

National Assembly for Wales
Environment and Sustainability Committee
PB 18
Planning (Wales) Bill
Response from Association of Convenience Stores



ACS Submission to the General Principles of the Planning (Wales) Bill

1. ACS (the Association of Convenience Stores) welcomes the opportunity to respond to the general principles of the Planning (Wales) Bill consultation. ACS represents 33,500 local shops across the country, including the Co-operative Group, Spar UK, Nisa, Costcutter and thousands of independent retailers.
2. There are a total of 3,219 convenience stores in Wales, and there are more shops per head of the population than in any other part of the UK with one shop per 955 people¹. An inclusive planning policy is vital to ensure the creation of viable high streets and town centres and support residents and businesses alike.
3. ACS supports the Bill's provisions to reaffirm the Welsh Government's commitment to the plan led system. The creation of Local Development Plans (LDPs) has been important in ensuring that communities and local businesses have the power to decide how their local area should change in the future. However, the slow adoption of LDPs poses a risk when plans for unsustainable developments, such as out-of-town centres, are brought forward. Without an LDP, there is no consistent mechanism by which to decide on planning applications and appeals.
4. The risks of not having an LDP in place can be seen in the slow implementation of Local Plans in England. As of March 2014, just 13% of local English authorities had a Local Plan in place that was up-to-date and compliant with the National Planning Policy Framework (NPPF)². Keeping LDPs up to date and relevant is therefore necessary to enforce planning policy at a local level.
5. Local Development Plans should comply with the National Development Plan, similar to the requirement in England for Local Plans to comply with the NPPF if LDPs are to be enforced similarly across Wales. The majority of delays have occurred when LDPs have been withdrawn after submission for examination, and ACS welcomes the provision to notify Welsh Ministers of any resolutions to withdraw LDPs that are otherwise capable of being adopted. However, LDPs and the implementation of an NDP must include measures to support town centres. ACS welcomes the Welsh Government's continued investment in regenerating high streets and town centres, which must be backed up by a strong town centre first policy and a sequential test that is enforced.

¹ ACS Local Shop Report 2014

² [Nathaniel Lichfield & Partners: Positive Preparations: A review of housing targets and Local Plans](#)

6. ACS has completed research that shows under the NPPF in England, 76% of retail developments allocated have been built out-of-town³. This is largely because town centre impact tests are too heavily driven by developers, and the sequential test is not being used as a gateway (pass/fail) test as intended. This is allowing developers to build out-of-town when new developments should be located in town centres wherever possible. Not enforcing these policies is damaging to creating sustainable high streets and maintaining essential local services.
7. If a town centre first policy is not consistently, clearly and fairly applied, the result is that larger retailers and developers lose faith in town centre strategies. This in turn leads to a higher proportion of planning applications being located out of town, creating a vicious circle against sustainable town centre development.
8. Engaging large and small businesses with the planning system is vital to encourage development that benefits local communities. We welcome the provisions set out in the Bill to provide a statutory requirement for pre-application engagement; however this should also name local businesses in addition to the public to ensure that improvements to development proposals can be identified at an early stage where they may not otherwise be by other stakeholders.
9. ACS has produced guidance⁴ to help local businesses and communities in getting involved with shaping and influencing planning policy in England, including how to influence the creation of a Local Plan. The Welsh Government should consider what guidance they can provide communities and businesses with following the Bill's assent in order to engage business stakeholders.
10. It is important that a mechanism exists to challenge proposed developments that are proposed if planning laws are to benefit communities. The provisions included in the Bill to prevent developers from repeatedly submitting applications or appeals where they have already failed to obtain planning permission is welcome to prevent unsustainable development, especially where planning authorities are less well-resourced.
11. Whilst consultation and pre-consultation with local communities and businesses is important to allow stakeholders to influence development proposals, extending this to allow challenges to developments would allow communities to take charge of what developments they wish to see in their local area. This would ensure sustainable development and the provision of essential local services for communities across Wales.

For more information on this submission please contact Sophie Mew at sophie.mew@acs.org.uk or on 01252 515001.

³ [Retail Planning Decisions Under the NPPF](#)

⁴ [Planning for Diverse Local Centres Guide](#)