts for neighbouring businesses. The most appropriate option should be implemented, using sustainable materials wherever possible.

7.12.3 Newly built units that are unoccupied should also incorporate vinyl stickers and/or artwork, if it is likely that they will be vacant for a considerable amount of time. Otherwise, they could also appear unattractive.

Figure 21: Inappropriate Vacant Shop Frontage





Above is a vacant shop on Holton Road, Barry. The solid roller shutter creates an unattractive dead frontage. A sticker or artistic hoarding would add interest to the street scene and improve the perception of the immediate shopping environment.

7.12.4 Vacant shopfronts that have an undue detrimental impact upon the quality of the street scene may be served with an 'Untidy Land Notice', under Section 215 of the Town and Country Planning Act 1990. The notice would require the owner or occupier of the unit/building to rectify the situation within an allocated time. Failure to comply with the notice could result in prosecution.

8 FURTHER INFORMATION AND ADVICE

8.1 PRE-APPLICATION PLANNING ADVICE

8.1.1 Further advice on all aspects of this guidance can be sought from the Planning Department. Prior to the formal submission of a planning application, the Council encourages applicants to utilise the Council's pre-application service which can save unnecessary work, costs and delays caused by negotiations. Further information on the Council's pre-application advice services can be found on the Council's website:

https://www.valeofglamorgan.gov.uk/en/living/planning_and_building_control/Planning/Planning-Applications/Make-a-Planning-Application.aspx

8.1.2 Alternatively, information and general advice on the submission of planning applications can be obtained from:

Development Management

Regeneration and Planning

Vale of Glamorgan Council

Dock Office

Barry Docks

Barry

CF63 4RT

Tel: Duty Officer (01446) 704681

Email: planning@valeofglamorgan.gov.uk



The Vale of Glamorgan Council
**Directorate of Regeneration and
Planning**
Dock Office
Barry Docks
Barry CF63 4RT

LDP@valeofglamorgan.gov.uk
www.valeofglamorgan.gov.uk