



Complete Agenda



**CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL**

Democratic Service
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Meeting

JOINT PLANNING POLICY COMMITTEE

Date and Time

10.00 am, FRIDAY, 29TH JANUARY, 2021

***A meeting of the Joint Local Development Plan Panel will follow this meeting**

Location

Virtual Meeting

Contact Point

Rebeca Jones

01286 679890

polisicynllunio@gwynedd.llyw.cymru

(DISTRIBUTED Thursday, 21 January 2021)

JOINT PLANNING POLICY COMMITTEE

MEMBERSHIP

Gwynedd

Councillors

Anne Lloyd Jones Berwyn Parry Jones, Gareth Griffith,
Gareth A Roberts, John Pughe Roberts,
Paul Rowlinson, Owain Williams

Isle of Anglesey

Councillors

Richard Dew, John Griffith,
Kenneth P Hughes, Richard O. Jones, Bryan Owen,
Nicola Roberts, Robin Williams

A G E N D A

1. APOLOGIES

To receive any apologies for absence

2. DECLARATION OF PERSONAL INTEREST

To receive any declaration of personal interest.

3. URGENT BUSINESS

To note any items that are a matter of urgency in the view of the Chairman for consideration.

4. MINUTES

4 - 7

The Chairman shall propose that the minutes of the meeting of this committee held 4th September 2020 be signed as a true record.

5. SUPPLEMENTARY PLANNING GUIDANCE: CHANGE OF USE OF COMMUNITY FACILITIES AND SERVICES, EMPLOYMENT SITES AND RETAIL UNITS

8 - 46

To consider the report

Agenda Item 4



JOINT LOCAL DEVELOPMENT PLAN

Joint Planning Policy Committee

10:00am 4th September 2020

Virtual Meeting

Present:

Isle of Anglesey County Council

Clr Richard Dew
Clr John Griffith
Clr Kenneth P Hughes
Clr Bryan Owen

Gwynedd Council

Clr Gareth Griffith
Clr Paul Rowlinson
Clr Owain Williams
Clr Anne Lloyd Jones
Clr Berwyn Parry Jones
Clr John Pughe Roberts

Officers:

Gareth Jones	Assistant Head of Department (GC)
Dewi Francis Jones	Chief Planning Officer (IOACC)
Rhun ap Gareth	Senior Solicitor (GC)
Rebeca Jones	JPPU Manager – (JPPU)
Heledd Jones	Team Leader (JPPU)
Ffion Madog Evans	Senior Finance Manager (CG)

Apologies:

Clr Robin Williams (IOACC)
Clr Gareth A Roberts (GC)

1. APOLOGIES

Apologies as noted above.

2. DECLARATION OF PERSONAL INTEREST

- Clr. Anne Lloyd Jones - Personal and Prejudicial - The discussion around the Tourist Facilities and Accommodation Supplementary Planning Guidance and their personal interest in that area.

- Cllr. Richard Dew - Personal and Prejudicial - The discussion around the Tourist Facilities and Accommodation Supplementary Planning Guidance and their personal interest in that area.
- Cllr. Owain Williams - Personal and Prejudicial - The discussion around the Tourist Facilities and Accommodation Supplementary Planning Guidance and their personal interest in that area.

3. URGENT ITEMS

No urgent items were received.

4. MINUTES

The minutes of the Committee held on 30 September 2019 were accepted as a true record.

5. THE JOINT COMMITTEE'S FINAL ACCOUNTS FOR THE YEAR ENDED 31 MARCH 2020

A report was presented by Ffion Madog Evans (Senior Finance Manager), which responded to a statutory requirement under Section 12 of the Public Audit (Wales) Act 2004, to report specifically on accounting and audit of Joint Committees' accounts.

It was explained that the Official Annual Return for 2019/2020 had been duly completed and certified by the Responsible Financial Officer, following certification the Joint Planning Policy Committee was required to approve and publish the Annual return by 15th June 2020. Although it was published on the Gwynedd Council website due to the Covid-19 outbreak it was not possible for the body to approve the annual return before 15 June 2020.

It was explained that the accounts and return had been subject to audit by Deloitte and no matters arose as part of the Audit.

It was explained that due to the current situation with the pandemic it would be necessary for the Chairman to sign the Accounts using an electronic signature.

Matters raised

- A Question was raised regarding what the 'other staff costs' in Appendix A were.

Response

- It was explained that these costs were related to a member of staff who had left the service and these were costs were on off costs relating to 19/20 only.

Decision - The 'Revenue Income and Expenditure Account 2018/2019' and the 'Annual Return' for the year ending 31 March 2020 were received and approved. The Chairman agreed to sign the accounts using an electronic signature, confirming that it has been jointly approved by the Planning Policy Committee.

6. SUPPLEMENTARY PLANNING GUIDANCE - TOURIST FACILITIES AND ACCOMMODATION

* Resolved to change the order of the agenda and to discuss item 7 before item 6. *

Heledd Jones gave a short presentation explaining the SPG's journey so far. The reasons for the amendments to the SPG and the minor amendments proposed were explained. It was explained that the changes related to defining what is considered by over provision of holiday accommodation and the rationale for those changes. It was highlighted that only the changes shown in bold and underlined in section 4.6 and para 6.2.1 would be subject to public consultation.

Matters raised:

- It was asked if any new development (where appropriate) could be tied to the agricultural Holding Number
- Need to look at the wording of para 4.6.2 in the English version the word 'idle' may not be appropriate in this context'
- Clarification sought on what is meant by 'robust justification' in paragraph 3.1.3
- Clarification sought on what is meant by 'defence buildings' in paragraph 4.4.1

Response:

- It was explained that the SPG gives guidance on this in para 4.6.6, any new development is subject to a condition where appropriate.
- It was agreed that this word was not appropriate and would be changed and the amendments would be proof read and any amendments would be made before releasing for public consultation.
- It was explained that this paragraph was not subject to public consultation
- It was explained that this wording comes directly from Planning Policy Wales

Decision To approve the amendments proposed in part 4.6 and paragraph 6.2.1 of the Guidance and to approve the publication of the Supplementary Planning Guidance for a public consultation period that is specifically relevant to those parts.

7. SUPPLEMENTARY PLANNING GUIDANCE - CHANGE OF USE OF COMMUNITY FACILITIES AND SERVICES, EMPLOYMENT SITES AND RETAIL UNITS

Heledd Jones gave a presentation giving the context of the SPG and setting out the next steps. The process of preparing the SPG was explained, and that revisions had been made following the introduction of the initial draft of the SPG to the Panel. It was highlighted that these changes had been made following internal discussions. The revisions were set out as below.

- Revise sections that refer to the relevant policies included within the JLDP in order to ensure consistency and accuracy between the Guidance and the Policies;

- Add some clarity with regard to the loss of use of a non-commercial community facility and the information that is expected to be submitted;
- Clarify what information is expected to be submitted for considering the suitability of applications for ancillary uses on employment sites.

Matters raised:

- It was asked why para 4.5 (Town Centers) required that the property had been on the market at a reasonable selling price or rental price for a period of six months but para 4.6 (in villages) the requirement was twelve months

Response

- It was explained that this requirement derives from the policies in the LDP and that this cannot be changed through the SPG.

Decision - To approve the publication of the Supplementary Planning Guidance for the public consultation period.

Ends

DRAFT

Agenda Item 5

ITEM 5

MEETING	Joint Planning Policy Committee
DATE	29 January 2021
NAME	Supplementary Planning Guidance: Change of use of community facilities and services, employment sites and retail units
PURPOSE	To consider and approve the proposed responses to observations about the Supplementary Planning Guidance - Change of use of community facilities and services, employment sites and retail units, and adopt the Guidance.
RECOMMENDATION	That the Committee approves the proposed response to the observations about the following Supplementary Planning Guidance and adopts this Guidance: <ul style="list-style-type: none">• Change of use of community facilities and services, employment sites and retail units
AUTHOR	Heledd Jones, Team Leader, Gwynedd and Anglesey Joint Planning Policy Service

1. Introduction

- 1.1 The Planning Authorities have committed to preparing a series of Supplementary Planning Guidance to support the Joint Local Development Plan. This report presents:
- i. A Consultation Report and Register regarding the Supplementary Planning Guidance: Change of use of community facilities and services, employment sites and retail units (Appendix 1).
 - ii. A copy and final draft of the Supplementary Planning Guidance: Change of use of community facilities and services, employment sites and retail units (Appendix 2).

2. The public consultation and final draft Guidance

- 2.1 A consultation draft of the Supplementary Planning Guidance - Change of use of community facilities and services, employment sites and retail units, was drawn up in consultation with relevant officers from both Councils and the Joint Local Development Plan Panel. Approval was received from the Joint Planning Policy Committee on 4 September 2020 to consult publicly on this draft Guidance.

- 2.2 A public consultation on the content of this draft document was undertaken between 16 October and 27 November 2020. The Public Consultation Report seen in Appendix 1 records a summary of the representations received and officer comments and recommendations given. The Supplementary Planning Guidance seen in Appendices 2 has been amended as a result of the consultation, taking some of the matters raised into account.

3. Sustainability Assessment and Habitats Regulations Assessment

- 3.1 A screening assessment was undertaken to determine whether this Guidance should be the subject of a Strategic Environmental Assessment (SEA) in accordance with European Directive 2001/42/EC and an Environmental Assessment of Associated Plans and Programmes under the associated 2004 Regulations. A Habitat Regulations Assessment (HRA) of plans and programmes which could affect sites of international importance is one of the requirements of the Habitats Directive (92/42/EEC). Therefore, the Guidance were assessed to determine whether a full appropriate assessment was required under the Habitats Regulations.
- 3.2 The Regulations notes the process for Authorities to undertake a screening opinion. As the Guidance supports policies that had been subject to SEA, the conclusion was that the Guidance did not need to be subject to a SEA. The Plan policies were assessed under the Habitats Regulations and it was concluded that no Appropriate Assessment was needed in relation to the Plan. As the Guidance supports some of those policies, the screening assessment referred to in paragraph 3.1 above concludes that no Appropriate Assessment was required in relation to this Guidance.
- 3.3 In accordance with the processes for the above-named Regulations, the screening assessment was sent to Natural Resources Wales and CADW, namely the specific environmental statutory bodies. These bodies had to express their views within a five-week period.
- 3.4 This process has led to a decision that the Councils' screening assessment is accurate, and, therefore, there is no need for a SEA and Appropriate Assessment of the Guidance. A Screening Statement will be published in accordance with this.

4. Next steps

- 4.1 Following its adoption, the Guidance will be a material planning consideration.
- 4.2 A copy of the final Guidance will be available to view on the websites of both Councils and a hard copy will be available to view at the offices of both Planning Services and at the office of the Joint Planning Policy Service when restrictions allow.
- 4.3 A copy of the Public Consultation Report will be available to view on the websites of both Councils and a hard copy will be available to view at the offices of both Planning Services and at the office of the Joint Planning Policy Service when restrictions allow.
- 4.4 A copy of the Sustainability Appraisal and Habitats Regulations Assessment's Screening Statement can be viewed on the websites of both Councils and a hard copy can be viewed at the offices of both Planning Services and the office of the Joint Planning Policy Service when restrictions allow

4.5 We will inform everyone who contributed to the public consultation about the decision to adopt this Guidance.

5. Recommendation

5.1 The Committee is requested to approve the proposed response to the observations about the following Supplementary Planning Guidance and adopt this Guidance:

- (i) Change of use of community facilities and services, employment sites and retail units
(See Appendix 2)

APPENDICES:

Appendix 1: Public Consultation Report about Supplementary Planning Guidance: Change of use of community facilities and services, employment sites and retail units

Appendix 2: Supplementary Planning Guidance: Change of use of community facilities and services, employment sites and retail units

**SUPPLEMENTARY PLANNING GUIDANCE:
CHANGE OF USE OF COMMUNITY FACILITIES
AND SERVICES, EMPLOYMENT SITES AND RETAIL
UNITS**

**CONSULTATION REPORT AND OFFICER'S
RECOMMENDATIONS**



**CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL**

JANUARY 2021

Contents

1.0	BACKGROUND	3
	Purpose of Supplementary Planning Guidance (SPG).....	3
	The Policy Context	3
	The need for Supplementary Planning Guidance	3
	The Status of Supplementary Planning Guidance.....	3
2.0	CHANGE OF USE OF COMMUNITY FACILITIES AND SERVICES EMPLOYMENT SITES AND RETAIL UNITS SPG	4
	Public Consultation	4
	APPENDIX 1 – SUMMARY OF COMMENTS RECEIVED AND OFFICERS’ RECOMMENDATIONS	5

1.0 BACKGROUND

Purpose of Supplementary Planning Guidance (SPG)

- 1.1 The Purpose of SPGs are to:
- assist the applicants and their agents in preparing planning applications and in guiding them in discussions with officers about how to apply relevant policies in the Joint Local Development Plan before submitting planning applications,
 - assist officers to assess planning applications, and officers and councillors to make decisions about planning applications
 - help Planning Inspectors make decisions on appeals.
- 1.2 The general aim is to improve the quality of new developments and facilitate a consistent and transparent way of making decisions that align with relevant policies in the Joint Local Development Plan.

The Policy Context

Local Development Plan

- 1.3 Under planning legislation, the planning policies for every area are contained within the 'development plan'. The Gwynedd and Anglesey Joint Local Development Plan (JLDP) was adopted on 31 July 2017. It relates to the Gwynedd and Anglesey Planning Authority areas.
- 1.4 The Plan provides wide-ranging policies along with allocations for the main land uses, such as housing, employment and retail; it will help shape the future of the Plan area physically and environmentally, and will also influence it economically, socially and culturally. The Plan, therefore:
- enables the Local Planning Authorities to make rational and consistent decisions on planning applications by providing a policy framework that is consistent with national policy; and
 - guides developments to suitable areas during the period up to 2026.

The need for Supplementary Planning Guidance

- 1.5 Although the Plan contains policies that enable the Local Planning Authority to make consistent and transparent decisions on development applications, it cannot provide all the detailed advice required by officers and prospective applicants to steer proposals locally. In order to provide this detailed advice, the Councils are preparing a range of SPGs to support the Plan that will provide more detailed guidance on a variety of topics and matters to help interpret and implement the Plan's policies and proposals.

The Status of Supplementary Planning Guidance

- 1.6 Supplementary Planning Guidance (SPG) will be material planning considerations during the process of assessing and determining planning applications. Welsh Government and the Planning Inspectorate will place considerable weight on supplementary planning guidance that stem from, and are consistent with, a development plan. The SPGs cannot introduce any new planning policies or amend existing policies.

1.7 Once they have been adopted SPGs should, therefore, be given substantial weight as a material planning consideration.

2.0 CHANGE OF USE OF COMMUNITY FACILITIES AND SERVICES EMPLOYMENT SITES AND RETAIL UNITS SPG

2.1 The purpose of this Supplementary Planning Guidance is to provide further clarity on the type of information and evidence that should be submitted in relation to applications specifically relating to the change of use of community facilities, employment sites and retail units. The relevant policies as contained within the Plan to these uses seek to protect the use and ensure that they are not lost to alternative uses, unless there is justification and evidence to do so.

Public Consultation

2.2 A draft version of this SPG was approved for public consultation by the Joint Planning Policy Committee on 4 September, 2020. This draft was prepared in consultation with relevant officers from both Authorities. Prior to this the SPG was reviewed by the Joint Local Development Plan Panel on the 24 January, 2020.

2.3 The SPG was the subject of a public consultation exercise between the 16th October, 2020 and the 27th November 2020.

2.4 Details of the public consultation were placed on both Council's websites and emails/ letters were sent to all Councillors, Community Councils, planning agents, statutory consultees, environmental bodies, neighbouring authorities and those who had declared an interest in the SPG.

2.5 A number of platforms were available for interested parties to respond to the consultation which were:

- Online word and pdf response form. Paper copies of the response form were also available on request from the JPPS
- Email
- Letter

2.6 A total of 10 representations were received. Due consideration was given to all of the representations received.

2.7 The following section (Appendix 1) summarises the representations received, the Councils' response to them and where appropriate, recommends any changes required to the SPG in lieu of the comment. Any proposed change to the wording of the SPG is noted in a **bold font that has been underlined**.

APPENDIX 1 – SUMMARY OF COMMENTS RECEIVED AND OFFICERS' RECOMMENDATIONS

Rep Id	Type of Comment	Organisation	Part	Summary of Representation	Officer Comments and Recommendation
1.	Objection	Cadnant Planning Ltd.	3.7.2 (Criterion 1)	Considered to be too prescriptive. Professional agents know best how to market such sites based on a case by case basis.	<p>Information provided in section 3.7.2 provides clear guidance in relation to the evidence which is required to support an application for the change of use of an employment site for an alternative use. Ensuring that there is sufficient supply of safeguarded employment land concurs with the objective of Policy CYF 1 therefore a rigorous assessment process should be applied.</p> <p>Further, not all planning applications are submitted by planning agents/specialist therefore providing detailed guidance within the SPG is beneficial to prospective applicants.</p> <p><u>RECOMMENDATION</u> – No change.</p>
2.	Objection	Cadnant Planning Ltd.	3.7.2 (Criterion 2)	Considered to be unreasonable given that the Council's policies are based on an Employment Land survey dating back to 2012.	<p>The provision of employment land within the Joint Local Development Plan is based on the results of the Employment Land Review. Considering an alternative use of safeguarded employment sites needs to be fully justified. It is considered reasonable for an assessment to be made and compared to the conclusion of the Employment Land Review.</p> <p><u>RECOMMENDATION</u> – No change.</p>

Rep Id	Type of Comment	Organisation	Part	Summary of Representation	Officer Comments and Recommendation
3.	Objection	Cadnant Planning Ltd.	3.8.2	<p>This is contrary to the requirement of Policy PCYF5 and the guidance provided in TAN 23. Such a change should not be introduced within an SPG as it changes the requirement set out in adopted policy within the JLDP which has been subject to an examination.</p> <p>This paragraph should remove the requirement to fulfil the majority of the listed criteria.</p> <p>The requirement for substantial justification also introduces a new requirement to that set out in policy PCYF 5.</p>	<p>Policy CYF 5 clearly stipulates that proposals to release land on existing employment sites for alternative uses will only be granted in special circumstances provided that it conforms to one or more of the criteria as listed within the policy.</p> <p>Paragraph 3.8.2 provides clarity as to when the LPA would expect a planning application for the change of use of an employment site to conform with 'one or more' of the criteria as listed within the policy. The primary employment sites as safeguarded via Policy CYF 1 are considered to be the most attractive employment sites and most likely to come forward in the short-term. Therefore, a rigorous assessment should be undertaken when considering the release of a primary employment site for an alternative use.</p> <p><u>RECOMMENDATION</u> – No change</p>
4.	Objection	Cadnant Planning Ltd.	4.4.2 (Criterion 1)	<p>Considered to be too prescriptive. Professional agents know best how to market such sites based on a case by case basis.</p>	<p>Information provided in paragraph 4.4.2 provides clear guidance in relation to the evidence which is required to support an application for the change of use of an A1 retail unit. The primary objective of the retail policies especially Policy MAN 2 is to safeguard the primary retail core for A1 uses. The policy allows for flexibility provided that appropriate justification has been received.</p>

Rep Id	Type of Comment	Organisation	Part	Summary of Representation	Officer Comments and Recommendation
					<p>Further, not all planning application are submitted by planning agents/specialist therefore providing detailed guidance within the SPG is beneficial to prospective applicants.</p> <p><u>RECOMMENDATION</u> – No change</p>
5.	Objection	Cadnant Planning Ltd.	4.4.2 (Assessment of Financial Viability)	Most A1 units being marketed would be vacant. Failing businesses are not going to continue to utilise such A1 units. Need flexibility for when this should be requested.	<p>Criteria 1 of Policy MAN 2 clearly stipulates the requirement for applications which involve the change of use of retail (A1) unit within the primary retail area to demonstrate that the premises is no longer viable. The request to submit supporting information in the form of a Financial Viability Assessment therefore concurs with the requirement of the policy. For clarity it is suggested that the wording is amended.</p> <p><u>RECOMMENDATION</u> – Amend the wording as follows:-</p> <p>Furthermore, an Assessment of Financial Viability should be submitted to prove that the <u>premises is no longer viable for A1 use and the retention of the A1 use has been fully explored.</u> business in its existing form is failing, and that consequently it is not financially viable to continue with the venture.</p>

Rep Id	Type of Comment	Organisation	Part	Summary of Representation	Officer Comments and Recommendation
6.	Objection	Cadnant Planning Ltd.	4.5.1 (Criterion 1)	The sites are outside defined town centres so it seems illogical to consider the town centre boundary as reasonable walking distance.	Retail uses are encouraged to be located within town centre boundaries. Therefore, if an application for a retail unit is received outside a town centre boundary it is logical to consider if there is provision within the town Centre boundary (where the use is encouraged). <u>RECOMMENDATION</u> – No change
7.	Objection	Cadnant Planning Ltd.	4.5.1 (Criterion 2)	3.7.2 refers to 12 months marketing and the policy MAN 3 refers to 6 months. SPG should not seek to change policy.	The 12 month marketing exercise for employment sites as detailed in paragraph 3.7.2 isn't contrary to the relevant policy as there isn't a definitive time specified for marketing within the policy. Policy MAN3 clearly relates to retailing and clearly stipulates a marketing period of 6 months. <u>RECOMMENDATION</u> – No change
8.	Objection	Cadnant Planning Ltd.	4.6.1 (Criterion 1)	Policy relates to safeguarding village shops. 4.5.1 of the SPG refers to Town Centres. This is illogical.	The observation is accepted and it is suggested that the criteria is amended accordingly. <u>RECOMMENDATION</u> – Amend criteria 1 to read as follows:- <u>Such a similar service should be within reasonable and safe walking distance. It is believed appropriate to consider the development boundary (if applicable) as a 'reasonable walking distance', or any area</u>

Rep Id	Type of Comment	Organisation	Part	Summary of Representation	Officer Comments and Recommendation
					<u>which lies 800m away from the application site (whichever is the shortest distance).</u>
9.	Objection	Natural Resources Wales	General	<p>Whilst we welcome the Change of use of community facilities and services, employment sites and retail units SPG, we wish to highlight that whilst the LDP has its existing strategic policies, the SPG appears to group certain building uses into “community facilities” and include schools, libraries, places of worship, public houses etc. Under TAN15: Development and Flood Risk, Figure 2 there is a list of buildings/types which are deemed highly vulnerable flood risk development (schools/libraries) along with a list of less vulnerable developments (public houses).</p> <p>If there was a change of use of one of these community facilities where it is considered to be a change of use from less vulnerable flood risk development to highly vulnerable flood risk development and also any Flood Consequences Assessment in support of any planning application would need to be fully compliant with TAN for the acceptability criteria in section 7/Appendix 1.</p> <p>We also remind you that in addition to the above, if any proposal changes low vulnerable flood risk development to highly vulnerable flood risk development, and the proposal is specifically within, or partially within zone C2</p>	<p>The comment is noted. However, it is not considered appropriate to amend the SPG.</p> <p>Conformity with Technical Advice Note 15 would be a consideration (if applicable) during the planning application process.</p> <p>The SPG specifically relates to the considerations relating to the principal of the development.</p> <p><u>RECOMMENDATION</u> – No Change</p>

Rep Id	Type of Comment	Organisation	Part	Summary of Representation	Officer Comments and Recommendation
				of the Development Advice Maps supporting TAN15, then the proposal should not be permitted in Zone C2 (paragraph 6.2 of TAN15).	
10.	Objection	Theatres Trust	2.1.1 (Table 2.ii)	<p>The Trust welcomes the additional guidance provided by this document and the strength it affords to protecting valued facilities. Paragraph 2.1.1 confirms policy applies to theatres. There would also be value in broadening this clarification to include cinemas and arts centres of which there are examples in the area such as the Empire in Holyhead and Neuadd Dwyfor.</p> <p>Within the table (2.ii) we would suggest that marketing evidence would be strengthened by including a requirement for evidence facilities have been marketed on local and national online platforms relevant to the type of facility. This would help ensure genuine and robust marketing effort.</p>	<p>The examples of community facilities derive directly from the explanation paragraph to Policy ISA 2 as contained within the Joint Local Development Plan. The Guidance along with the explanation paragraph clearly stipulates that any community facility which serves the local community would be applicable to the policy. The list therefore isn't exhaustive and to ensure consistency with the wording of the explanatory paragraph within the Joint local Development it isn't considered necessary to amend the wording.</p> <p>With regard to the marketing exercise the comment is accepted (see below).</p> <p><u>RECOMMENDATION</u> –</p> <p>Amend paragraph 2.3.1 (criteria 2ii) to read as follows:-</p> <p>“Where appropriate (commercial uses), if the property is vacant it should be demonstrated that an unsuccessful attempt has been made to market the property for sale or rent for a fair and reasonable price for a continuous period of 12</p>

Rep Id	Type of Comment	Organisation	Part	Summary of Representation	Officer Comments and Recommendation
					<p>months (at least). <u>The marketing exercise should be undertaken on local and national platforms, which specialise in marketing commercial facilities</u>. This evidence may include copies of advertisements marketing the unit along with written confirmation from the estate agent of the interest/offers received.”</p>

SUPPLEMENTARY PLANNING GUIDANCE

CONSULTATION VERSION

Change of use of community facilities and services, employment sites and retail units



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

JANUARY 2021

Content

1.0	Introduction to Supplementary Planning Guidance and its purpose.....	3
Section A: Safeguarding Community Facilities		5
2.1	Introduction to community facilities	5
2.2	National and Local Planning Policy Context.....	5
2.3	Justification for the loss of Community Facilities (Policy ISA2 - Community Facilities).....	6
Section B: Safeguarding Employment Sites		10
3.1	Safeguarding Employment Units	10
3.2	National Planning Policy.....	10
3.3	Local Planning Policy - Joint Local Development Plan	11
3.4	Defining Employment Sites	11
3.5	Portfolio of Employment Sites	12
3.6	Ancillary Uses of Employment Sites.....	13
3.7	Alternative Uses of Employment Sites.....	14
3.8	Fulfilling the criteria	17
Section C: Safeguarding Retail Uses		19
4.1	Safeguarding retail uses.....	19
4.2	National Planning Policy Guidance	19
4.3	Local Planning Policy Guidance	20
4.4.	Primary Shopping Areas.....	20
4.5	Town Centres	22
4.6	Safeguarding village shops.....	23
5.0 Further Information and Contacts		25

1.0 Introduction to Supplementary Planning Guidance and its purpose

Purpose

1.1 The Purpose of this Guidance is to:

- assist the public and their agents in preparing planning applications and in guiding them in discussions with officers before submitting planning applications,
- assist officers to assess planning applications, and officers and councillors to make decisions about planning applications, and
- help Planning Inspectors make decisions on appeals.

1.2 The overall aim is to improve the quality of new developments and facilitate a consistent and transparent way of making decisions.

The Policy Context

Local Development Plan

1.3 Under planning legislation, the 'development plan' includes planning policies for each area. The Gwynedd and Anglesey Joint Local Development Plan was adopted on 31 July 2017. It relates to both the Gwynedd and Anglesey Planning Authority areas.

1.4 The Plan provides wide-ranging policies along with land designations for the main uses, such as housing, employment and retail; it will help shape the future of the area of the Plan physically and environmentally, and will also influence it economically, socially and culturally. The Plan, therefore, attempts to:

- help the Councils to make logical and consistent decisions on planning applications by providing a policy framework that is in line with national policy, and
- steer developments to suitable areas during the period up to 2026.

The need for Supplementary Planning Guidance

1.5 Although the Plan contains policies that enable the Councils to make consistent and transparent decisions on development proposals, it cannot provide all the detailed advice required by officers and prospective applicants to steer proposals locally. In order to provide this detailed advice, Councils are preparing a range of Supplementary Planning Guidance to support the Plan

that will provide more detailed guidance on a variety of topics and matters to help interpret and implement the Plan's policies and proposals.

The Status of Supplementary Planning Guidance

- 1.6 Supplementary Planning Guidance (SPG) may be considered to be material planning considerations during the assessment process and when determining planning applications. Welsh Government and the Planning Inspectorate will place considerable weight on supplementary planning guidance that stems from, and is consistent with, a development plan. The SPGs do not introduce any new planning policies, but rather act as a 'portal' for relevant policies in the Local Development Plan and, where appropriate, national planning policy and other SPGs.
- 1.7 In accordance with Welsh Government advice, the SPG has been subject to a public consultation and a decision by the Joint Planning Policy Committee on behalf of the Councils. A draft version of this SPG was approved for public consultation on **DATE by NAME OF COMMITTEE**. The supplementary planning guidance was subject to a public consultation exercise between **DATES**. Consideration was given to the **x** comments submitted to the Councils, and, where appropriate, appropriate changes included in the final draft approved by the **Joint Planning Policy Committee on DATE** to be used as a material consideration when assessing and determining planning applications and appeals. A summary of the observations and the Councils' response is provided in **APPENDIX OR LOCATION OF COMMITTEE REPORT (following adoption)**. **This document should, therefore, be given substantial weight as a material planning consideration.**

Purpose

- 1.8 This SPG relates specifically to providing greater clarity on the policies in the Joint Local Development Plan (Joint LDP) which relate specifically to safeguarding community resources, employment sites and retail uses. Community, retail and economic facilities can often serve as social and cultural hubs, promote economic prosperity and encourage sustainable development in communities. With this in mind, there is a need to try to safeguard these types of uses in order to achieve the aim of creating viable, healthy and self-sufficient communities.
- 1.9 The following document is split into three subsections:
- Section A: Safeguarding Community Resources
 - Section B: Safeguarding Employment Sites
 - Section C: Safeguarding Retail Uses

Section A: Safeguarding Community Facilities

2.1 Introduction to community facilities

2.1.1 Community facilities may be defined as resources which provide a range of services (public, private and voluntary) and which are important for the purposes of health, recreation, socialising and education. These could include schools, libraries, leisure centres, healthcare provision, theatres, village halls, cemeteries, places of worship, public houses and any other facilities which perform the function of serving the community. Community facilities can often be social hubs, thereby performing an essential function in sustaining prosperous neighbourhoods and creating a sense of place. Ensuring that there is a range of community facilities in accessible locations is essential in order to ensure that social, recreational, educational and cultural needs of society are met in the most effective way possible.

2.1.2 It is considered that safeguarding a network of community facilities is a way to ensure that development is steered towards the most sustainable locations, reducing the need to travel and ensuring that accessible and convenient facilities are available to all. Furthermore, safeguarding facilities in rural areas is a way of sustaining social life for future generations. Generally, community facilities in rural areas serve the local populace. In settlements that are lacking in community spaces for people to congregate (such as village halls or public houses), it is likely that this can affect social cohesion as it has been understood traditionally.

2.2 National and Local Planning Policy Context

National Policy Context

2.2.1 National Planning Policy guidance in relation to community facilities is set out in Planning Policy Wales (Edition 10, 2018). It is acknowledged in the national planning policy guidance that community facilities perform a vital function in creating viable and sustainable places. In accordance with paragraph 4.4.2 of PPW, Local Planning Authorities should develop strategic, long-term approaches to sustaining community facilities when preparing Development Plans. There will be a need to be mindful of community needs and to ensure that the facility continues to meet the identified need.

2.2.2 Furthermore, there is a need to ensure that there are links between housing, community facilities, services and employment opportunities in both urban and rural areas in order to reduce the need to travel for long distances. It is considered that the placement of housing,

access to services, green spaces and community facilities within reasonable distances of each other is a way of creating the right conditions for improved health and well-being.

Local Planning Policy Context

2.2.3 In the Joint LDP, the policy that relates to safeguarding community facilities is included within Policy ISA2, 'Community Facilities'. The first part of policy ISA2 (see appendix 1) encourages the provision of new community facilities as long as the proposal complies with a series of criteria as listed in the policy. The second part relates to attempting to resist the loss or change of use of existing facilities, and notes the following:

"POLICY ISA2: COMMUNITY FACILITIES

The Plan will help sustain and enhance community facilities by: ...

2. Resisting the loss or change of use of an existing community facility unless:

i a suitable replacement facility can be provided by the developer either on or off site, and within easy and convenient access by means other than a car, or

ii it can be demonstrated that the facility is inappropriate or surplus to requirements, or,

iii in the case of a commercially operated facility:

- there is evidence that the current use has ceased to be financially viable, and***
- that it could not reasonably be expected to become financially viable, and***
- no other suitable community use can be established, and***
- there is evidence of genuine attempts to market the facility, which have been unsuccessful."***

2.2.4 The intention of the policy is to try to ensure that community resources are safeguarded and that full justification is required for any proposal which would lead to the loss of a community resource.

2.3 Justification for the loss of Community Facilities (Policy ISA2 - Community Facilities)

2.3.1 The following table provides some greater clarity on the criteria within Policy ISA 2 which relate specifically to safeguarding community facilities. It is noted that any proposal must comply with at least one of the criteria included in Policy ISA 2:-

Criterion	Explanation
<p>2i. A suitable replacement facility can be provided by the developer either on or off site, and within easy and convenient access by means other than a car.</p>	<p>Any alternative facility to be provided must be of an equivalent standard to the existing one or better. Furthermore, it must be proved that the new site is the most appropriate location for the facility and that it is accessible to the community by way of alternative and sustainable modes of transport. It is considered appropriate as part of the process of providing justification for the location of an alternative site that other options and possible sites are assessed, including any previously-developed land (where appropriate).</p>
<p>2ii. It can be demonstrated that the facility is inappropriate or surplus to requirements.</p>	<p>In order to prove that the facility is inappropriate or surplus to requirements, compelling evidence should be submitted to show that the facility is no longer needed.</p> <p>Where appropriate (commercial uses), if the property is vacant it should be demonstrated that an unsuccessful attempt has been made to market the property for sale or rent for a fair and reasonable price for a continuous period of 12 months (at least). The marketing exercise should be undertaken on local and national platforms, which specialise in marketing commercial facilities. This evidence may include copies of advertisements marketing the unit along with written confirmation from the estate agent of the interest/offers received.</p>

	<p>This should ensure that due consideration is given to the marketing strategy and that this is implemented in a manner which targets the most relevant market - that is, for example, agents who specialise in marketing certain types of facilities and who can ensure that any advertisements are visible on local platforms.</p> <p>The evidence required to be submitted as part of the marketing strategy should include the details of the sale process (the entire period), information on how much interest there has been in the unit, and details of any offers received along with reasons for refusing them.</p> <p>There are some circumstances where it won't be necessary for a proposal which involves the loss of a community facility to follow the guidance which has been provided above. This will specifically be of relevance for developments which are commercially run and where it is possible to demonstrate that the use is surplus to requirements and unnecessary.</p>
<p>2iii. In the case of a commercially operated facility:</p> <ul style="list-style-type: none"> • there is evidence that the current use has ceased to be financially viable, and • that it could not reasonably be expected to become financially viable, and • no other suitable community use can be established, and 	<p>In considering proposals that would lead to the change of use of a commercially operated facility, there will be a need to receive financial evidence to show that the facility is failing. This information should be submitted in the form of a Financial Report providing an overview of the business's financial situation (previous accounts along with a financial</p>

<ul style="list-style-type: none">• there is evidence of genuine attempts to market the facility, which have been unsuccessful.	projection for the future). The Financial Report must be prepared by a qualified individual/company such as a financial advisor or accountant. Furthermore, the proposal should comply with the evidence required to be submitted to fulfil criteria 2i and 2ii within Policy ISA2 (as noted above).
---	--

Section B: Safeguarding Employment Sites

3.1 Safeguarding Employment Units

3.1.1. Employment sites are safeguarded and allocated within the Joint Local Development Plan based on the evidence of need (Employment Study, 2012). Those sites identified within the portfolio of employment sites are the sites considered to be available for employment purposes within the lifetime of the Plan (up to 2026). They have been assessed according to their availability and the sustainable development principles, i.e. that they are accessible to alternative modes of transport. Furthermore, it is considered that these sites are needed to meet the demand for employment sites during the lifetime of the Plan. In order to limit the threat of losing these sites to alternative uses, the Plan safeguards employment sites for uses in Class B1, B2 and B8 only (along with certain suitable 'unique uses'.)

3.1.2 This section of the SPG offers advice on considerations involving proposals which relate to alternative uses of those employment sites that have been safeguarded/allocated in the Plan (Policy CYF5). The loss of employment sites to alternative uses is a threat to one of the primary objectives of the Joint LDP, which is to support growth and regeneration that will in turn transform the local economy. There must, therefore, be an attempt to ensure that the policies contained within the Joint LDP are robust enough to be able to withstand the loss of suitable employment sites to the detriment of the local economy.

3.1.3 Ensuring a network of employment sites for a range of employment uses in terms of size, standard and location is essential in order to meet the needs of existing business and attract new businesses to the area, which will in turn ensure economic prosperity for the area.

3.2 National Planning Policy

3.2.1 Planning Policy Wales (Edition 10, December 2018) states that planning authorities are required to support the provision of sufficient greenfield sites in order to fulfil the requirements of the employment market at a strategic and local level. Development plans

must identify the demand for employment land, and ensure that an appropriate mixture of sites are safeguarded and allocated in order to meet that demand. Furthermore, PPW notes the need to devise a framework for safeguarding employment sites. It emphasises the need for allocated/safeguarded sites to be protected from inappropriate development.

- 3.2.2 Technical Advice Note (TAN) 23: Economic Development supports the principles set out in Planning Policy Wales and advises that planning authorities should avoid releasing employment land for other purposes where compelling evidence exists of the need to provide employment land. TAN23 contains a series of criteria that should be applied when considering applications to release employment land for alternative purposes. These criteria are reiterated in Policy CYF5 of the Joint LDP.

3.3 Local Planning Policy - Joint Local Development Plan

- 3.3.1 Within the Joint LDP, Policy CYF1, 'Safeguarding, Allocating and Reserving Land and Units for Employment Use', identifies specific sites which need to be safeguarded for employment/business use. These reserved sites are identified on the Plan's proposal maps. Policy CYF3, 'Ancillary Uses on Employment Sites', stipulates that employment sites are used only for the -purposes of employment/business, and notes that alternative uses will only ever be considered when such uses are specifically ancillary to the employment uses. Furthermore, Policy CYF 5, 'Alternative Uses of Existing Employment Sites', provides guidance as to the principles that should be considered in relation to change of use of employment sites for alternative purposes.

3.4 Defining Employment Sites

- 3.4.1 Employment sites are defined as sites that are safeguarded for uses of the following classes in accordance with the Town and Country Planning Order 1990:

B1 Business

B2 General Industry

B8 Storage and Distribution

- 3.4.2 Furthermore, some types of uses which may be defined as 'unique uses' could be suitable on employment sites (in accordance with Policy PS13). 'Unique uses' are defined as those which

do not fall within any other use class and which require planning permission for such use. Examples of 'unique uses' which could be suitable on employment sites include:

- Car repair garages
- Trading in building supplies
- Tool/equipment hire companies
- Taxi/minibus/car hire offices

*The list above is not definitive, and there are other types of 'unique uses' not mentioned above which could be suitable on employment sites. Individual applications for such uses shall be assessed according to their own merits.

3.5 Portfolio of Employment Sites

3.5.1 In the Joint LDP, the portfolio of employment sites has been split according to the attractiveness of the sites and the likelihood of their being brought forward in the short term. Sites are distributed as Primary Sites, Secondary Sites and Reserve Sites. This hierarchy of employment sites is also based upon the types of businesses that are likely to be located on the sites in question, with the upper tier (primary sites) including sites considered to be of local or sub-regional significance.

The hierarchy of employment sites is as follows:

Primary Sites	Sites that are likely to be more attractive to the market and are likely to be developed in the short term. These sites are located mainly within the most sustainable areas, in accordance with the spatial strategy, and provide access to community services, as well as public transport links.
Secondary Sites	Sites that are not in the most attractive location as regards access and market presence in comparison to the primary sites. However, they offer important opportunities which address local demand as well as the potential demand arising from Anglesey Energy Island Programme/ Enterprise Island. These sites are located mainly within the most sustainable settlements, in accordance with the spatial strategy, and provide access to community services and facilities, as well as sustainable transport links.

Reserve Sites	Sites that have the potential to meet the demand arising from Wylfa Newydd as well as the rest of the Anglesey Energy Island Programme / Enterprise Island.
---------------	---

3.6 Ancillary Uses of Employment Sites

3.6.1 Policy CYF3: 'Ancillary Uses of Employment Sites' outlines the considerations relating to the release of employment sites for uses that are ancillary to the employment use. Only in exceptional circumstances will it be possible to consider applications to release employment sites, and justification must be provided. Ancillary uses are those which align with the requirements of the employment use of the site. The types of uses referred to in the explanation of the policy include cafés and children's nurseries.

3.6.2 In determining applications for ancillary uses, consideration must be given to the need for the proposal along with ensuring that it is commensurate with the needs of the workforce envisaged on the employment site. That is, the proposal should not provide a service for any market located or in operation beyond the employment site. The following table provides further information in relation to the requirements of the criteria as listed in Policy CYF 3:-

Criteria	Explanation
1. There is overwhelming justification for the facility.	Information will need to be submitted in relation to needs and requirements of the workforce. Are there obvious environmental benefits from having the facility on the site, for example will it restrict the requirement for the workforce to have to travel to another location on a regular basis for the same facility.

<p>2. The scale of the development is primarily in keeping with the need of the workforce on the employment.</p>	<p>Information relating to the number of people whom work in the employment site will need to be provided, ensuring that the intention equates to the need of the workforce.</p> <p>Information relating to the target market of the facility should also be provided, ensuring that there is a link between the proposal and the workforce.</p>
<p>3. That the proposed development would not in itself or cumulatively undermine the function of the employment site.</p>	<p>Ensuring that the scale of the proposal is appropriate and that the proposal along with the other uses on the site won't have a negative impact upon the function of the employment site.</p>
<p>4. That the development would not lead to an under provision of B1, B2 or B8 employment land.</p>	<p>It should be ensured that there is sufficient employment land by conducting a survey of the employment site in order to recognise the existing provision. The most recent employment land survey can also be relied upon for information in relation to the existing provision.</p>

3.7 Alternative Uses of Employment Sites

3.7.1 Policy CYF5: 'Alternative uses of existing employment sites' outlines the considerations relating to the release of existing employment sites for alternative uses. The criteria that must be met (one or more) align with those considerations noted in Technical Advice Note 23: Economic Development, para 4.6.9.

3.7.2 The criteria are listed below, along with explanations:

Criterion	Explanation
-----------	-------------

<p>1. If the site is vacant, that it is unlikely to be used in the short and medium term for the original or safeguarded use.</p>	<p>It should be proved that vacant sites are unlikely to be brought forward in the short to medium term, by submitting a detailed evaluation of the site's viability for employment use.</p> <p>In conducting a detailed assessment, consideration should be given to suitable alternative options which would include redevelopment of the site for employment purposes.</p> <p>Applicants are expected to demonstrate clearly that the site has been marketed for sale or rent at a reasonable price. It should be proved that the unit has been marketed for a continuous period of at least 12 months. A statement must be submitted to provide details of the efforts made to market the unit. Any materials relating to the marketing of the site should state clearly that the unit is being marketed for employment purposes, and furthermore (where appropriate), the marketing materials shall state whether there are opportunities to redevelop the site. The information submitted must include:</p> <ul style="list-style-type: none"> • Evidence of widespread marketing for employment purposes through an agent that specialises in marketing commercial property. Any changes in the price made during the marketing period should be noted. The Council will expect to receive evidence to demonstrate that the site has been marketed at a fair price which is commensurate with similar commercial properties in the area.
---	--

	<ul style="list-style-type: none"> • Advertisements in the local and regional press, property press and specialist trade publications, throughout the marketing period. • Evidence that the property has been marketed continuously on the agent's website. • Continuous and prominent advertising on the site. The agent's advertising sign should be placed on each highway-facing frontage of the property throughout the marketing period. • Details should be shared from the outset with other estate agents, specialist commercial agents and the Council by way of a mail marketing campaign and/or distributing copies of the sale particulars, also providing revised versions if the particulars are amended substantially. • Evidence of all expressions of interest and offers received. • Evidence of a genuine attempt to market the property, and that consideration has been given to alternative marketing methods if the existing methods are seen to be failing/ineffective. <p>In considering applications that seek to prove that the employment site is no longer needed, the Councils' Economic Development Departments shall make enquiries in order to establish the number of enquiries received for employment sites in the area in question, in order to assess the local demand for such sites. This would be relevant to council owned sites only.</p>
<p>2. There is overprovision of employment sites within the vicinity.</p>	<p>There will be a need to prove an overprovision of employment land by conducting an Employment</p>

	Survey which comes to different conclusions than the Employment Survey of 2012.
3. The existing employment use has a detrimental impact on amenity and the environment.	It should be proved that benefits will derive from alternative use of the site, based on the negative impacts of the existing use, e.g. pollution originating from the current use causing harm to the local environment, high noise levels or significant disturbance due to vehicles coming and going.
4. The proposal would not have a detrimental effect on employment uses at adjacent sites.	It must be proved that the proposed use would not be detrimental to businesses already established. That is, the use should not have a negative impact on the users and operations of any business that is established already.
5. There is no other suitable alternative site for the proposed use.	It should be proved that there is no other suitable alternative site for the proposed use. That is, depending upon the proposed use and whether there is another site that would meet the requirements, without the need to make use of a site that has been safeguarded for employment purposes.
6. If the site is used for short-term use (temporary), that there are appropriate restoration measures in place to the satisfaction of the Local Planning Authority.	It is possible in some cases that the site needs to be used for a particular purpose temporarily. The site should be restored to its original use following the cessation of the temporary use. Where appropriate, planning conditions will be placed on applications to ensure that the restoration work is carried out.

3.7.3 It is expected that any application that would lead to the loss of a safeguarded employment site will be supported by a detailed supporting statement. The information/detail provided should be commensurate to the proposal.

3.8 Fulfilling the criteria

3.8.1 As noted in Policy CYF5, there is a requirement to fulfil 'one or more' of the listed criteria when considering applications for alternative uses of employment sites.

3.8.2 The portfolio of employment sites safeguarded under Policy CYF1 is also categorised according to the types of businesses that are likely to be located on the sites in question, with the upper tier (primary sites) including sites considered to be of local or sub-regional significance. It should be noted that any application for an alternative use on a site that has been allocated/safeguarded as a 'Primary Employment Site' will be expected to fulfil the majority of the listed criteria as appropriate within the policy, since these are the sites considered to be the most attractive, and as such, substantial justification must be submitted before any further consideration can be given to applications for alternative uses on these sites.

Section C: Safeguarding Retail Uses

4.1 Safeguarding retail uses

4.1 Prosperous town centres boost the local economy in addition to serving as community hubs. It is, therefore, important to establish a planning framework that safeguards the function of our urban centres and facilitates schemes that contribute towards increasing the viability of these centres.

4.2 National Planning Policy Guidance

4.1.1 National Planning Policy guidance in relation to retail is contained in Chapter 4 (Retail and Commercial Developments) of Planning Policy Wales (Edition 10, 2018). This states the need to ensure retail provision that is accessible, efficient, competitive and innovative. Furthermore, it states the need to try to promote established town centres as the most appropriate locations for retail, that in turn support existing communities and centres. The national objectives aim to enhance the vibrancy, viability and attractiveness of retail and commercial centres and promote sustainable access to these centres via public transport, walking and cycling. When considering town centre developments, it is necessary to ensure that they are convenient and easy to reach, and also to determine whether there is a demand for such development.

4.1.2 The relevant Technical Advice Note that relates to retail is TAN4 (Retail and Town Centres, 2016). The primary objective of TAN6 is to promote viable urban retail centres as the most appropriate locations to live, work, shop, socialise and run a business. Furthermore, it notes the need to maintain and enhance the vibrancy, viability and attractiveness of town centres.

4.3 Local Planning Policy Guidance

4.3.1 One of the main objectives of the Plan is to safeguard the viability and vibrancy of town centres by resisting developments which hinder this.

4.3.2 In accordance with Policy MAN 1 (Proposed Town Centre Developments), proposals in town centres will be rejected unless they meet the criteria listed in the policy. Furthermore, Policy MAN 2 (Primary Retail Areas) states the need to resist the loss of retail uses within a main shopping area, unless the proposal meets the criteria listed in the policy.

4.4. Primary Shopping Areas

4.4.1 Policy MAN 2 (Primary Retail Areas (Retail Core)) safeguards retail sites within primary shopping areas for that specific use (A1 use). A primary shopping area has been identified in the Sub-regional Retail Centre, along with the Local Retail Centres which are Bangor, Caernarfon, Pwllheli, Holyhead and Llangefni. These areas are shown on the relevant proposal maps.

4.4.2 The policy states that it is possible to give consideration to the change of use of the ground floor of a property located in the primary retail area from A1 use to another use, provided that the proposal fulfils both criteria listed in the policy. Those criteria are listed below, along with the information required to be submitted in order to fulfil them:

Criterion	Explanation
Criterion 1: <i>"It can be shown that the premises is no longer viable for A1 use and the retention of A1 use at the premises has been fully explored without success, by way of marketing at a reasonable market rate for a minimum of six months."</i>	In order to fulfil this criterion, a Marketing Statement should be submitted. Such a statement should include: <ul style="list-style-type: none">• Details of the efforts made to market the unit. Any materials relating to the marketing of the site should state clearly that the unit is being marketed for retail use.• Evidence of widespread marketing for retail purposes (A1) through an agent that

	<p>specialises in marketing commercial property. Any changes in the price made during the marketing period should be noted. The Council will expect to receive evidence to demonstrate that the site has been marketed at a fair price which is commensurate with similar commercial properties in the area.</p> <ul style="list-style-type: none">• Advertisements in the local and regional press, property press and specialist trade publications, throughout the marketing period.• Evidence that the property has been marketed continuously on the agent's website.• Continuous and prominent advertising on the site. The agent's advertising sign should be placed on each highway-facing frontage of the property throughout the marketing period.• Details should be shared from the outset with other estate agents, specialist commercial agents and the Council by way of a mail marketing campaign and/or distributing copies of the sale particulars, also providing revised versions if the particulars are amended substantially.• Evidence of all expressions of interest and offers received.• Evidence of a genuine attempt to market the property, and that consideration has been given to alternative marketing methods if the existing methods are seen to be failing/ineffective.
--	--

	<p>Furthermore, an Assessment of Financial Viability should be submitted to prove that the premises is no longer viable for A1 use and the retention of the A1 use has been fully explored.</p>
<p>Criterion 2: <i>"The proposed change of use does not have an unacceptable impact on the retail function or character, vitality attractiveness or viability or of the primary retail area."</i></p>	<p>The intention of this criterion is to try to safeguard the retail function and character of our main shopping areas within the retail centres. When considering proposals what would result in the loss of a retail use, the following should be taken into consideration:</p> <ul style="list-style-type: none"> • Is the unit located in a prominent place? For instance, an area of architectural value in a prominent/central location in terms of its setting within the shopping area. • The evolution and function of the retail area over the years. • The impact of the proposed use upon other adjacent uses. Is there potential for conflict? Impact on the amenities of the users of adjacent properties.

4.5 Town Centres

4.5.1 When considering applications for the change of use of units located within the development boundary, consideration must be given to the guidance contained in Policy MAN 3 (Retailing Outside Defined Town Centres But Within Development Boundaries). Listed below are the criteria contained in the policy, which relate to the loss of retail use, and the information required to be submitted in order to fulfil them:

Criterion	Explanation
-----------	-------------

Criterion 1: <i>"That there is a similar service available within reasonable walking distance."</i>	Such a similar service should be within reasonable and safe walking distance. It is believed appropriate to consider the town centre boundary as a 'reasonable walking distance', or any area which lies 800m ¹ away from the application site.
Criterion 2: <i>"If there is no similar service present, that the property has been on the market for a reasonable selling price or rent for a continuous period of 6 months."</i>	The marketing strategy, along with any information that is required to be submitted as part of that exercise, should comply with the guidance set out in para 3.7.2 above.
Criterion 3: <i>"That the new use will not have a detrimental impact on the amenities of adjacent uses."</i>	The principle of this criterion should be considered alongside the guidance set out in Policy PCYFF 2 (Development Criteria).

4.6 Safeguarding village shops

4.6.1 Village shops perform a vital function in terms of fulfilling the day to day needs of village residents. Safeguarding such provision can reduce the need to travel and help to sustain local communities. Policy MAN 4 (Safeguarding Village Shops and Public Houses) aims to safeguard village shops. Any proposal for the change of use of a village shop is required to meet **one** of the criteria contained within the policy.

Criterion	Explanation
Criterion 1: <i>"That there is a similar service available within reasonable walking distance."</i>	Such a similar service should be within reasonable and safe walking distance. It is believed appropriate to consider the development boundary (if applicable) as a 'reasonable walking distance', or any area

¹ The Institute of Highways and Transportation's guidelines for Providing for Journeys on Foot note that the acceptable walking distance for town centre uses is 800m¹.¹ This guidance should be used when considering the reasonable walking distance in order to determine whether the proposal fulfils Criterion 1 within the policy. <http://tranterconsultores.com/wp-content/uploads/2016/10/PROVEYENDO-A-PEATONES.pdf>

	which lies 800m away from the application site (whichever is the shortest distance).
Criterion 2: "The applicant can demonstrate to the satisfaction of the Local Planning Authority that the existing use is no longer financially viable, by placing the property on the market for a reasonable selling price or rent for a continuous period of 12 months without success."	In order to fulfil this criterion, the guidance set out in 4.4.2 above should be followed. It should be noted, however, that in accordance with the Policy it must be ensured that the marketing exercise has been undertaken for a period of 12 months.

5.0 Further Information and Contacts

For further information, please contact:

Joint Planning Policy Unit

☒ First Floor,
Bangor City Council Offices,
Ffordd Gwynedd,
Bangor,
Gwynedd,
LL57 1DT.

☒ 01286 685003

☒ polisicynllunio@gwynedd.llyw.cymru

<https://www.gwynedd.llyw.cymru/en/Council/Strategies-and-policies/Environment-and-planning/Planning-policy/Joint-Local-Development-Plan/Joint-Local-Development-Plan.aspx>

Gwynedd Council Planning Service,

☒ Council Offices,
Ffordd y Cob,
Pwllheli,
Gwynedd,
LL53 5AA.

☒ 01766 771000

☒ cynllunio@gwynedd.llyw.cymru

<https://www.gwynedd.llyw.cymru/en/Residents/Planning-and-building-control/Planning/Planning.aspx>

Isle of Anglesey County Council Planning Service

☒ Council Offices,
Llangefni,
Anglesey,
LL77 7TW.

☒ 01286 752428

☒ cynllunio@ynysmon.gov.uk

<https://www.anglesey.gov.uk/en/browse/Residents/Planning-building-control-and-conservation/>