Non Retail Uses in Swansea City Centre

Supplementary Planning Guidance

October 2010

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Non Retail Uses in Swansea City Centre
New retail units at Princess Way, Swansea City Centre
1. Introduction

Overview

1.1 Swansea City Centre is undergoing a period of substantial change. Significant public and private sector investment has already been realised and development is continuing within the City. This includes the recent multi-million pound environmental enhancement of the retail core area, the transformation of the Quadrant Bus Station and the redevelopment of the former House of Fraser store at Princess Way to provide high quality new retail units. Further comprehensive redevelopment is also planned, including proposals for a major new retail led regeneration of the area adjoining the Quadrant Shopping Centre.

1.2 The City Centre dominates the retail hierarchy in Swansea and provides a regional focus for shopping, business, civic and cultural life. Whilst much has been achieved and much is planned, the City Centre’s retail function has been under pressure for a number of years. This reflects competition from other developments, including Parc Fforestfach to the north west of the City and out-of-centre retail parks at Swansea Enterprise Park and Morfa Retail Park. However it is also reflective of aspects such as the incremental loss of retail units to non-retail uses in the City Centre retail core.

1.3 Maintaining and enhancing the vitality and viability of retail core frontages within the City Centre is a key objective of national and local planning policy. This document sets out Supplementary Planning Guidance (SPG) for non-retail use proposals in order to complement adopted policies and strategies, and to ensure the City Centre’s retail offer is not undermined.

Swansea City Centre and the retail core

1.4 The City and County of Swansea Unitary Development Plan (UDP) defines the extent of the City Centre boundary. In broad terms it is delimited by the Seafront and River Tawe to the south and east, and by Mansel Street and West Way to the north and west.

1.5 The UDP adopts a mixed use approach to development within the City Centre boundary (Policy CC1), where retailing, offices, hotels, housing, and certain leisure and recreation uses will be generally supported at appropriate locations. The Town and Country Planning (Use Classes) Or-
der (1987) describes the range of uses (retail and non-retail) that are permitted under each defined Use Class. Appendix A of this SPG provides details of the Use Classes Order.

1.6 Within the City Centre boundary, the UDP defines the retail core area by way of ‘primary shopping street frontages’ (UDP Policy CC2 refers). This area extends southwards from the Kingsway towards Oystermouth Road, and is bounded to the west and east by West Way and Princess Way/Castle Street respectively. The precise boundaries of the retail core are illustrated on the UDP Proposals Map, an extract of which is provided below.

1.7 Appendix B of this SPG illustrates three main frontage types that make up the retail core. These distinct frontage types have been identified to recognise that within the retail core area some streets are considered more prime than others, and as such require a different policy approach. The differences between each frontage type are discussed further in Chapter 4.
Status of the document

1.8 The purpose of this document is to provide guidance in support of adopted planning policies. It is intended to provide clarity for those that wish to submit planning applications within the City Centre. The document highlights the key issues to be addressed in the formation of proposals and sets out a clear framework against which planning decisions will be made.

1.9 A draft version of this SPG was subject to a 6 week public consultation process. This allowed members of the public, Councillors, businesses and other interested parties to comment on and inform the document. The aim of the consultation was to build a broad consensus of support for the principles and guidance presented in the document.
Shoppers in the retail core, Swansea City Centre
2. Planning Policy Context

Introduction

2.1 This chapter describes the planning policy context that frames this SPG. It details relevant national planning policies as well as those set out in the Council’s adopted development plan. It also highlights other planning guidance relevant to considering proposals for non-retail uses in the City Centre.

2.2 Planning applications submitted to the Local Planning Authority (LPA) for non-retail development within the City Centre must have regard to this planning policy context.

National planning guidance

Planning Policy Wales (2010)

2.3 Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Assembly Government and provides the overarching policy framework for delivering sustainable development in Wales. The Assembly Government requires local authorities to make planning decisions having regard to national policy set out in PPW. The following principles and objectives are considered of particular relevance:

- Place sustainability at the heart of the decision making process, including promoting sustainable patterns of development;
- Promote access to inter alia shopping, leisure and community facilities, and thereby maximising opportunities for community development and social welfare;
- Maintain and improve the vitality, attractiveness and viability of town centres;
- Encourage an appropriate mix of uses in town centres and other appropriate places to add activity and choice;
- Foster social inclusion by minimising the demand for travel, especially by private car, and by ensuring that full advantage is taken of the opportunities to secure a more accessible environment;
- Take a long term perspective to safeguard the interests of future generations, whilst at the same time meeting needs of people today.1

1Planning Policy Wales, 2010, Chapter 4 ‘Planning for Sustainability’
2.4 More specific guidance for development within Town/City Centres is set out in Chapter 10 of PPW. This also sets out the Assembly Government’s policies for new retail development more broadly. The guidance emphasises that the key national objectives on such matters are to:

- promote established town, district, local and village centres as the best locations for retailing, leisure and for other functions complementary to it;
- enhance the vitality, attractiveness and viability of town, district, local and village centres;
- secure accessible, efficient, competitive and innovative retail provision for all communities in Wales; and
- promote access to these centres by public transport, walking and cycling.

2.5 Paragraph 10.2.4 of PPW highlights that whilst retailing should continue to underpin Town Centres, shopping facilities are one of a number of factors that contribute towards the wellbeing of a Centre. In that context, national policy encourages promoting a diverse and complementary mix of appropriate uses in order to help create lively Centres and reduce the need to travel.

2.6 In recognition of the differences in form and character of certain streets within shopping centres, Paragraph 10.2.7 also states that...

“Development Plans may distinguish between primary and secondary frontages in town centres and consider their relative importance to the character of the centre. Primary frontages are characterised by a high proportion of retail uses, while secondary frontages are areas of mixed commercial development including, for example, restaurants, banks and other financial institutions. Banks and other financial institutions provide important services and local planning authorities should encourage their retention in town centres. This may include the upgrading of premises and the installation of new customer services. However, such uses should not be allowed to dominate primary shopping areas in a way that can undermine the retail function”.

2.7 It is therefore clear that whilst national policy encourages diversity in city centres, it also emphasises the importance of ensuring ground floor use class changes to non-retail uses are not permitted where they create a predominance of such uses, unacceptably dilute the shopping street frontage, or undermine the vitality, viability or attractiveness of a Centre. In line with PPW, this SPG sets out the location of the most prime frontages and those areas of more secondary retail character.

2Planning Policy Wales, 2010, paragraph 10.1.1
Technical Advice Note (Wales) 4 ‘Retailing and Town Centres’ (1996)

2.8 Technical Advice Notes (TANs) are to be read in conjunction with PPW and are material to decisions on individual planning applications. The focus in TAN 4 Retailing and Town Centres is to provide guidance on planning matters affecting the vitality and viability of Town, District and Local Centres. The TAN lists a range of information considered to be of value in measuring the vitality, attractiveness and viability of such Centres. These criteria were used to ascertain the most prime frontages within the City Centre retail core, and distinguish these from off-pitch areas. Details are set out at Appendix C of this SPG.

2.9 TAN 4 emphasises that a flexible approach to the use of available units within centres is important in order to help sustain their vitality. In this regard, the TAN usefully describes the Use Class changes that are permitted without the need for planning permission. However, the guidance also refers to the adverse impact that can be caused by inappropriate changes of use within centres. It states that in some instances, changes of use can create new concentrations of single uses, such as restaurants and take-away food outlets, where the cumulative effects can cause local problems. It emphasises that such proposals should be assessed against development plan policies, their contribution to diversification, and the cumulative effects on matters such as parking and local residential amenity.

Development Plan policy

City & County of Swansea Unitary Development Plan (2008)

2.10 The Swansea Unitary Development Plan (UDP) was adopted in November 2008. It provides the local planning policy framework for determining all planning applications submitted to the LPA. The overall Spatial Strategy of the Plan includes commitments to: promoting sustainable development; facilitating regeneration; supporting community planning; and ensuring developments are well located in terms of environmental, social and economic aspirations.

\(^3\)City and County of Swansea Unitary Development Plan, 2008, page i
2.11 The following Objective is set out in Part 1 of the UDP and is central to its overall vision and overarching strategy:

• **Objective 2.e** To improve the range, choice and quality of shopping opportunities accessible for all sections of the community and visitors to the area

2.12 Emanating from this overarching objective is **Strategic Policy SP6** ‘Developing the Economy’ which makes clear the intentions of the UDP with regards encouraging investment within Centres. The policy is supplemented by this guidance and states:

“The primary focus for new retail, cultural, and business development will be the City Centre.”

2.13 The main UDP Part 2 Policies that this document supplements are as follows:

**Policy ECNR** sets out the criteria for considering any non-retail proposals within a shopping centre. The policy emphasises that non-retail uses that would undermine the shopping role of a Centre, or have an adverse impact on its vitality, viability or attractiveness will not be permitted. It specifically refers to the importance of maintaining a high proportion of shops at ground floor level within the primary shopping streets of a given Centre. This SPG provides further guidance to implement the aims of Policy ECNR. In particular it provides guidance on how the Council will seek to maintain a critical mass of shopping units within a legible contained area and safeguard the vitality, viability and attractiveness of the City Centre retail core.

**Policy CC1** deals with encouraging the right mix of development and states that, within the City Centre as a whole, the following uses will be supported:

(i) Retailing and associated uses (Classes A1, A2, A3),
(ii) Offices (B1),
(iii) Hotels, residential institutions and housing (C1, C2, C3),
(iv) Community and appropriate leisure uses (D1, D2, A3),
(v) Marine related industry (B1, B2).

The policy goes on to state that proposals will be considered against the following criteria:
(a) Impact on existing uses or residential amenity,
(b) The potential for noise, disturbance and pollution,
(c) Traffic generation, access and parking, and,
(d) In the case of retail development, the criteria specified in Policy EC4.

Policy CC2 deals specifically with the City Centre retail core. It encourages new retail development that maintains and enhances the vitality, attractiveness and viability of the City Centre as a regional shopping destination. The policy affords highest priority to enhancing shopping facilities within the retail core. Retail development proposals that would be detrimental to such objectives will not be permitted by the policy.

The policy makes clear that retailing is regarded as the most appropriate ground floor use within the primary shopping streets of the City Centre. It sets out criteria by which proposals for the introduction of non-retail uses at ground floor level will be determined having regard to:

(i) The proposal’s relationship to other existing and proposed non-retail uses in the area,
(ii) The impact on the vitality, attractiveness and viability of the street,
(iii) The demand for retail premises in the area, and
(iv) The scale, design and impact of the proposal on the street scene.

Policy CC2 also notes that planning applications for non-retail uses within primary shopping streets will need to be accompanied by an assessment of the impact on the established retail frontage. Proposed non-retail uses should not lead to the isolation of any section of the retail core or remove from retail use any important shop unit. In respect of the demand for non-retail premises, applicants will be expected to confirm the length of time that the premises have remained vacant and identify what measures have been taken to market the property for retail use.

Other planning guidance

2.14 The Swansea City Centre Strategic Framework (SCCSF) was adopted by the Council as SPG in 2009. It provides an overarching development framework that will guide ongoing investment and sets a broad context for new planning proposals within the City Centre. This SPG complements the aims of the SCCSF by seeking to retain an appropriate critical mass of retailing units at key frontages to support a viable retail core.
that will integrate effectively with any future retail-led redevelopment within the City Centre. It also supports one of the overarching objectives of the SCCSF, namely to deliver a City Centre with a vibrant mixed use heart and enhanced retail core.
3. The Vitality and Viability of Swansea City Centre

Introduction

3.1 A considerable evidence base is available on the prevailing vitality, attractiveness and viability of the City Centre as a place in which to shop, do business, work, live and spend leisure time.

3.2 An annual City Centre ‘health check’ is regularly published, commissioned by the City Centre Partnership, and produced jointly by the Council and other members of the Partnership. The health check is compiled in line with national guidance and advice contained in the Association of Town Centre Management publication ‘Key Performance Indicators (1999)’.

Main findings

3.3 The latest City Centre health check findings, supplemented as appropriate with other source material, are set out below.

Diversity of uses

3.4 The number of occupied ground floor units in the City Centre increased from 619 to 634 between 2001 and 2010.

3.5 A1 retailing continues to remain the dominant land use in the City Centre, although in terms of unit numbers its share has declined from 54% in 2001 to 44% in 2010. In April 2010 there were 276 A1 retail units trading in the City Centre (a decrease of 57 since 2001). This includes numerous national retailers.

3.6 The dominance of the comparison goods sector within the City Centre has also contracted since 2001. In 2007 it accounted for 44.1% of all retail outlets (national average 45.3%), occupying 52.6% of the total floor space (national average 51.4%).

3.7 A3 establishments (food and drink) represent the second largest and most rapidly expanding land use sector in the City Centre, unit numbers having grown from 98 in 2001 to 127 in 2010, and now account for approximately 20% of all units.

3.8 The number of City Centre A2 units (financial and professional services) having decreased from a peak of 54 units in 2001, to a low of 29 units in
2004, are growing again. As at April 2010 a total of 34 A2 units were recorded as trading in the City Centre.

Vacant Properties

3.9 As at April 2010 there were 80 vacant retail units in the City Centre (up 27% on April 2008), which in part reflects the difficult trading environment experienced during the 2008/2009 recession. In terms of all types of land use there were 154 vacant units (45% up on April 2008) with an estimated gross area in excess of 300,000 sq ft.

Retail Rankings

3.10 The lack of major new retail investment in Swansea’s City Centre in recent years has seen its position in the National Retail Rankings fall. Whilst Experian’s 2009 Retail Centre Rankings put Swansea in 54th place nationally, CACI’s Retail FootPrint Model suggest that Swansea’s position has fallen from 52nd place in 2004 to 114th in 2009.

3.11 Occupation of the new retail units on the site of the former House of Fraser store at Princess Way is expected to deliver improvement to the City Centre’s ranking, as will the delivery of key proposals set out in the Swansea City Centre Strategic Framework.

Retailer Demand

3.12 Retail demand for accommodation fluctuates significantly throughout the year and in response to changes in the strength of the economy and markets. Whilst the number of retailers seeking accommodation in the Swansea area was comparatively high at 90 in April 2007, the impact of the recession in 2008/2009 has since been felt. In October 2007 the number recorded by FOCUS as seeking accommodation was 76. FOCUS’ latest records (mid 2009) of retailer requirements for Swansea is 29. Another published source – PROMIS – records 17 reported requirements for Swansea in July 2010, against an average of 20. There has therefore been a clear downward trend in retailer requirements but this is likely to be driven by a number of factors not least the recession.

Commercial Property Rents

3.13 Whilst ‘Zone A’ retail rental values in Swansea City Centre remained static at £160 per sq ft between 2004-08, Colliers recorded a recession related fall to £140 per sq ft in 2009. The latter fall in Zone A values has been experienced by other centres across the UK.
3.14 PROMIS record deals on prime Oxford Street frontages in 2008 as achieving Zone A headline rents of £155 per sq ft. However, since 2008 such rents have dropped and at the end of 2009 were reportedly closer to £130 per sq ft. Looking at the Quadrant, in 2009 headline Zone A rents of £120 per sq ft were achieved, and deals on properties in Union Street and Whitewalls suggest Zone A rental values in the order of £125 per sq ft Zone A. The new units on the site of the former House of Fraser store on Princess Way are at a headline rent of £100 per sq ft Zone A.

3.15 In contrast to the above prime values, in 2009 rental value on The Kingsway was around £30-35 per sq ft Zone A.

Pedestrian Flows

3.16 Pedestrian flow counts are conducted annually at 45 survey points across the City Centre.

3.17 Survey findings for 2009 suggest a small annual reduction in pedestrian numbers within the City Centre, in line with many other UK towns and cities. This trend in part reflects increasing competition that Swansea is facing from surrounding retail parks and other shopping centres. Fridays and Saturdays remain by far the busiest days, but the popularity of Sunday Shopping has clearly grown since 2001 and now accounts for an estimated 10% of total weekly footfall in the retail core.

3.18 Oxford Street and the Quadrant Shopping Centre remain the key areas of pedestrian activity, recording estimated weekly flows of 140,000 and 120,000 pedestrians respectively. These figures reflect the presence of the City’s largest national retailers at these locations. Strong pedestrian flows also continue to be recorded along Whitewalls (113,000) and Union Street (121,000).

3.19 Sunday pedestrian figures, available for the first time, revealed a busy centre, with recorded flows of 14,000 outside Marks & Spencer in Oxford Street and 13,000 at the eastern entrance to the Quadrant.

Key issues

3.20 The health check data illustrates that, whilst the retail core remains reasonably vital and viable, there are issues of concern. This includes the loss of A1 retail units in the retail core and a growing number of A2, and increasingly A3 units, at ground floor level. Maintaining a predominance of A1 units will therefore be an important policy goal for key streets within the core. This includes important frontages adjoining the most
prime streets, some of which have already experienced a degree of ‘dilution’ by A2 uses.

3.21 The analysis shows that the retailing offer in Swansea City Centre faces a number of challenges, including declining numbers of retail units, growth in vacancy rates, poor rental growth and declining retail sales levels. At the same time the commercial geography of the city has also evolved, including the high concentration of A3 units in the Wind Street area, a concentration of A2 units on Union Street both north and south of Oxford Street, and a growing mixed use character at The Kingsway and Castle Street.

3.22 There is ample evidence from the health check indicators that for the City Centre to remain vital, attractive and viable, and effectively perform its role as a regional shopping destination, a major “step change” is required to bring about a substantial upgrade in the amount and quality of its retail offer. The UDP makes clear that the highest priority for redevelopment in the City Centre to deliver such a step change is the St David’s/Quadrant area (Policy CC3). A comprehensive retail led mixed use regeneration scheme is proposed at this key site in order to reinforce the prime retail floor space within the City Centre and generate the required critical mass. Good progress on this proposal is being made. The Council has selected its preferred development partner and a development framework is being prepared to set out design and development requirements. At the same time proposals for redevelopment of the Parc Tawe area are also to come forward, which may provide an opportunity to “unlock” the development potential at St David’s/Quadrant.

3.23 In practice the above large scale proposals will take a number of years to deliver. In the meantime it will be a key Council objective to maintain and enhance the existing retail offer in order that the City Centre’s health does not decline further prior to this being delivered. Allied to the longer term development aims, Council policy will continue to safeguard primary retail frontages in the retail core from inappropriate and high concentrations of non-retail uses that would detract from the primary shopping role of the core area. This will help ensure that future redevelopment can be integrated with a strong retail circuit.
4. Frontages within the Retail Core

Introduction

4.1 The Council seeks to take a pragmatic approach to the application of its frontages policy for non-retail uses in the City Centre. This approach starts from the objectives set out in national policy and the UDP, namely that a concentration of non-retail uses will not be allowed to detract from the vitality, viability, diversity and attractiveness of the retail core.

4.2 The UDP defines a large City Centre retail core area by way of ‘primary shopping streets’ (as described in UDP Policy CC2 and illustrated on the UDP Proposals Map). This SPG sub-categorises the retail core area further into:
   a) most prime frontages;
   b) frontages adjoining the most prime; and
   c) other frontages in the retail core.

4.3 A plan illustrating the relative location of these frontages within the retail core is shown in Appendix B. The Council will apply a percentage based policy reflecting the nature of each frontage category. The frontage types are described further in the sections that follow, and also in Chapter 5 ‘Planning Guidance’.

4.4 The frontage types that comprise the retail core have been defined in this SPG following an appraisal of:
   • health check criteria (such as pedestrian counts, presence of national retail multiples, Zone A retail rents);
   • the character and function of the areas within the retail core;
   • the Council’s UDP adopted strategy for retail development in the City Centre; and
   • the extent of pedestrianisation and public realm improvements that the Council and its partners have implemented in order to maintain and enhance the City Centre retail offer.

a) Most prime frontages

4.5 The most prime frontages within the retail core are focused on a number of key streets in the heart of the City Centre. The pedestrianised stretch of Oxford Street includes many of the largest shop units and anchor retailers that are well established in Swansea, such as Marks and Spencer and BHS. To the south of Oxford Street lies the Quadrant covered shopping centre, which has high pedestrian flows due in large part
to its accessible location adjacent to the bus station and representation from many fashion retailers, including the Debenhams anchor store.

4.6 Linking these two areas are Union Street (south) and Whitewalls. These are high footfall, pedestrianised retail streets that provide sought after smaller units for national multiples and that wrap either side of the covered market. These two frontages perform a pivotal role in the retail core by creating a retail circuit with Oxford Street and the Quadrant.

4.7 The redevelopment of the former House of Fraser store on Princess Way was completed in September 2009. The site has been redeveloped into eight unit shops with a strong focus on national fashion retailers. This development fulfils a key role in anchoring the eastern end of Oxford Street and Princess Way and therefore also forms part of the most prime area of the City Centre.

4.8 These most prime frontages should be predominately retail at ground floor level and therefore a maximum of 10% non-retail uses will be permitted in order to maintain vitality and viability of the retail function.
b) Frontages adjoining the most prime

4.9 Adjoining the most prime frontages are a series of frontages that provide distinct and complementary retail roles.

4.10 Portland Street and Union Street (north) run northwards from the most prime area of Oxford Street, and are pedestrianised for approximately half their length. The pedestrianised extent of these frontages contain predominately retail uses but Union Street has been subject to the growth of other uses, particularly banks and building societies. Notwithstanding this, the pedestrianised section of this part of Union Street remain important retail frontages, with high footfalls and low vacancy rates. They perform the role of linking the most prime area to the Kingsway and other complementary City Centre districts to the north.

4.11 To the west of the most prime frontages, on the currently non-pedestrianised, lower end of Oxford Street, the retail offer is characterised by smaller independent retailers with a focal point around the arcades and theatre that links to the bus station. In addition, Singleton Street and the pedestrianised Nelson Street perform key roles in creating a retail circuit in this western part of the retail core. The SCCSF sets out the vision for this area as “an area of special character, with a mix of specialist small shops, cultural activity and ancillary uses, and a specific focus on an improved area around the Grand Theatre”.

4.12 To the south and east of the Quadrant Centre lies the St David’s Centre. St David’s is an open shopping development comprising a number of small unit shops that has a high level of vacancy. It is located on the south-eastern edge of the retail core close to the Quadrant but is poorly integrated with the Oxford Street area due to its configuration and layout constraints. The UDP and SCCSF identifies this as being part of the “highest priority” area for comprehensive re-development within the retail core. The Council therefore considers this location to form a key part of the City Centre’s future retail offer, wherein it will become part of the most prime area. Until then the existing St David’s Centre is more appropriately categorised as adjoining the most prime.

4.13 The frontages adjoining the most prime remain important to the retail offer, providing opportunity for smaller national and local retailers, activating frontages, creating retail circuits and, in the case of St David’s, presenting a major retail development opportunity. Within these areas a maximum of 30% non-retail uses will be permitted, which broadly reflects the current level of non-retail uses within these frontages and the Council’s desire not to see further dilution of retail below this level.
c) Other frontages in the retail core

4.14 The Kingsway runs north of, and parallel to, Oxford Street and is a mix of retail and non-retail uses. In retail terms it has become somewhat ‘off pitch’ as its role as a strategic transport thoroughfare has grown and its function as an entertainment district has become established. The SCCSF describes the Kingsway as a mixed use area with links to adjoining districts in the north of the City, including offices at Mansel Street. The SCCSF sets out the vision for this complementary area as “an important focus for the future civic, cultural and educational life of the City Centre, which will continue to develop in business and residential terms”.

4.15 A further area of change in the retail core is Castle Street, which experiences heavy traffic flows and has become a more mixed use area. It is partly allocated in the UDP for residential development.

4.16 Retail remains an important use within these areas but the Council recognises that their character is changing. As such, within these areas of the retail core a maximum of 60% non-retail uses will be permitted, which broadly reflects current levels of non-retail uses. A flexible approach will be taken when considering proposals that successfully contribute to the mixed use vision set out in the SCCSF.
5. **Planning Guidance**

**Restricting non-retail uses**

5.1 This SPG is consistent with national policy on planning for town centres and retailing, and aligns with UDP policies ECNR, CC1 and CC2.

5.2 Policies ECNR and CC2 state that non-retail uses should not be allowed to adversely impact on the vitality, viability and attractiveness of designated retail frontages, and that there is a need to maintain a critical mass of retail uses. To assist these aims, this SPG provides guidance on the percentage of non-retail uses that the Council considers appropriate within specified retail frontages. This percentage-based approach restricts the introduction of non-retail uses to defined maximum thresholds, with the strictest controls imposed on those streets closest to the most prime retail frontages. Non-retail in the context of this SPG applies to all uses outside Use Class A1 of the Town and Country Planning (Use Classes) Order 1987, as amended and applied in Wales.

5.3 It is essential to protect and enhance the retail core and avoid an inappropriate amount and type of non-retail units, particularly within the most prime frontages. This is key to protecting and enhancing important retail circuits in the City Centre.

5.4 Outside of the most prime shopping frontages in the retail core it remains important to retain an appropriate proportion of retail uses. This is particularly the case within frontages adjoining the most prime areas. Elsewhere the Council recognises that certain areas will diversify their role away from retailing by accommodating a wider range of compatible commercial and/or community uses.

5.5 In the context of the above, the Council will apply the guidance set out in the following sections.

**Non-retail uses outside A1, A2 and A3 Use Classes**

5.6 Within the defined retail core of the City Centre, as illustrated on the UDP Proposals Map (City Centre Action Area), the introduction of uses outside those covered by Use Classes A1, A2 and A3 will not be permitted at ground floor level.

5.7 In addition, on sites where the existing use is contrary to this policy, any proposal for a change to a use outside of Classes A1, A2 and A3 will be resisted.
A2 and A3 Use Classes

5.8 A limit to the proportion of units and overall length of frontage in Classes A2 and A3 use will be applied, in order to maintain the vitality and viability of particular streets and the City Centre as a whole. Class A2 or A3 uses will not be permitted where such a use would overwhelm the retail character and function of a retail core frontage or where the use would isolate a significant retail facility from the key shopping frontages.

5.9 The paragraphs below highlight three categories of frontage and the different maximum percentage thresholds that will be applied within these to limit A2 and A3 uses. The extent of each frontage within the retail core is illustrated in Appendix B.

Most prime retail frontages

Class A2 and A3 uses will normally be permitted within the frontages indicated below subject to such uses not exceeding a maximum of **10% of the number of units and not exceeding 10% of the total frontage length**:

- Oxford Street (central and upper)
- Princess Way (south)
- Whitewalls
- Union Street (south)
- Quadrant Shopping Centre (frontages within enclosed part of shopping centre only)

Additionally, within the ‘most prime retail frontages’, **no two A2 or A3 units should lie adjacent to each other**.

Frontages adjoining the most prime

Class A2 and A3 uses will normally be permitted within the frontages identified below subject to such uses not exceeding a maximum of **30% of the total number of units and not exceeding 30% of the total frontage length**:

- Oxford Street (lower)
- Plymouth Street
- Singleton Street
- Picton Arcade
- Shoppers Walk Arcade
• Nelson Street
• Union Street (north)
• Portland Street (south)
• Princess Way (north)
• St David’s Shopping Centre

Other retail core frontages
Class A2 and A3 will normally be permitted within the frontages indicated below subject to such uses not exceeding a maximum of 60% of the number of units and not exceeding 60% of the total frontage length:

- The Kingsway
- Park Street
- Castle Street
- Portland Street (north)
- Union Street (north)
- Temple Street

5.10 The thresholds set out above are designed to provide clear guidance to applicants and clarify the Council’s approach to non-retail uses in the retail core. The Council will however adopt a flexible and pragmatic approach within this broad context, which will in certain cases allow a deviation from the figures. This will only be appropriate in exceptional circumstances and the applicant must clearly demonstrate the proposed A2 or A3 use would: generate footfall akin to a retail use; bring increased vitality to the area; positively enhance the relevant frontage by virtue of its design; and satisfactorily address the criteria set out in UDP Policy ECNR. Examples could include a retail orientated bank or coffee shop that incorporates a high quality, street focused shopfront, which the LPA considers to be as equally appealing within the streetscene as a retail use of the premises.

5.11 This flexible approach equally extends to circumstances where it may be appropriate to retain a higher proportion of retail shops than the minimum thresholds indicated in this SPG. This will only apply in exceptional circumstances where maintaining a retail use at a particular unit is considered an overriding concern, based on the contribution that the unit makes to a street or frontage. This will depend on factors such as: the character of the frontage; the function of the street; and the nature of the unit itself. For instance, where a retail unit is highly prominent, important to maintaining a retail circuit, or otherwise considered key to
Residential use on upper floors above ground floor commercial, Swansea City Centre
maintaining the future viability of the retail core, it will be particularly im-
portant to maintain an A1 shop use. The Council will take account of all these factors when applying the guidance set out in this SPG.

5.12 The term ‘total frontage length’ in paragraph 5.9 refers to the sum total of the lengths of all frontages within a particular street. As such, where there is more than one frontage in the street identified on the plan (see Appendix B), a combined measurement of the distance of each will be required in order to calculate the proportion of non-retail uses within the ‘total frontage length’.

5.13 In some instances at corner locations and intersecting streets it will not be appropriate to include an entire shop front of a property for the purpose of a calculation. This is particularly the case where a unit has a lengthy return along an intersecting street that cannot reasonably be considered part of the frontage in question. The extent of each frontage for the purpose of such calculations is illustrated in Appendix B, which also provides a guide on how to undertake the assessment.

5.14 There will be instances when the minimum thresholds specified have already been undermined within certain frontages, due to the effect of incremental use class changes that have occurred. In these circumstances the thresholds should be seen as an aspiration to ultimately re-dress the existence of a diluted frontage, and as such further erosion by proposed non-retail uses will not normally be permitted.

Other guidance

5.15 Outside the defined retail core of the City Centre, Class A1 units can still remain an important part of the character and function of an area or street. Within these outlying areas of the City Centre appropriate non-retail commercial uses, which may include Classes A2, A3, C1 (Hotels) and D1 (Non residential institutions), will be permitted, subject to such uses not unacceptably fragmenting ground floor frontages or having a deadening effect.

5.16 Within the ‘most prime retail frontages’ and ‘frontages adjoining the most prime’, it is particularly important that non-retail uses maintain the life and vitality of the commercial street scene by retaining an active ground floor frontage, and an attractive and lively display window. Any change of use from Class A1 within these frontages will normally be required to retain the retail appearance of the property.
5.17 There will be a presumption against proposals to establish further amusement centres within the City Centre retail core.

5.18 Above ground floor level within the retail core, residential use and uses within Classes A1, A2, A3, B1 (Business), and D1 (Non residential institutions) are generally encouraged, subject to the suitability of the application site and any adjoining premises. Change of use proposals at upper floors from a residential use to a commercial use will not normally be supported where the existing residential use is not already adjacent to a commercial use. This approach is consistent with UDP policy (Policy HC8 ‘Over the Shop Housing’ refers) and national guidance aimed at retaining the amount of residential accommodation in the County at sustainable, brownfield locations. Such an approach also serves to support the commercial facilities and supporting services within the City Centre, and ultimately helps to sustain vitality and viability. Planning applications for change of use at upper floors to commercial uses will be resisted if levels of acoustic insulation would not be sufficiently effective to protect the amenities of residents in adjoining rooms/buildings.

5.19 Information regarding opening hours must be submitted to the LPA to support relevant proposals in order that a robust assessment of the impact of the development is undertaken, particularly in terms of understanding likely generated footfall, patterns of pedestrian movement and impact on amenity. The opening times of establishments will be controlled where appropriate in order to mitigate any adverse effects upon the enjoyment and amenity of nearby residential properties and businesses. Where necessary opening hours will be controlled by means of planning conditions, the nature of which will depend upon the use proposed, its location and the characteristics of surrounding properties.

5.20 The possibility of a premises lying unoccupied for an extended period will be a material consideration in determining the suitability of a proposed use class change. The LPA will balance concerns about the incremental loss of retail units with the desire to avoid excessive, long-standing vacancy levels that can have an adverse impact on attractiveness of the City Centre. Where a unit has already been vacant for some time, proposals for use class changes to non-retail uses will need to be supported by suitable evidence to demonstrate the extent of marketing that has been carried out to secure a retail occupier. Marketing and advertising should normally be for a minimum of 12 months and be of a nature that is reasonably likely to reach potentially interested occupiers. If appropriate the Council may request an independent retail agents report on the lettability of a unit. Similarly, marketing evidence will also be required in instances where a unit is currently occu-
pied by a retail use but the applicant proposes to change the use class on the grounds the existing business will cease trading and it is argued another retail occupier cannot be found.

5.21 In some instances conditions will be attached to a planning permission to restrict future trading to the particular use proposed and prevent an alternative use in the same Use Class. For example, a condition might restrict a restaurant or café from operating as a hot food takeaway establishment or wine bar, if the additional noise and nuisance to arise from these uses are considered likely to have an unacceptable impact. Planning conditions may also be used to secure other controls and improvements in the operation of A3 uses and mitigate potentially un-neighbourly effects. Where appropriate this will include requiring the provision of appropriate litter bins in or near the premises and the installation of appropriate filtration equipment to reduce cooking smells.
Appendix A

The Town and Country Planning (Use Classes) Order 1987
(as amended)

SCHEDULE

PART A

Class A1. Shops

Use for all or any of the following purposes:-
(a) for the retail sale of goods other than hot food.
(b) as a post office.
(c) for the sale of tickets or as a travel agency.
(d) for the sale of sandwiches or other cold food for consumption off the premises.
(e) for hairdressing.
(f) for the direction of funerals.
(g) for the display of goods for sale.
(h) for the hiring out of domestic or personal goods or articles.
(i) for the reception of goods to be washed, cleaned or repaired.
Where the sale, display or service is to visiting members of the public.

Class A2. Financial and Professional Services

Use for the provision of:
(a) financial services, or
(b) professional services (other than health or medical services), or
(c) any other services (including use as a betting office) which it is appropriate to provide in a shopping area.
Where the services are provided principally to visiting members of the public.

Class A3. Food and Drink

Use for the sale of food or drink for consumption on the premises or of hot food for consumption off the premises.
PART B

Class B1. Business
Use for all or any of the following purposes:-

   (a) as an office other than a use within Class A2 (Financial and Professional Services).
   (b) for research and development of products or processes, or
   (c) for any industrial process.
   Being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

Class B2. General Industrial
Use for the carrying on of an industrial process other than one falling within class B1 above.

PART C

Class C1. Hotels and Hostels
Use as a hotel, boarding or guesthouse or as a hostel where, in each case, no significant element of care is provided.

Class C2. Residential Institutions
Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling house)).
Use as a hospital or nursing home.
Use as a residential school, college or training centre.
Use as a dwelling house (whether or not as sole or main residence):–

   (a) by a single person or by people living together as a family, or
   (b) household where care is provided for residents.

Class C2A. Secure residential institutions
Use for the provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short-term holding centre, secure hospital, secure local authority accommodation or use as military barracks.
PART D

Class D1. Non-residential institutions

Any use not including a residential use:-

(a) for the provision of any medical or health services except the use of premises attached to the residence of the consultant or practitioner,
(b) as a crèche, day nursery or day centre,
(c) for the provision of education,
(d) for the display of works of art (otherwise than for sale or hire),
(e) as a museum,
(f) as a public library or public reading room,
(g) as a public hall or exhibition hall,
(h) for, or in connection with public worship or religious instruction
(i) as a law court.
Appendix B

Frontages in the Retail Core

The figure overpage illustrates the relative location of the three types of frontage that comprise the retail core, as described in Chapter 5.

The methodology for calculating the proportion of units with a non-retail use, expressed as a percentage of all units within a particular frontage (or group of frontages), is set out below.

Measurements should provide figures for both ‘before development’ and ‘after development’ to illustrate the change. The calculations should provide a proportional figure based on:

- the number of A1 units as a percentage of the total number of all units within the frontage(s) identified, and
- a measurement of A1 unit frontage length as a percentage of the total frontage length in question.

Both these figures, i.e. based on number of units and frontage length, will be taken into account in determining the suitability of a proposed change to non-retail use. The illustration below provides an example of how to do the calculations for a single frontage:

- Non retail units

Number of A1 retail units = 22 (i.e. 7 non-retail)
Total number of units in frontage = 29
Calculation to ascertain % of A1 shops based on unit number: 22 / 29 X 100 = 75.9% (i.e. 24.1% non-retail)

Actual frontage length of all A1 units combined = 78.5m
Total frontage length = 104.2
Calculation to ascertain % of A1 shops based on frontage length: 78.5 / 104.2 X 100 = 75.3% (i.e. 24.7% non retail)
Appendix C

TAN 4 Assessment Criteria

The following information is set out in TAN 4 as being of value in measuring vitality, attractiveness and viability of town centres:

- **turnover in relation to floor space**: turnover figures vary greatly and can be of assistance as an indication of the relative activity of different shopping areas and centres;

- **commercial yield on non-domestic property**: (i.e. the capital value in relation to the expected market rental) may be of assistance in demonstrating the confidence of investors in the long-term profitability of the centre;

- **shopping rents**: pattern of movement in primary shopping area rents (i.e. the frontage which attracts the highest rental value);

- **retailer representation and change**: present representation and demand from retailers wanting to come into the town, or to change their representation in the town, or to contract or close their representation;

- **the diversity of uses**: how much space is in use for different functions such as: offices; shopping; commercial; cultural and entertainment activities; restaurants; hotels; educational uses; housing, and how that balance has been changing;

- **accessibility**: the ease and convenience of access by a choice of means of travel, including the quality, quantity and type of car parking, the availability of public transport services and the quality of provision for pedestrians and cyclists;

- **pedestrian flow**: the numbers and movement of people on the streets, in different parts of the centre at different times of the day and evening, and changes over time;

- **the proportion of vacant street level property**: vacancies can arise even in the strongest town centres, and this indicator must be used with care;

- **customer views**: regular surveys of customer views will assist authorities in monitoring and evaluating the effectiveness of town centre improvements and of town centre management;

- **environmental quality**: this should include information on air quality, noise, trees, landscaping, open spaces, litter and graffiti;

- **perception of safety/occurrence of crime**: this should include information on safety and security.