

# Llanelli Town Centre Local Development Order

Annual Report 2021-2022

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## 1.0 Introduction

### Background and Purpose

1.1 A ‘Town Centre Task Force’ was established by Carmarthenshire County Council with a view to overseeing the regeneration of Llanelli Town Centre. A key issue that the Task Force has been seeking to address is the number of vacant retail units in the town centre. Consideration was given to the potential contribution that a shift in planning policy could make to facilitating investment and helping in incentivising development.

1.2 The Llanelli Town Centre Local Development Order (Llanelli TC LDO) acknowledges a shifting role for Llanelli Town Centre to that of a destination and living environment as well as a retail centre. It seeks to introduce a permissive planning regime that would allow specified changes of use to take place without the applicant having to apply for planning permission.

1.3 Having been through a public consultation, the Llanelli TC was approved (adopted) by Carmarthenshire County Council. The Llanelli TC LDO was launched in February 2019.

1.4 The Llanelli TC LDO was active for a period of three years from its adoption. Development that commences while the Llanelli TC LDO is in effect may be completed and/or continued after this three-year period. Once the Llanelli TC LDO has expired, however, no new changes of use will be allowed under its terms without conventional planning permission. The ‘3 year period’ is from February 1 2019 to 28 February 2022. A public notice (dated 2 February 2022) confirmed that the 3 year period was at an end at that the LPA would not be taking any further applications for certificates of conformity after 23:59 on 28 February 2022.

1.5 The Llanelli TC LDO grants *conditional* planning permission for specified uses in ground and upper-floor units. It is envisaged that the Llanelli TC LDO, in permitting a wide range of compatible uses, will help to increase occupancy levels and footfall in the town centre. The Llanelli TC LDO does not grant approval for external works.

1.6 The Llanelli TC LDO is subject to a two-stage process – mainly in recognition of the other regulatory regimes that may be relevant outside of planning permission – eg building regulations approval. Proposals cannot commence until a Commencement Notice Approval is issued by the Council, irrespective of whether a Certificate of Conformity has been issued. A Certificate of Conformity will last for 3 years and should the proposal not commence before the end of that period then it will lapse. In terms of policy alignment to the Llanelli TC LDO, it can be considered that the main measure of alignment and success of the Llanelli TC LDO in planning policy terms is at the Certificate of Conformity stage. The fee is £90.00, which is payable at Certificate of Conformity stage. [More information is available on this webpage.](#)

#### Requirement to produce Annual Monitoring Reports

1.7 The Welsh Government doesn't prescribe the format by which Local Authorities should prepare monitoring reports for Local Development Orders (LDOs). However, the circular 'Local Development Orders: Guidance for Local Planning Authorities (circular 003/2012)' does provide some general guidance on the content of such reports and where they should be published. The circular states that reports should be published in accordance with section 76 of the Planning and Compulsory Purchase Act 2004 and should form part of a Local Planning Authority's (LPA)'s Annual Planning Performance Report.

1.8 Of note within the circular is this extract from paragraph 1.27 *“LPAs will also be obliged to report each year to the Welsh Government on the extent to which it is achieving its purpose as part of the Annual Monitoring Report. The form and content of the report as it relates to LDOs has not been prescribed but is left to the reasonable discretion of LPAs”.*

1.9 Also reference is given to paragraph 2.20 of the circular : *“LPAs will be required (Schedule 4A, para 5) to prepare an Annual Report on the extent to which any adopted LDO is achieving its purpose. This will form part of the annual monitoring report required to be published under section 76 of the 2004 Act. It is not intended to prescribe the form and content of the report, but it should consider how successful the LDO has been in securing improvements to development management in the context of the Statement of Reasons. In particular, the report could address benefits arising to stakeholders, the effects of development on the environment, and matters relating to developer performance under the LDO.”*

#### Monitoring Period for this Report

1.10 A 2019-2020 Llanelli TC LDO Monitoring Report was produced previously which covered the monitoring period 1 February 2019 to 31 December 2020. This Report was sent to all of the recipients listed on the Llanelli TC LDO notification list and the Llanelli Town Centre Task Force secretariat, together with the Welsh Government’s Planning Department. [The 2019-2020 Report is available on this webpage.](#)

1.11 This second Annual Report (2021-2022) will cover monitoring period 2 (i.e. January 1 2021 to February 28 2022). It will be published in the same way as the 2020-2021 report (see paragraph 1.10 above). Whilst not formally inviting comments on the content of this Report, the Council would be happy to receive any feedback and as such any comments should be sent to

[forward.planning@carmarthenshire.gov.uk](mailto:forward.planning@carmarthenshire.gov.uk).

1.12 [This 2021-2022 Report is also available on this webpage.](#)

## 2.0. Monitoring Indicators and Results

2.1 The below is extracted from Paragraph 1.4 of the Llanelli TC LDO (and is also set out in paragraph 2.6 within the Statement of Reasons): “ *After three years, the LDO will be considered a success if two or more of the following changes have occurred in the LDO area:*

- *Five or more vacant ground-floor units have been issued with Certificates of Conformity;*
- *Annual footfall has increased within the LDO area;*
- *The number of vacant ground-floor units has decreased within the LDO area;*
- *Three or more upper floor vacant units have been issued with Certificates of Conformity– this includes flats and residential uses – use class C3”*

Ground floor units ([Information Source: Planning Department](#)).

2.2 In regards the number of **vacant ground-floor** units that have been issued with Certificates of Conformity, the Council issued 7 Certificates of Conformity in monitoring period 1 (i.e. 2019-2020) with 5 of these having a ground floor focus (it is understood that 4 of these 5 were vacant at the time). In monitoring period 2 (i.e. 2021-2022), a further 5 Certificates of Conformity have been issued – with 2 of these having a ground floor focus (both were understood to be vacant at the time). The application references within monitoring period 2 are: PL/01557 and PL/01759. Reference should be made to paragraph 2.10 of this Report as 1 application under planning reference PL/03229 had a mix of upper and lower floor proposals.

Footfall figures (Information Source: Footfall Counters).

2.3 In regards **footfall**, it should be noted there are counters placed at Vaughan Street, Stepney Street West and Stepney Street East. The total footfall data is based on volume rather than numbers of individual persons visiting the town centre.

Percentages comparisons are provided. Regard should be made to Annual Report 1 and the clear impact that Covid-19 has had on footfall.

2.4 To provide an 'up to date' analysis in terms of footfall within monitoring period 2 (and to review the festive period), it can be noted that the footfall in December 2021 was up 10.9% from December 2020. December 2021 footfall was 26.32% lower than December 2019 and 23.96% lower than December 2018. Again results must take into account Covid-19 matters.

2.5 The total annual footfall for the period starting January 2021 to end December 2021 was 4.1% higher than for January 2020 to December 2020. January 2021 to December 2021 was 30.25% lower than January 2019 to December 2019 and 30.89% lower than January 2018 to December 2018. Again results must take into account Covid-19 matters.

2.6 The above data is intended to provide a guide and should be read with the awareness of the wider work and efforts of the Town Centre Task Force and the Business Improvement District (BID) / Ymlaen Llanelli. The work done in terms of organising events etc in the Town Centre is noted and in this regard the Llanelli TC LDO should be seen as part of a wider package of interventions.

2.7 Unfortunately, due to the impact of Covid-19, there are limitations upon the degree to which figures can be used for comparison from 2019 to 2022.

Vacant Units (Information Source: Planning Department).

2.8 In regards **vacant units**, [reference is made to the Carmarthenshire Town Centre Retail Audits on this webpage](#). These represent the best available data for vacancy levels within Llanelli Town Centre, albeit the study area is a larger area than the Llanelli TC LDO Area itself (i.e. it is based on the Town Centre boundary as set out within the LDP). With regards, Llanelli – notable analysis is as follows. (Note - figures rounded). \*Note there was a clerical error with the information published in the 2019-2020 Annual Report – notably the number of units within the LDO Area.\*

- March 2018 : number of units in the study area: 390, 15 % vacant.
- March 2019 : number of units in the study area: 389, 16% vacant.
- March 2020 number of units in the study area: 391, 18% vacant.
- September 2020 : number of units in the study area: 391, 22% vacant.
- December 2020 : number of units in study area: 387, 22% vacant.
- March 2021 (site visit in July 2021) : number of units in the study area: 386, 21 % vacant.
- September 2021: number of units in the study area: 386, 20 % vacant.
- March 2022: number of units in the study area: 387, 19% vacant.

2.9 Further to the above, an officer analysis has been undertaken on the Llanelli TC LDO area itself. The results are set out below. (Note - figures rounded).

- March 2018 : number of units in the study area: 172, 20 % vacant.
- March 2019 : number of units in the study area: 172, 20% vacant.
- March 2020 : number of units in the study area: 172, 24% vacant.
- September 2020: number of units in the study area: 172, 33% vacant.
- December 2020 : number of units in study area: 168, 32% vacant.

- March 2021 (site visit in July 2021) : number of units in the study area: 167, 30% vacant.
- September 2021: number of units in the study area: 167, 31 % vacant.
- March 2022: number of units in the study area: 167, 27% vacant.

Upper Floor Units ([Information Source: Planning Department](#)).

2.10 In regards upper floor vacant units that have been issued with Certificates of Conformity, a total of 7 Certificates of Conformity were issued in monitoring period 1. 2 of these had an upper floor residential focus and it is understood that the 2 were vacant at the time. Within monitoring period 2, a further 5 have been issued with Certificates of Conformity. 3 of these had a residential upper component and it is understood that the 3 were vacant at the time. The references are: PL/03078 and PL/03075. Also, PL/03229 is a multi-floor mixed use scheme.

## 3.0 Conclusions and lessons learned

### Marketing

3.1 One of the key elements that required improvement is marketing/awareness raising of the Llanelli TC LDO. It is not considered that this should be done in isolation by the LPA.

### 'One team' approach

3.2 Internally for the Council, the development and rolling out of the Llanelli TC LDO has required a one-team approach in terms of Forward Planning, Information Management, Development Management and Regeneration. An area based approach (Llanelli) as opposed to a section / departmental based approach, has allowed for this to happen.

### Limitations

3.3 Limitations on the usage of the Llanelli TC LDO (particularly in terms of upper floor residential) can include financial viability and ownership of units. Furthermore, the Llanelli TC LDO only allows internal changes of use and does not waiver the requirement to obtain 'non planning' related consents.

### Lessons Learned

3.4 In terms of statistics, of the 5 Commencement Notice Approvals issued since the LDO started in 2019, it is understood that all 5 have been enacted (albeit 44 Stepney Street appears to be vacant at present). It should be noted that whilst the LPA is not taking any new applications for Certificates of Conformity since 28/2/22, those with existing Certificates of Conformity but have not yet been issued with a Commencement Notice Approval can still apply for Commencement Notice Approval subject to meeting the requirements set out in the Certificate of Conformity.

3.5 Developing the Llanelli TC LDO has allowed for the Council to consider the introduction of LDOs in Carmarthen and Ammanford Town Centres also. The lessons learned are invaluable given the relatively limited number of LDOs in place across Wales.

#### Recommendations and Next Steps

3.6 There was no justification for revoking the Llanelli TC LDO and it has continued to be in place for the full 3 years. A public notice (dated 2 February 2022) confirmed that the 3 year period was at an end at that the LPA would not be taking any new applications for certificates of conformity after 23:59 on 28 February 2022.

3.7 In noting the corporate emphasis on regenerating Llanelli Town Centre, the Council will be looking at options in terms of a possible review of the LDO, particularly in light of the Welsh Government's consultation on permitted development rights – notably in terms of Town Centres. The Council's Regeneration Masterplan for Llanelli town centre is also noted. The position in respect of the flood risk, notably in the form of a proposed new Technical Advice Note 15 – is also being monitored.