

Conwy Local Development Plan 2007 – 2022



SUPPLEMENTARY PLANNING GUIDANCE

LDP23: Change of use within town and neighbourhood centres

Adopted April 2015

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If you would like an extract or summary of this document on cassette, in large type, in Braille or any other format, please call the Strategic Planning Policy Service on (01492) 575461.

Statement of Consultation

This Supplementary Planning Guidance document was issued for a period of six weeks public consultation between 15 December 2014 and 23 January 2015

It was adopted by Cabinet on 14 April 2015

Copies of the representations received, together with the Council's response are available to view on-line at <http://conwy.jdi-consult.net/ldp/>

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1 Introduction

1.1 Overview

- 1.1.1 This is one of a series of Supplementary Planning Guidance (SPG) documents that give further advice on policies contained in the Conwy Local Development Plan (LDP). SPGs are intended to advise planning applicants and will be taken into account when determining planning applications. The purpose of this SPG is to provide planning guidance on policies CFS/3 Primary Shopping Areas and CFS/4 Shopping Zones.
- 1.1.2 The LDP seeks to protect the retail core of the main shopping centres. Shopping contributes to the vitality, attractiveness and viability of town centres and also provides benefits to the local economy.

2 Policy context

2.1 National policy

- 2.1.1 Chapter 10 of Planning Policy Wales (PPW) outlines the Welsh Government's objectives for retailing and town centres:
- secure accessible, efficient, competitive and innovative retail provision for all the communities of Wales, in both urban and rural areas;
 - promote established town, district, local and village centres as the most appropriate locations for retailing, leisure and other complementary functions;
 - enhance the vitality, attractiveness and viability of town, district, local and village centres; and to
 - promote access to these centres by public transport, walking and cycling.
- 2.1.2 PPW states that vitality is reflected in how busy a centre is at different times and in different parts. Attractiveness is in the facilities and character which draw in trade. Viability is the ability of the centre to attract investment to maintain the fabric and allow for improvement and adaptation to changing needs.
- 2.1.3 PPW states that development plans should establish the hierarchy of centres. LDP policy CFS/2 defines this in Conwy County Borough (excluding Snowdonia National Park). It outlines that retailing should continue to underpin centres, but also should encourage a diversity of uses, such as mixed developments combining retailing with entertainment, restaurants and housing and leisure uses. This is particularly applicable for Llandudno, which is defined as a Sub-Regional Centre in LDP policy CFS/2. Development plans may distinguish between primary and secondary frontages in town centres. Primary frontages are characterised by a high proportion of retail uses. Secondary frontages are of mixed commercial development, including restaurants, banks and other financial institutions. Such uses should not be allowed to dominate the Primary Shopping Areas in a way that can undermine the retail function.
- 2.1.4 Technical Advice Note (TAN) 4 provides further details on change of use. Paragraph 10 states that changes of use can create new concentrations of single uses, such as restaurants and take-away food outlets, where the cumulative effects can cause problems. It outlines that such proposals

should be assessed against the development plan, on their contribution to diversification and on the cumulative effects on matters such as parking and local residential amenity.

2.2 Local Development Plan

Policy CFS/3 Primary Shopping Areas

Primary Shopping Areas are designated in Llandudno and Colwyn Bay as shown on the proposals map. Changes of use of the ground floor of premises in these areas from class A1 shops to other uses will only be permitted where:

- a) It can be shown that the premises are no longer needed for A1 usage and the retention of A1 use at the premises have been fully explored, without success, by way of marketing at a reasonable market rate for a minimum of six months and;
- b) The proposed change of use does not have an unacceptable impact on the retail function or attractiveness of the Primary Shopping Area.

Policy CFS/4 Shopping Zones

Shopping Zones are designated in Llandudno, Colwyn Bay, Abergelle, Conwy, Llandudno Junction, Llanfairfechan, Llanrwst and Penmaenmawr as shown on the proposals map. Changes of use of the ground floor of premises in these areas from class A1 shops to other uses will only be permitted where the proposed change of use maintains or enhances the vitality, attractiveness and viability of the shopping centre and complies with the Development Principles.

- 2.2.1 These policies only apply to existing A1 uses on the ground floor of properties in the designated areas. Retail proposals outside of the designated Primary Shopping Areas and Shopping Zones must comply with LDP policy CFS/6 (where applicable) and the Development Principles.
- 2.2.2 Where an A3 use is part of a mixed scheme, applications will be considered on a case-by-case basis.

3 Marketing – CFS/3 (a)

- 3.1.1 The LDP seeks to avoid or reduce long term vacancies; this should be balanced with protecting the integrity of the Primary Shopping Area.
- 3.1.2 Where a change of use from A1 is requested in the Primary Shopping Areas, the applicant should provide evidence of marketing the premises for a minimum of six months, at a reasonable market rate to demonstrate that there is no longer demand for A1 use at that location. LDP paragraph 4.5.4.6 states that this criterion of the policy is subject to annual monitoring and will be reviewed to prevent over-concentrations of uses which are detrimental to the centre. If required, the policy will be adjusted from 6 to 12 months.

- 3.1.3 The marketing exercise should be undertaken prior to submitting a planning application and include the following measures:
- A six month continuous marketing exercise.
 - The price at which the property is marketed. This should reasonably reflect its value as a retail premises.
 - Details of the terms and conditions of the lease.
 - Details of any offers / expressions of interest received.
 - Advertising via a local newspaper and the internet.
- 3.1.4 Applicants should seek to submit an application within three months of the expiration of the marketing period, to ensure that evidence is up to date reflecting current demand and valuations.
- 3.1.5 This is applicable to all changes of use from A1 in the designated Primary Shopping Area, not just those where the threshold for concentration has been met.

4 Retail function, vitality, viability and attractiveness – CFS/3 (b) and CFS/4

- 4.1.1 The LDP seeks to protect the retail function of the Primary Shopping Areas. It is essential to protect and enhance the retail uses in these primary areas and avoid an inappropriate amount and type of non-retail units. This is to protect the viability of existing retail uses and ensure that the centres are still able to attract new retail uses.
- 4.1.2 In the Shopping Zones, it is important to retain an appropriate proportion of retail uses. Other uses are acceptable, where this does not harm the vitality, attractiveness and viability of the centres. Proposals should not have an unacceptable impact on residential amenity, public safety, noise and crime.
- 4.1.3 The town centre health checks which form part of the Conwy Retail Study will monitor vitality, viability and attractiveness of the Primary Shopping Areas and Shopping Zones. These and the LDP monitoring will help assess whether a proposal is likely to have an unacceptable impact on the Primary Shopping Areas and Shopping Zones. The thresholds identified below are based on the evidence found from these health checks.
- 4.1.4 A variety of A2 and A3 uses are encouraged in town centres, however, special care must be taken to avoid clustering of uses which may be detrimental to the attractiveness of the area. No more than 30% of units in a continuous frontage in the Primary Shopping Areas and no more than 40% of units in a continuous frontage in the Shopping Zones should comprise of non A1 uses. Please see Appendices for details of identified frontages.
- 4.1.5 Where the current uses are above 30% in the Primary Shopping Areas and 40% in the Shopping Zones, the thresholds are aspirational, with the hope that the balance will be addressed over the LDP period. Further deviation from this threshold will not normally be permitted.
- 4.1.6 Where clusters of A3 units selling hot food and drink to take away develop, a continuous retail frontage can be lost. Dead frontages can occur during day time trading hours where these units are closed. This disrupts footfall and can undermine the primary retailing function of these areas, which

reduces viability, vitality and attractiveness. Clusters can also cause unacceptable adverse impact on residential amenity, public safety, litter, parking and traffic problems, noise and crime.

4.1.7 To prevent this, it is proposed that no more than two A3 units selling hot food and drink to take-away will be permitted adjacent each other in the designated Primary Shopping Areas and Shopping Zones. In addition, no more than 5% of retail units, which are A3 use and sell hot food and drink to take away, will be permitted in a continuous frontage of a Primary Shopping Area or Shopping Zone.

4.1.8 In exceptional circumstances, deviation from the thresholds above (paragraphs 4.1.4 and 4.1.7) may be permitted. These circumstances must include all of the following:

- The proposal would bring increased vitality to the area, particularly during typical retail day time trading hours.
- The proposed unit would be open during typical retail day time trading hours, so that blank retail frontages are minimised.
- The unit must have been vacant and marketed for a minimum of 12 continuous months and it is likely the unit will remain vacant for the foreseeable future. The marketing should include details of:
 - The price at which the property is marketed. This should reasonably reflect its value as a retail premises.
 - Details of the terms and conditions of the lease.
 - Details of any offers / expressions of interest received.
 - Advertising via a local newspaper and the internet.
 - The application should be submitted within three months of the expiration of the marketing period.
- For units in a Conservation Area or a listed building only: secure improvements to the conservation area or listed building.

4.1.9 In the Primary Shopping Areas, proposals would still need to comply with criterion (a) of policy CFS/3.

5 Other relevant policies

5.1 Development principles

5.1.1 LDP policy DP/3 promotes design quality and seeks to reduce crime. Policy DP/4 details development criteria. Both these policies are likely to be relevant for any change of use applications.

5.2 Shop front design and shop front security

5.2.1 LDP policies CFS/7 and CFS/8 which relate to Shop Front Design and Shopping Street Frontage Security, and the SPG LDP3 Shop front Security, are likely to be applicable to any changes of use proposals. The SPG is available here: www.conwy.gov.uk/ldp/spg

5.3 Cultural heritage

- 5.3.1 There are designated Conservation Areas which affect the Primary Shopping Areas and Shopping Zones in Colwyn Bay, Conwy, Llandudno, Llanfairfechan, Llanrwst and Penmaenmawr. Some units may also be listed buildings. Conservation Area Consent may be needed if substantial or total demolition of a building or structure is involved and Listed Building Consent will be required should there be any structural change to the building or material change to the appearance of a listed building. The process is similar to the planning application process and once it has been established that Conservation Area Consent or Listed Building Consent is required then the two applications should be submitted at the same time either in hard copy format or electronically via the planning portal www.planningportal.gov.uk. Relevant application forms and guidance notes are available from the Council.

6 Submitting a planning application

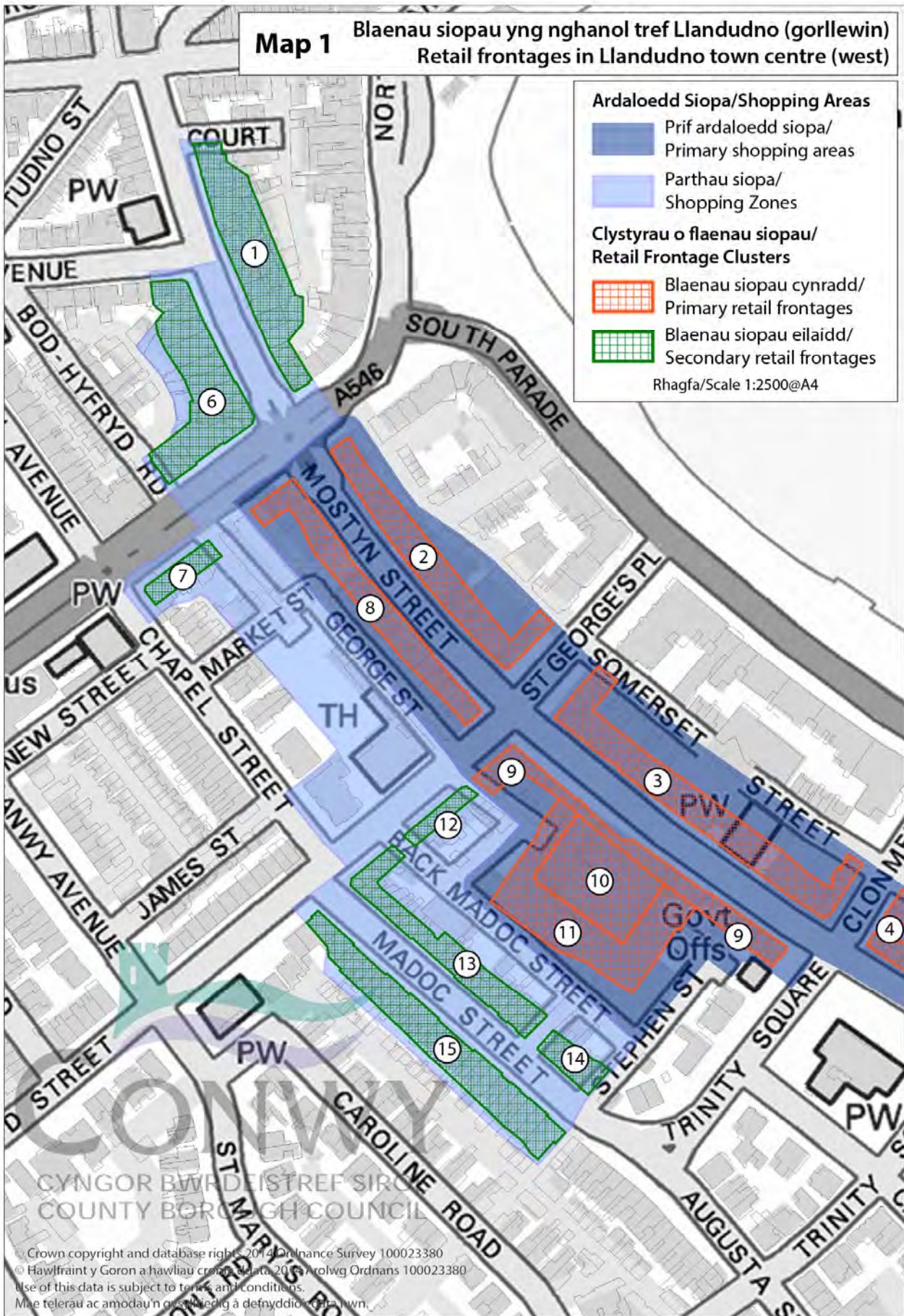
6.1 Enquiries and pre-application discussions

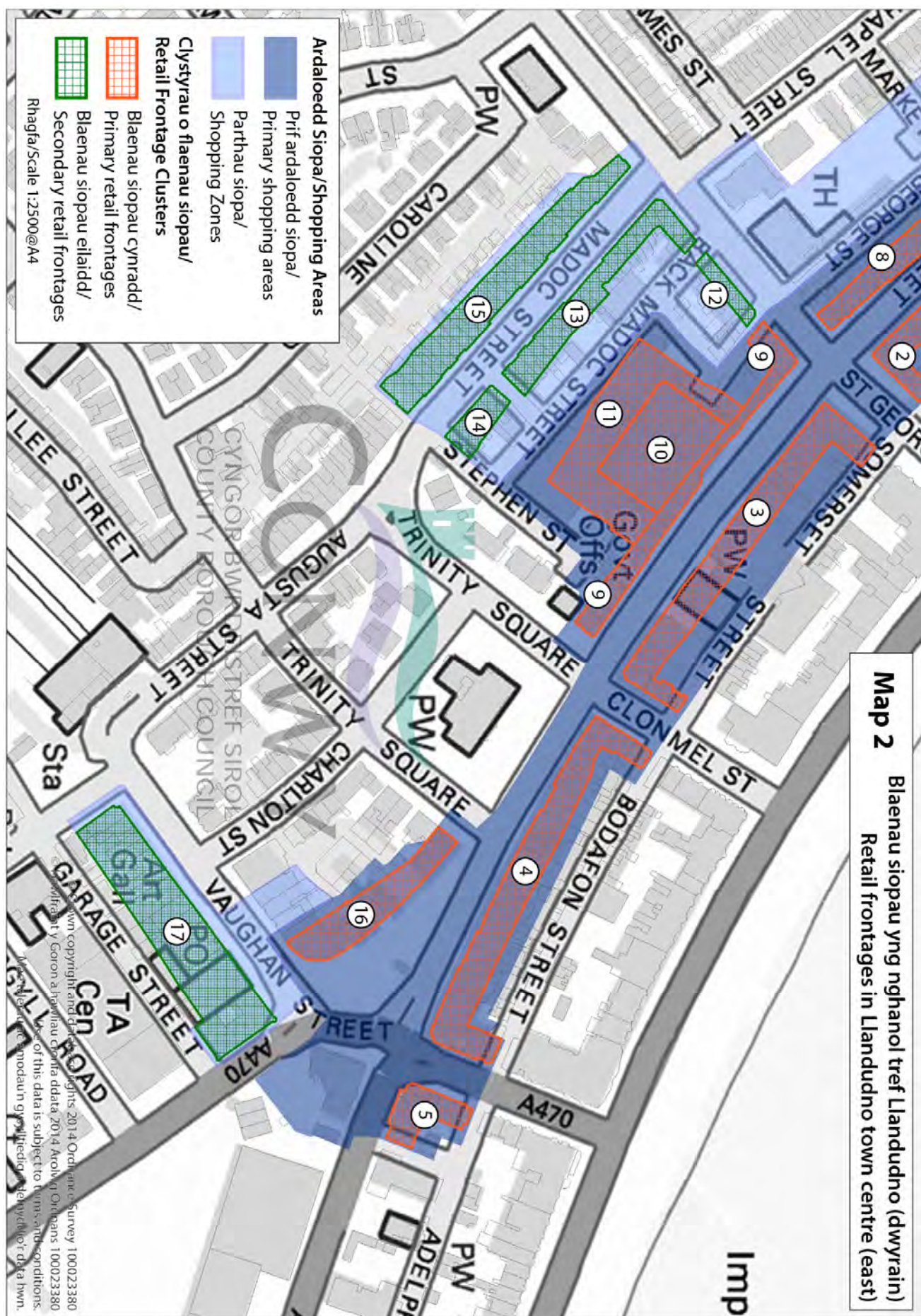
- 6.1.1 Planning application and pre-application enquiry forms, along with guidance notes, are available from the Council's Planning offices, or to download from the Council's website: www.conwy.gov.uk/planning
- 6.1.2 Planning applications can be submitted either in hard copy format or electronically via the Planning Portal www.planningportal.gov.uk

7 Contacts

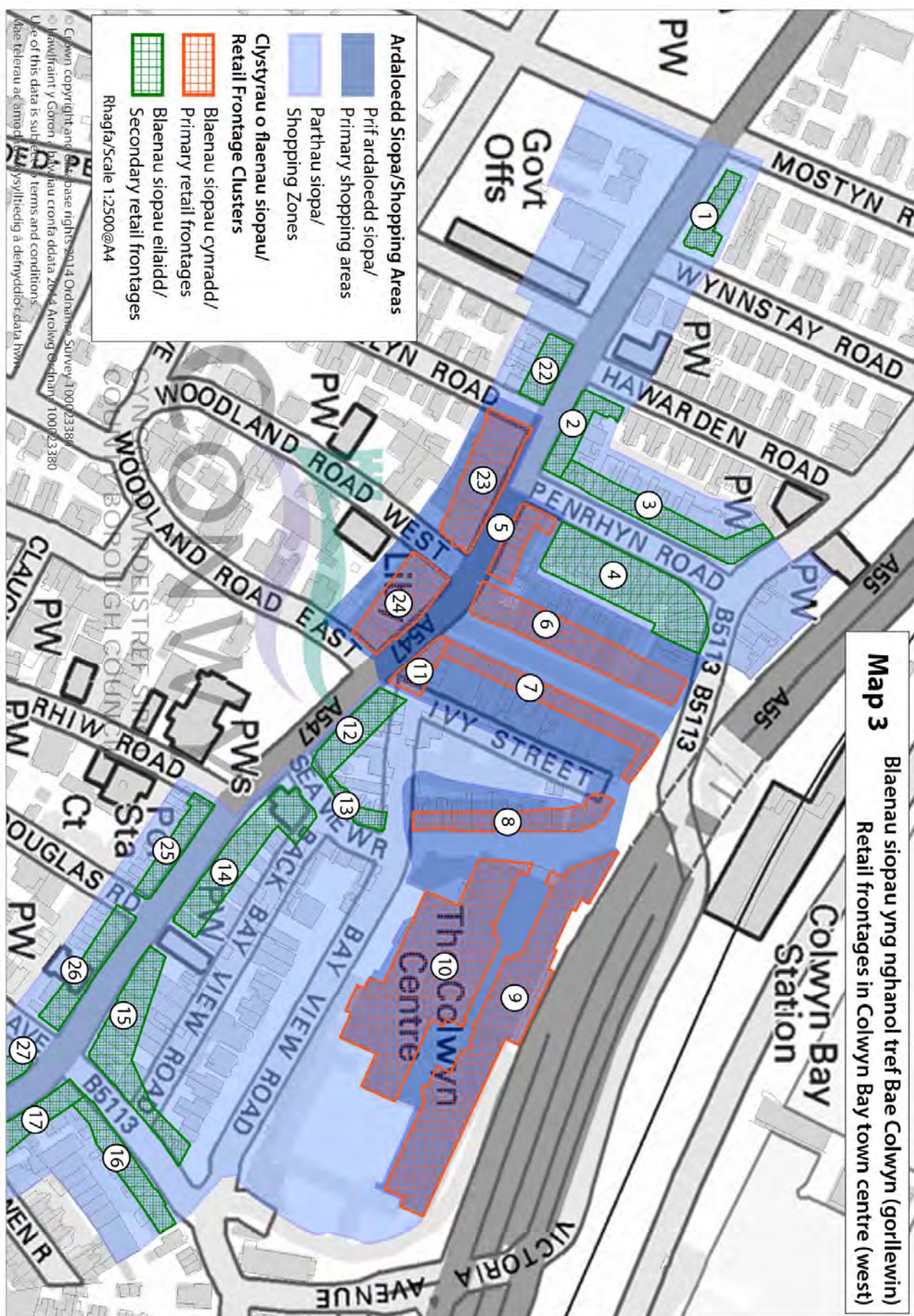
Strategic Planning Policy Service	Muriau Building, Rosehill Street, Conwy. LL32 8LD	Phone: 01492 575461 Email: cdll.ldp@conwy.gov.uk
Development Management Section (including Conservation)	Civic Offices, Colwyn Bay, Conwy LL29 8AR	Phone: 01492 575247 Email: regulatory.services@conwy.gov.uk
Environmental Health	Civic Offices, Colwyn Bay, Conwy LL29 8AR	Phone: 01492 575283 Email: regulatory.services@conwy.gov.uk
Highways (Environment, Roads & Facilities Service)	Mochdre Offices, Conway Road, Mochdre, Colwyn Bay, LL28 5AB	Phone: 01492 575337 Email: erf@conwy.gov.uk
Building Control	Civic Offices, Colwyn Bay, LL29 8AR	Phone: (01492) 574172 E-mail: regulatory.services@conwy.gov.uk

Appendix 1 – continuous shopping frontages – Llandudno

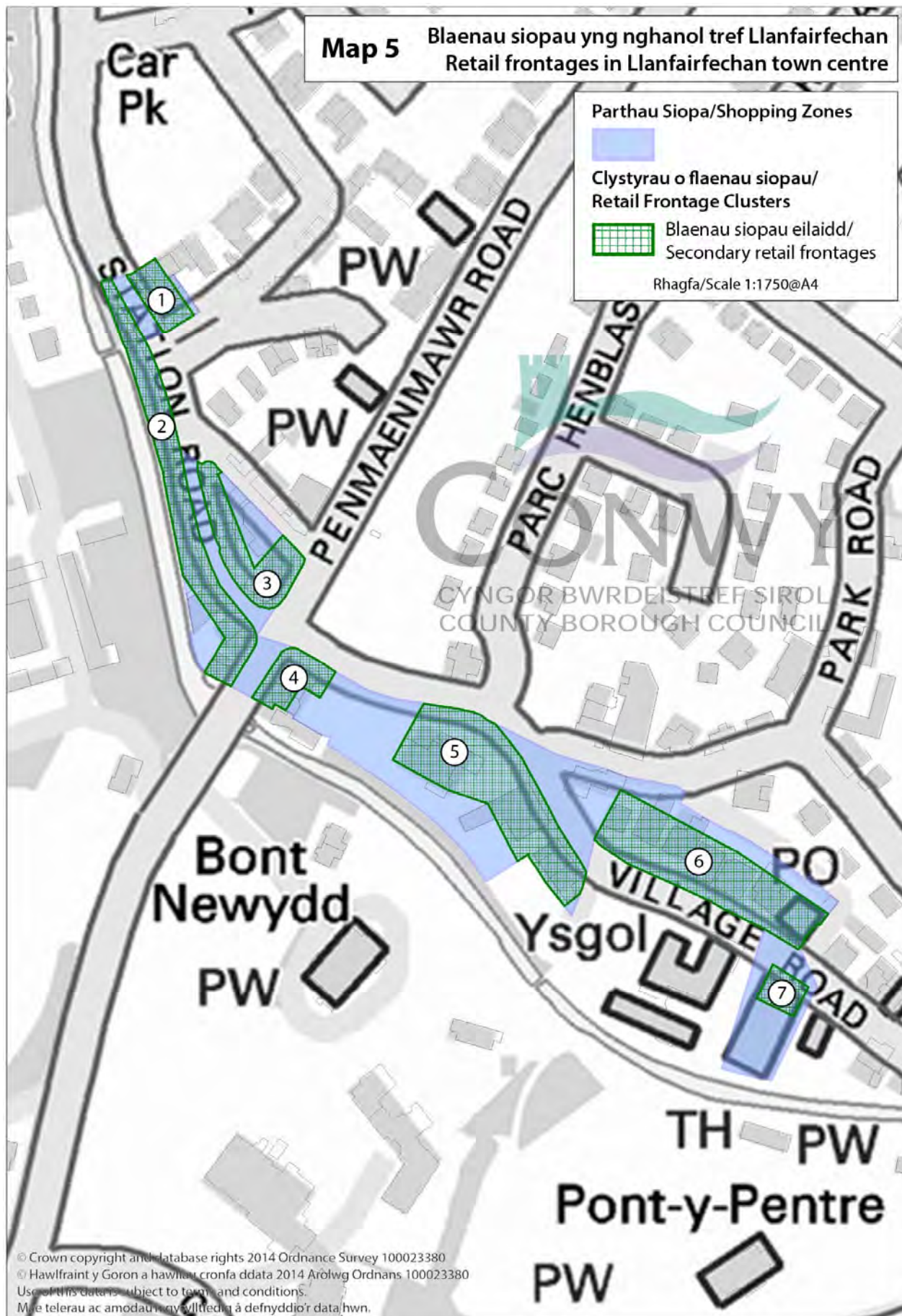




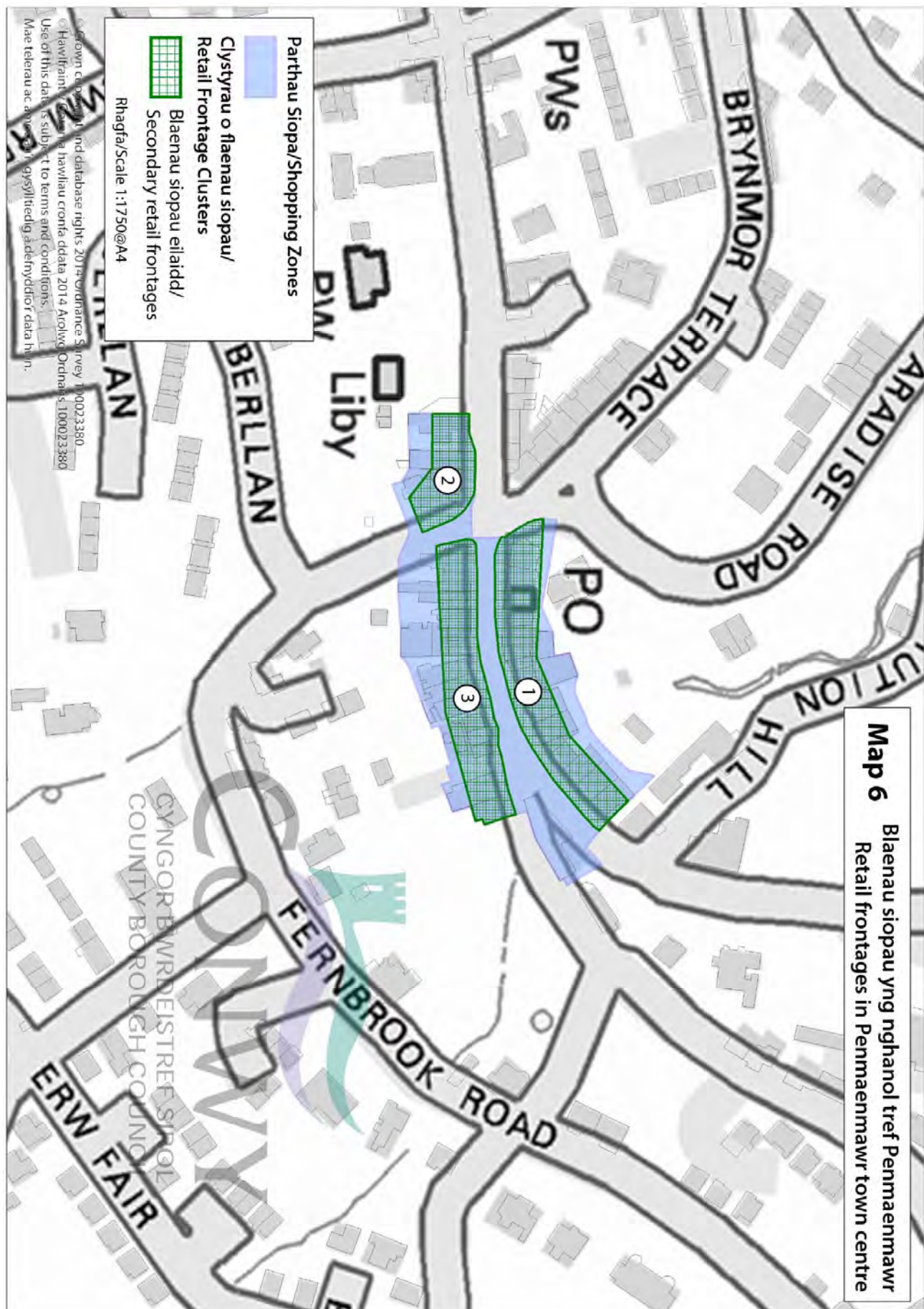
Appendix 2 – continuous shopping frontages – Colwyn Bay



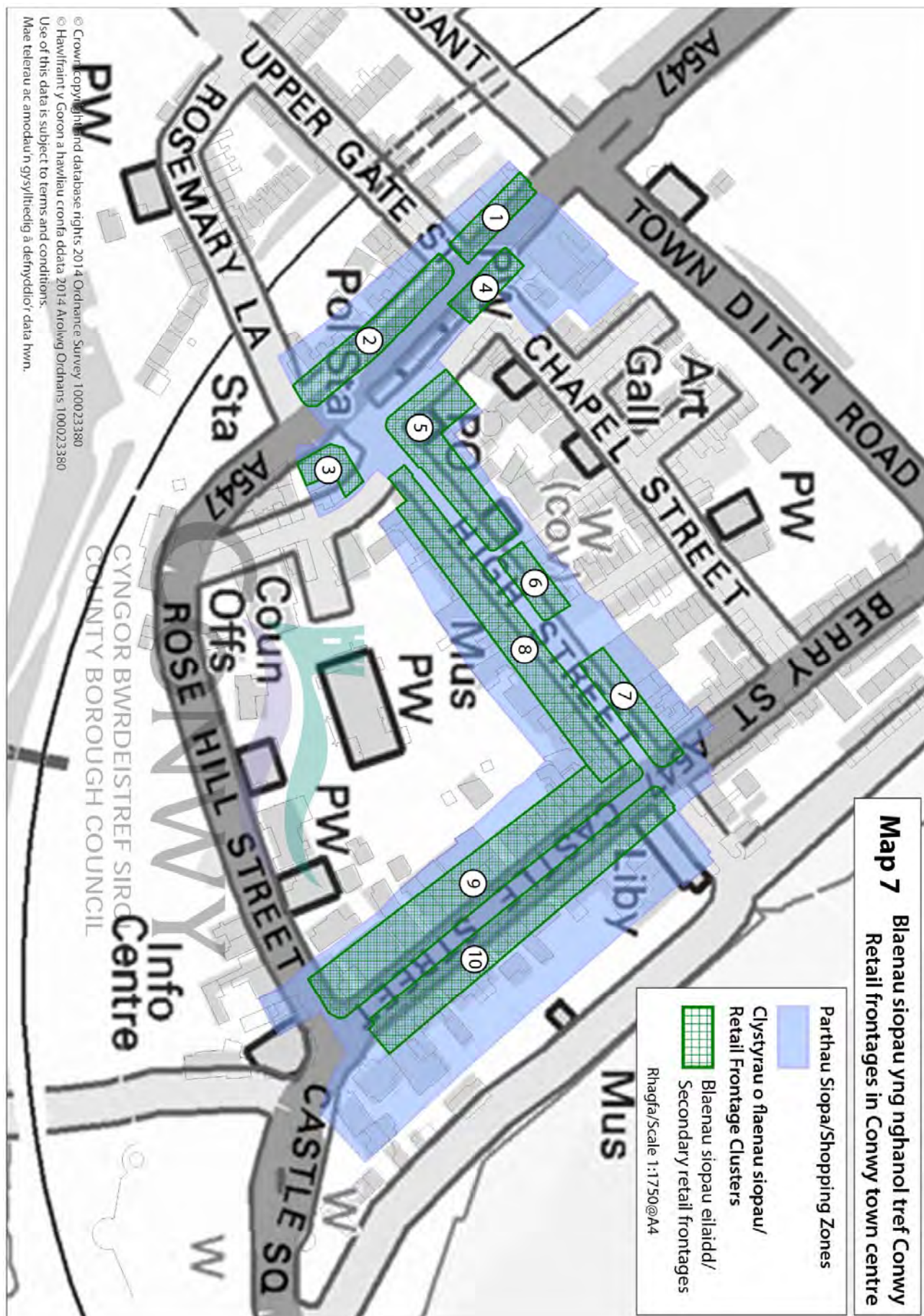
Appendix 3 – continuous shopping frontages – Llanfairfechan



Appendix 4 – continuous shopping frontages – Penmaenmawr



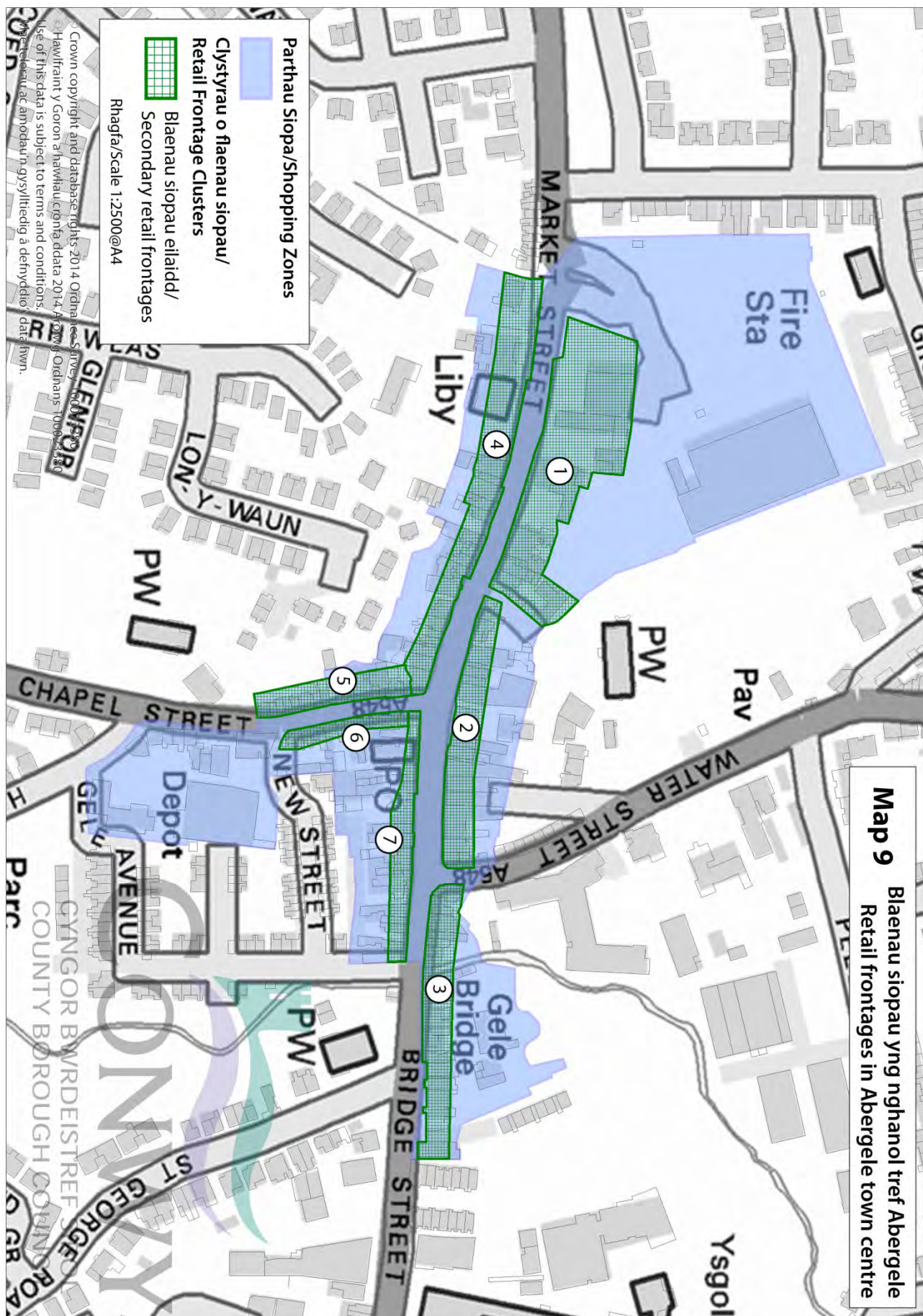
Appendix 5 – continuous shopping frontages – Conwy



Appendix 6 – continuous shopping frontages – Llandudno Junction



Appendix 7 – continuous shopping frontages – Abergele



Appendix 8 – continuous shopping frontages – Llanrwst

