

Anglesey Council

Mr Lewis

Jim Woodcock, Head of Planning Service, has asked me to respond to your request for information on public convenience provision on Anglesey. At the present time we have adopted Supplementary Planning Guidance on Planning Obligations which includes provisions for new public conveniences. I have attached the SPG to this email.

On page 8 under the topic of provision for sustainable economy a developer contribution is stipulated for public conveniences when the aim is to ensure that there are adequate facilities for shoppers and tourists. This obligation is linked to policy EN15 in the Stopped UDP (2005) which states: "Projects which improve and enhance the local environment will be permitted". The justification for this policy is that "the quality of the local environment, and the restoration and the enhancement of important local features is an important role for the plan." This is the only reference to public conveniences that I can find.

I have contacted our development control section to establish whether this obligation has ever been exercised. If I receive any further information I will contact you again.

Nicholas Philip Williams



Supplementary Planning Guidance

PLANNING OBLIGATIONS (SECTION 106 AGREEMENTS)

**J.R. WOODCOCK MRTPI
Head of Planning Service
Isle of Anglesey County Council**

**Supplementary Planning Guidance – Planning Obligations (Section 106 Agreements)
Adopted by the Isle of Anglesey County Council on 4th March 2008**

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1.0 Background

- 1.1 The County Council has produced a series of Supplementary Planning Guidance (SPG) documents to be used in the decision making process of planning applications. Following the Planning and Compulsory Purchase Act 2004 there is now a requirement to produce a Local Development Plan (LDP). The new plan will be more streamlined than its predecessor, the Unitary Development Plan (UDP). Therefore, SPGs will provide greater levels of detail and guidance on key planning issues.
- 1.2 The development plan for Anglesey consists of the adopted Gwynedd Structure Plan (1993) and the Ynys Môn Local Plan (1996). Significant weight is also given to policies within the Stopped Ynys Môn Unitary Development Plan (2005) as this plan has been subject to Inquiry and Inspector's recommendations.
- 1.3 Guidance in Planning Policy Wales (2002) specifies that the content of the SPG must be consistent with the development plan. The SPG forms a material consideration in decision making as it supports and supplements the main policies and proposals of the plan.

2.0 Introduction

- 2.1 This Supplementary Planning Guidance (SPG) document sets out the circumstances and actions required by developers when they enter into a planning obligation (also known as a Section 106 agreement). By providing this advice, it is intended to make the process of negotiating, agreeing and monitoring a planning obligation fair and transparent to all participants in the planning system.
- 2.2 Planning obligations are legal agreements between a developer, landowner and the Local Planning Authority (LPA), and any other parties that have an interest in a site subject to an application. In some cases, the LPA may enter into an agreement because it involves matters under their control, such as highways. Developers can also enter into a voluntary legal agreement to carry out works and these are known as 'unilateral undertakings'.
- 2.3 One of the purposes of planning obligations is to ensure that any new development that takes place does not put a strain on existing services and facilities such as roads, open space or other community facilities and services. They are usually negotiated in the context of a planning application and are used when planning conditions are not suitable or could not deliver the particular requirement.

- 2.4 Planning obligations can require the developer to do something, or can restrict what can take place on the land following the granting of planning permission.
- 2.5 The power to enter into a planning obligation is contained in section 106 of the Town and Country Planning Act 1990 as substituted by the Planning and Compensation Act 1991. Circular WO 13/97 gives guidance to the proper use of planning obligations in Wales and further background advice is given in Planning Policy Wales (2002).

3.0 Types of obligation

- 3.1 **Unilateral** – A planning obligation can be entered into unilaterally by a developer where only the developer needs to be bound by the undertaking. With such undertakings there is no specific obligation on the LPA and therefore they will not be party to signing the undertakings. These undertakings will be entered into before the granting of planning permission and, where possible, the LPA will encourage such undertakings to speed up the planning process.
- 3.2 **Bilateral** – It will be more usual for the developer and the LPA to enter into early negotiations on an agreement which will be finalised before planning permission has been granted. Such agreements will be an obligation on both parties to implement and are therefore referred to as bilateral agreements.

4.0 Use of planning obligations

- 4.1 “Planning obligations are useful arrangements to overcome obstacles which may otherwise prevent planning permission from being granted. Contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable” (Welsh Assembly Government, 2002).
- 4.2 Government policy gives a clear set of rules which planning obligations must meet. They must:
- **Be necessary (this means that without the planning obligation there would be sufficient reason to refuse planning permission)**
 - **Be relevant to planning and the land to which they relate**
 - **Relate directly to the proposed development**
 - **Be fairly and reasonably related in scale and kind to the proposed development**
 - **Be reasonable in all other respects**

4.3 Planning obligations must be related to the development and cannot be used to 'purchase' a planning permission. Planning obligations should only be sought where they are necessary to make a proposal acceptable in land use planning terms. They may be used to help resolve an existing problem if the proposed development would make things worse.

4.4 The LPA will seek to negotiate obligations on individual planning applications that:

- **Restrict development or use of land**
- **Require operations or activities to be carried out**
- **Require land to be used in a specific way**
- **Require payments to be made to the LPA either in a single sum or periodically**

5.0 Contributions

5.1 Different types of contributions will be expected. These are commonly referred to as 'planning gain' and can include:

- **In kind and financial contributions**
- **One off payments and phased payments**
- **Maintenance payments**
- **Pooled contributions – pooling money across more than one development or area e.g. to provide essential infrastructure**

6.0 Policy basis

6.1 The LPA's use of planning gain should be grounded in its planning policy. This should explain the LPA's high level objectives which help achieve the Council's vision for the area. The guidance should cover:

- **Situations where obligations will be sought**
- **The range and type of infrastructure where contributions will be sought**
- **The type of contribution sought**

7.0 LPA priorities

7.1 The LPA's broad priorities for developer contributions are set out in the Corporate Improvement Plan:

- **Improving quality of life**
- **Revitalising communities**
- **Enhancing opportunities for people to develop**
- **Improving the level of service provided by the Council**

7.2 Each planning obligation will vary from development to development. Mitigation measures will be unique and site specific. Two similar applications may be bound by a different set of obligations, depending on individual circumstances.

7.3 However, as a general rule, similar types of development are likely to have similar conditions attached to a planning consent. Guidance on what types of obligations are likely to be imposed on different developments is provided further on in this document.

7.4 In most instances developers should be prepared to seek agreements with the LPA to overcome any planning constraints. A list of possible obligations, which is not exhaustive, but gives an applicant/developer an indication of what kind of obligation will be sought and the planning aims behind seeking an obligation, is provided.

8.0 Table of Planning Aims

Topic	Planning Aims	Developer Contribution	Policy
Provision for local communities	Provide housing which meets the needs of the whole community	Affordable housing	HP7 (UDP)
	Support and enhance local culture and heritage	Renovation of buildings of architectural, historic or cultural merit	EN13 (UDP)
		Welsh language training	SP5 (GSP)
		Public art	F8 (GSP) TO13 (UDP)
	Ensure that current community facilities are available	New community facilities or enhancement and maintenance of existing facilities	F8 (GSP)
Provision for sustainable transport	Reduce the need to travel	Improvements to cycling, pedestrian routes and public transport	TR4 (UDP)
	Support alternatives to private car	Arrangements for car clubs	GP1 (UDP)
		Parking measures	TR10 (UDP)
	Provide adequate transport infrastructure	Road improvements Public Transport Transport Interchanger	TR3 (UDP)
	Promote social inclusion & street vitality	Improvements to signage and street furniture	EN15 (UDP)

Topic	Planning Aims	Developer Contribution	Policy
Provision for sustainable economy	Support new and existing enterprises	School facilities	F7 (GSP)
		Access to broadband	46 (YMLP)
	Enable local people to benefit from job opportunities	Skills and training	B1 (GSP)
		Nurseries related to need of local workforce	CC1 (UDP)
Provision of facilities for shoppers and tourists	Public conveniences	EN15 (UDP)	
Provision of opportunities to improve health and well-being (open space)	Increase public access to public and private open space	Maintenance of new areas of open space	EN15 (UDP)
		Enhancement of existing areas	EN15 (UDP)
		Access improvements	EN15 (UDP)
		Allotment space	EN15 (UDP)
Provision of opportunities to improve biodiversity	Protect and enhance the natural environment	New natural habitats	EN4 (UDP)
		Protect and enhance habitats	EN4 (UDP)
	Integrate biodiversity throughout the design of new development	Landscaping to support biodiversity	EN4 (UDP)
Provision of better places	Meet good design standards	CCTV, street lighting and road safety schemes	EN15 (UDP)
		Specialist cleaning services	EN15 (UDP)
	Reducing the incidence of crime and fear of crime	Wardening services	EN15 (UDP)
		Town centre management	EN15 (UDP)

Topic	Planning Aims	Developer Contribution	Policy
Provision for sustainable infrastructure	Reduce demand for potable water	New drainage systems and improvements to existing ones	EN15 (UDP)
	Reduce the risk of flooding	Sustainable Drainage Systems Flood attenuation	SG2 (UDP)
	Reduce demand for energy	Higher standard of sustainable construction	SG2 (UDP)
	Increase the proportion of renewable energy	Renewable energy technologies	45 (YMLP)
Provision for sustainable resources	Encourage use of local/sustainably sourced materials	Refuse storage and collection	29 (YMLP)
		Recycling facilities	MP10 (UDP)
	Minimise environmental impacts	Local energy schemes	45 (YMLP)
		Coed Cymru	EN15 (UDP)

N.B. This table makes use of recently issued WAG/WLGA guidance for delivering sustainable development through the planning system.

8.1 Judgments will be made by the LPA as to whether planning objectives can be achieved by planning conditions or whether a legal agreement will be required. Circumstances will vary according to the exact nature of the development and its location.

8.2 It may be necessary to seek contributions not listed above where the need arises. In the case of major individual sites suitable for redevelopment, any planning obligation deemed necessary may be set out in planning briefs.

9.0 Procedures for negotiating, preparing and completing a planning obligation

9.1 Developers are encouraged to discuss their proposals with the LPA before submitting planning applications. These discussions will include whether there is any need for planning obligations and the likely requirements. The developer may need to undertake consultation with the local community and other interested parties before submitting an application.

- 9.2 Where pre-application discussions do not occur negotiations will take place as soon as possible after the planning application has been submitted. It is advisable that landowners take legal advice before anyone enters into a planning obligation.
- 9.3 The case officer will be the main point of contact for negotiations. It will be the officer's responsibility to discuss with other services and with other officers any specific service requirements. The case officer will normally conduct all negotiations unless specialist input is required e.g. planning consultants, legal representation, etc.
- 9.4 The Head of the Planning Service has delegated powers but if an application is to be decided by the Planning and Orders Committee it should normally be the case that an understanding in principle on the substantive financial contribution and heads of agreement should be made before the application is reported to committee. The Council's Legal Service will normally only be instructed to draw up the planning obligation once a resolution to grant planning permission has been made by the Planning Committee.
- 9.5 The Council's legal service will require two items from the applicant's agent or solicitor:
- **Details of the title to the land to include information as to everyone with an interest in the land. Everyone with such an interest will be required to enter into the planning obligation.**
 - **Agreement of the landowner/developer to meet the Council's reasonable legal costs in connection with preparation of the agreement, whether or not the agreement is completed. The payment is a reimbursement of costs incurred. VAT is not payable on these costs. Details of these legal costs are available on request and are reviewed yearly.**
- 9.6 When the planning obligation is finalised all relevant parties must sign the document. The decision notice granting planning permission will only be released when the agreement has been completed.
- 9.7 A copy of the completed planning obligation will be placed on the Council's public planning register. The Council will seek to deal with planning obligations as expeditiously as possible. In the case of certain obligations (e.g. affordable housing) the Council has prepared a standard obligation agreement which should speed up the process.

10.0 Procedures table

10.1 If the planning obligation is not completed within an acceptable period, the planning application may be refused. The procedures are summarised in the table below.

Stage	Actions	Responsibility
Pre-application	Applicant to consider relevant development plans and this SPG prior to submitting an application and submit proposals.	Applicant
	Need for planning obligations established and applicant informed.	Case Officer (If possible)
Committee Consideration	Consider application. If proposal acceptable grant permission subject to completion of planning obligations.	Committee
Formal consideration of planning application	Standard letters sent to applicants e.g. title information	Legal Service
	Agreed heads of terms to be included in committee report	Applicant / Case Officer/ Legal
Resolution to grant	Time frame for completion imposed	Committee
Preparing the planning obligations	Draft obligations sent to applicant's solicitors for consideration.	Legal Service
	Further negotiation meeting held if necessary including ensuring all financial and title matters are in order.	Applicant / Case Officer / Legal Service

Stage	Actions	Responsibility
Post legal agreement completion	LEGAL AGREEMENT COMPLETION	Legal Service
	Copy of legal agreement to applicant's solicitor.	Legal Service
	Copy sent to Legal Agreements Monitoring Officer and other officers as necessary.	Legal Service
	Statutory Register updated to show that permission has been granted. Copy of section 106 placed on register.	LPA
	Agreements and consents registered as local land charges.	Legal Service
	Agreement registered as a charge against the title at HM Land Register.	Applicants
	Monitoring	Details of agreement including clauses and triggers recorded on database.
Implementation of planning permissions monitored.		Enforcement Officer
Fulfillment of applicant's and LPA's obligations monitored and recorded on database. Compliance enforced as necessary.		Enforcement Officer

11.0 Content of a planning obligation

11.1 A valid planning obligation must include:

- **Identification of the land involved**
- **Identification of the person entering into the agreement and their interest in the land**
- **Identification of the authority who will enforce the obligation**

11.2 The planning obligation will also include:

- **Description of the development**
- **The type and amount of obligations the developer has agreed to. This may be in the form of actual works or financial contributions**
- **A trigger for when the benefits should be provided and, in the case of payments, indexation of the payment down to the date of payment**
- **If financial requirements are provided the agreement may state a time limit within which the money should be spent**
- **Definitions of terms used within the agreement**
- **Provision for legal costs of drafting the agreement to be met**
- **Provision for any significant monitoring costs**

12.0 Implementing, monitoring and enforcement

12.1 Because planning obligations run with the land, the legal agreements containing planning obligations are registered as local land charges. If land is subject to a planning obligation which has not been (or is not being) complied with, it may become difficult to dispose of the land. It may even lose value.

12.2 The LPA enforces planning obligations in two ways:

- **Through the courts by application for an injunction**
- **By carrying out any operations required by the planning obligation and recovering the cost from the person(s) against whom the obligation is enforceable**

12.3 This can stop the development proceeding and/or ensure compliance with the terms of the obligation. The authority has the power to enter the land and carry out any works that were required and recover costs (must give 21 days notice of intention to do this). Anyone who obstructs the authority from doing this is liable to a fine of up to £1000. In addition, the LPA will consider charging developers interest for the late payment of financial contributions.

13.0 Lifting planning obligations

13.1 There are only two circumstances under which there is any prospect of a planning obligation being modified or discharged. Both involve a formal application to the LPA.

Either:

- **There may be an application to the LPA to modify or discharge the obligation five years or more from the date the obligation was first agreed (or any longer period specified in the obligation itself).**

Or:

- **The LPA may agree to an application being made within a period of less than five years. There is no right of appeal if the Council does not agree.**

13.2 In either case, the LPA must then decide the application in one of the following three ways:

- **If the LPA considers that the obligation is still needed to serve its original intended purpose, it can refuse to discharge the obligation.**
- **If the LPA considers that the obligation is still needed to serve its original intended purpose, but that this can be achieved by modifying the obligation in the way proposed in the application, the LPA can agree to modify the obligation.**
- **If the LPA considers that the obligation no longer serves a useful purpose, it can agree to discharge the obligation.**

13.3 An appeal against the LPA's decision can then be made to the Welsh Assembly Government. It is its stated policy not to discharge obligations that still serve their originally intended purpose.

14.0 Types of obligations placed on different consents

14.1 Planning permissions subject to a planning obligation will have different obligations placed on them, depending on the type of application submitted to the LPA. The table illustrates the type of obligations likely to be placed on applicants who are granted planning permission. The information is for indicative purposes only and does not bind the LPA to follow this guidance in deciding what obligation is most appropriate for individual applications. The relevant planning policy which is the basis for the expected planning gain is given in the bottom right-hand column.

Type of application	Likely obligations	Policy
Commercial e.g. offices, shops, tourism projects	Access improvements to existing areas	EN15 UDP
	Arrangements for car clubs	GP1 (UDP)
	CCTV, street lighting and road safety schemes	EN15 UDP
	Integrating biodiversity into landscaping	EN4 UDP
	New drainage systems and improvements to existing ones	EN15 UDP
	Parking measures	TR10 UDP
	Public conveniences	EN15 UDP
	Renewable energy technologies	45 YMLP
	Road improvements	TR3 UDP
Industrial e.g. factories	Access improvements to existing areas	EN15 UDP
	CCTV, street lighting and road safety schemes	EN15 UDP
	Integrating biodiversity into landscaping	EN4 UDP
	New drainage systems and improvements to existing ones	EN15 UDP
	Parking measures	TR10 UDP
	Renewable energy technologies	45 YMLP
	Road improvements	TR3 UDP
Recreational e.g. sports facilities	Integrating biodiversity into landscaping	EN4 UDP
	Parking measures	TR10 UDP
	Road improvements	TR3 UDP

Type of application	Likely obligations	Policy
Residential e.g. housing estates	Access improvement to existing areas	EN15 UDP
	Affordable housing	HP7 UDP
	Flood attenuation	SG2 UDP
	Integrating biodiversity into landscaping	EN4 UDP
	New drainage systems and improvements to existing ones	EN15 UDP
	Provision and maintenance of new areas of open space and playgrounds	EN15 UDP
	Road improvements	TR3 UDP
	Parking measures	TR10 UDP
	Road improvements	TR3 UDP
Services e.g. cafes	Maintenance and enhancement of existing areas	EN15 UDP
	Public conveniences	EN15 UDP

15.0 Contacts

<p>Isle of Anglesey County Council Planning Service Council Offices Llangefni LL77 7TW Tel: (01248) 752428 Fax: (01248) 752412 www.anglesey.gov.uk</p>	<p>Welsh Assembly Government Cathays Park Cardiff CF10 3NQ Tel: (0845) 010 3300 www.wales.gov.uk</p>
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16.0 Further Reading

Author	Title	Year
Welsh Assembly Government	Planning: A Guide for Householders	2005
Welsh Assembly Government	Planning Policy Wales	2002
Welsh Assembly Government	Technical Advice Note 12: Design	2002
Welsh Assembly Government	Technical Advice Note 15: Development and Flood Risk	2004
Welsh Assembly Government	Technical Advice Note 18: Transport	2007
Welsh Assembly Government	Wales Spatial Plan	2004

17.0 Websites

Organisation	Web Address
Isle of Anglesey County Council	www.anglesey.gov.uk
Planning Portal	www.planningportal.gov.uk
Planning Inspectorate	www.planning-inspectorate.gov.uk
Welsh Assembly Government	www.wales.gov.uk



Supplementary Planning Guidance

PLANNING OBLIGATIONS (SECTION 106 AGREEMENTS)

**J.R. WOODCOCK MRTPI
Head of Planning Service
Isle of Anglesey County Council**

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Environment Directorate / Cyfarwyddiaeth Amgylchedd

John Parsons, MSc., C.I.W.M., C.Env., M.I.C.E., I.Eng., F.I.H.I.E., M.C.I.M. Corporate Director Environment / Cyfarwyddwr Corfforaethol Amgylchedd

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Our Ref./Ein Cyf.

Your Ref./Eich Cyf.

Contact:/Cysylltwch â: Mrs Lynda Healy



Cyngor Bwrdeisdref Sirol

Blaenau Gwent

County Borough Council

Christine Chapman AM
Chair Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

26th October 2010

Dear Christine,

RE: Petitions Committee: P03-292 Public Toilet Provision

In reference to your letter regarding a petition from Cllr Louise Hughes on the provision of public toilets the following information is provided.

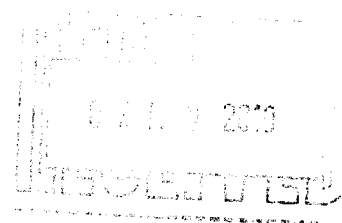
There is no requirement in the current Blaenau Gwent Unitary Development plan for the provision of public toilets in new developments and no Supplementary Planning Guidance in place to require provision through S106.

The Council is, however, looking at a scheme to encourage the use of town centre customer toilets for wider public use through the Public Facilities Grant Scheme. The authority is also preparing Supplementary Planning Guidance on Section 106 which would enable the authority to ask for the provision of public toilets and/or finance to support the maintenance of them.

Should you require further information do not hesitate to contact me.

Yours Sincerely,

Lynda Healy
Development Plans Manager



We welcome correspondence in the medium of Welsh or English / Croesawn ohebiaith trwy gyfrwng y Gymraeg neu'r Saesneg.

19 AM



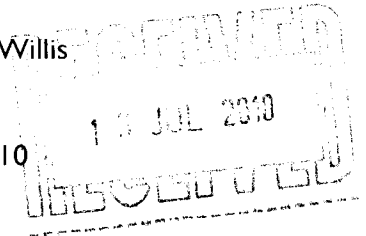
Lle i enaid gael llonydd
One of Britain's breathing spaces

Christine Chapman AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Date: 8th July 2010

Contact: Rachel Willis

Our ref: RW98-10



Dear Ms Chapman

Petitions Committee: P-03-292 Public Toilet Provision

Thank you for your letter dated 21st June 2010 addressed to Mr Kevin Jones regarding the above. Mr Jones has passed your letter to Forward Planning to make a response.

The Brecon Beacons National Park Authority currently have no specific requirements to ensure that there is provision for public toilets in out of town developments or other public developments which are in rural or isolated locations. Should such a need be identified, the only means would be through a Section 106 Agreement.

Yours sincerely

pp

Rachel Willis
Forward Planning Officer



EUROPEAN CHARTER FOR SUSTAINABLE TOURISM IN PROTECTED AREAS

Awdurdod Parc Cenedlaethol Bannau Brycheiniog

Plas y Ffynnon, Ffordd Cambrian, Aberhonddu, Powys, LD3 7HP
Ffôn: (01874) 624437 Ffacs: (01874) 622574
E-bost: ymholiadau@bannaubrycheiniog.org
Safle ar y we: www.bannaubrycheiniog.org

Mae'r Awdurdod yn croesawu gohebiaeth yn y Gymraeg neu'r Saesneg

Brecon Beacons National Park Authority

Plas y Ffynnon, Cambrian Way, Brecon, Powys, LD3 7HP
Telephone: (01874) 624437 Fax: (01874) 622574
E-mail: enquiries@breconbeacons.org
Website: www.breconbeacons.org

The Authority welcomes correspondence in Welsh or English



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Naomi Stocks, Clerk
Petitions Committee
National Assembly for Wales
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Mark S. Williams BSc (Hons), DIP(WM),
DMS, MBA, FCIWM, MCIEH
Head of Public Services

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Pennaeth Gwasanaethau Cyhoeddus

Your Ref/Eich Cyf:
Our Ref/Ein Cyf:
Contact/Cysylltwch â:
Telephone/Ffon:
E Mail/E Bost:
Date/Dyddiad:

P-03-292
MSW/MJ
Mr. Mark S. Williams
01495 235070
williams@caerphilly.gov.uk
1st July 2010

Dear Ms. Stocks,

PETITIONS COMMITTEE: P-03 – 292 PUBLIC TOILET PROVISION

I refer to your letter dated 21/6/2010 regarding the above matter.

Caerphilly County Borough Council currently provides 8 public conveniences in its main towns.

In planning terms, the Authority has no policies relating to the provision of public toilets as each new development is judged on its individual merits.

I trust that this answers your query but if you require any further information please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink that reads 'M.S. Williams'.

MARK S. WILLIAMS
HEAD OF PUBLIC SERVICES

Director of the Environment: Anthony O'Sullivan
Cyfarwyddwr yr Amgylchedd: Anthony O'Sullivan

Carmarthenshire Council

Apologies for not getting back sooner I have been struggling to think of examples where such a scenario might apply and would highlight the following:

- There are no policies within the Carmarthenshire Unitary Development Plan that requires such facilities being made accessible to the public
- There are very few developments in rural locations that would be of a scale that would justify the provision of public toilet facilities, there there may be development associated with tourism where the developer would invariably provide toilets however there is no policies that would enable the planning authorities to insist that they should be open to the public. The use of Section 106 Agreements in such cases would be an option however whether they would be justified is questionable
- I am aware of one example where toilet facilities are open to the public, the National Trust in Pumsaint have the toilets open to the general public next to an exhibition building in the village

Eifion Bowen

Pennaeth Cynllunio / Head of Planning

Ceredigion Council

Response received 31-08-2010

Dear Michael,

Apologies for you not receiving a reply. I sent the original letter on to our Highways department as they are responsible for the provision of public toilets. Having re-read the letter I see the main query relating to how does planning seek provision of toilets etc. The answer is that we don't have specific policies relating to provision in any development plan or supplementary guidance. We essentially rely on our colleagues for provision and on the private sector should they come forward with a large scheme. However, having said that we recognize the importance of having facilities so we would raise the issue and negotiate if provision wasn't made in initial proposals for large sites depending upon proximity to existing provision.

Regards

Russell

Response received 19.10.2010

I did reply over the summer to the letter (well a reminder email anyway). Basically we don't have specific policies that require provision in town centres but we would negotiate their inclusion if we were dealing with large retail / town centre schemes. I can't think of examples where we would ask for provision in more rural areas as the scale of development is unlikely to justify us requiring a developer to provide them. Regards, Russell

Response received 03-09-2010:

There is no Conwy "land use planning" policy base or formal procedure in place to secure such provisions. On an individual application basis, negotiations have occurred (and in some cases Section 106 obligations agreed).

Regulatory Services does pursue the provision of facilities in all relevant food establishments and there is liaison with Planning to identify new development falling into this category.

Response received 20.10.2010

A brief response was sent previously along the following lines- although all record is deleted.

The Environmental and Planning Enforcement Manager confirms that they act to secure provision in respect of Class A3 users but have no authority beyond that.

In respect of DC functions, the negotiation of provision has been pursued in respect of large scale development and has resulted in provisions within retail parks and supermarkets. There is however no substantive basis by way of statutory provision, government policy or decisions precedent to seek to refuse planning permission on the basis of no public toilet provision or to condition the same as a planning requirement.

There is no current policy within the development plan relating to public toilets and no such policy is being proposed in the LDP.

The Council does provide public toilets in appropriate locations, including provisions relating to tourism needs. However, as with many elements of expenditure at a time of constraint, such provision is subject to periodic review. Information relating to the community toilet grant scheme and other matters can be obtained from the Council's web site

<http://www.conwy.gov.uk/doc.asp?cat=6677&doc=24012&Language=1>

STRAT 1 – General

Development should seek to be sustainable, making the best use of resources by:

.....

.....

.....

iv) maintaining and enhancing community benefit by providing infrastructure, services, facilities and nature conservation through planning obligations, in appropriate circumstances, as part of key development sites

GEN 6 – Development Control Requirements

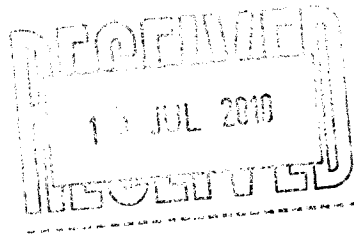
Development which is in accordance with the plan's other policies and proposals will be permitted, provided that it:

.....

....

...

viii) has regard to the adequacy of existing public facilities and services. If new infrastructure is required this should be capable of being provided at a reasonable cost and in reasonable time



Ms C. Chapman, AM
Chair, Petitions Committee,
National Assembly for Wales,
Cardiff Bay,
Cardiff. CF99 1NA

Your Ref/Eich Cyf

Our Ref/Ein Cyf GPJ/LA

Date/Dyddiad 13th July 2010

Ask for/Gofynner am Mr. G.P. Jones

Direct Dial/Rhif Union (01352) 703248

Fax/Ffacs

Dear Ms Chapman,

Petitions Committee: P-03-292 Public Toilet Provision

I refer to your letter dated 21st June, 2010 regarding the above and I apologise for my delay in responding.

We have had very few public developments in rural areas of Flintshire over the last few years which would be of a nature where the provision of public toilets would have been considered.


Currently Flintshire has 12 public convenience buildings with facilities also being provided within halls/centres etc when these buildings are open to the public. Most of these are within Flintshire's towns, where toilets within supermarkets also effectively provide this facility. An out of town shopping park at Broughton also provides public toilets.

As in the latter case, the provision of public conveniences through the planning process is very much a matter of common sense, where the developer will include this facility if he considers it appropriate as a customer service.

Generally, the provision of public conveniences is not covered explicitly by our UDP policies, with the exception of the policy relating to 'lorry parks', where one of the requirements is for "adequate toilet facilities".

I hope that this is useful to you.

Yours sincerely,



Carl Longland
Head of Development Control
Director of Environment
Cyfarwyddwr yr Amgylchedd

Environment Directorate
Cyfarwyddiaeth yr Amgylchedd



County Hall, Mold. CH7 6NF
www.flintshire.gov.uk
Neuadd y Sir, Y Wyddgrug. CH7 6NF
www.siryfflint.gov.uk

Flintshire County Council is an equal opportunities employer. We are committed to the recruitment, development and retention of disabled people.

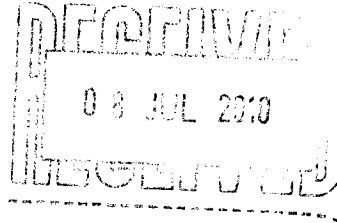
Pennaeth Adran Rheoleiddio
(Cynllunio, Trafnidiaeth a Gwarchod y Cyhoedd)
Head of Regulatory Department
(Planning, Transportation & Public Protection)
Aled Davies

Gofynnwch am/Ask for: Aled Davies
☎ (01286) 679371
📠 (01286) 673324
✉ AledDavies@gwynedd.gov.uk

Ein Cyf / Our Ref: **AD/gmo**
Eich Cyf / Your Ref:



Christine Chapman AC
Cadeirydd Y Pwyllgor Deisebau
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
Caerdydd
CF99 1NA



7 Gorffennaf, 2010

Annwyl Ms Chapman

Y Pwyllgor Deisebau - P-03-292 Darpariaeth Toliedau Cyhoeddus

Diolch am eich gohebiaeth dyddiedig 21 Mehefin, 2010 ynglŷn ar uchod.

Gallaf gadarnhau nad yw Cyngor Gwynedd wedi bod yn gofyn am ddarpariaeth o doiledau cyhoeddus fel rhan o ddatblygiadau masnachol. Wrth gwrs, rhaid cadw mewn cof nad oes "out of town developments" diweddar yng Ngwynedd a hynny er mwyn cyd-fynd a chyfeiriad polisi cynllunio lleol a chenedlaethol. Dylid nodi bod rhai datblygiadau masnachol, megis archfarchnadoedd yn darparu toiledau ar gyfer eu cwsmeriaid.

Hyderaf fod yr uchod yn ymateb eich ymholiad.

Yn gywir

Aled Davies
Pennaeth Adran Rheoleiddio

Copi i: Gruff Morris, Rheolwr Gwasanaeth Cynllunio; Peter Evans - Uwch Reolwr Prosiectau

Christine Chapman AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Gwynedd Council
Council Offices
Caernarfon
Gwynedd
LL55 1SH

7 July, 2010

Dear Ms Chapman

Petitions Committee – P-03-292 Public Toilet Provision

Thank you for your correspondence, dated 21 June, 2010, regarding the above.

I can confirm that Gwynedd Council has not been requesting that public toilets be provided as part of commercial developments. Of course, it is worth remembering that there have been no recent out-of-town developments in Gwynedd, in keeping with the direction of local and national planning policy. It should be noted that some commercial developments, such as supermarkets, provide toilets for their customers.

I trust that this is an adequate response to your inquiry.

Yours sincerely,

Aled Davies
Head of Regulatory Department, Gwynedd Council

Monmouthshire County Council has no planning policy specific for public toilet provision.

Policy CF1 of the Unitary Development Plan which I copy below together with its supporting text could possibly be used in this respect however it refers to “large residential developments” and it is unlikely that there would be such a development in rural/isolated locations.

CF1 Proposals for new community facilities to meet local needs will be considered favourably, especially in areas where existing facilities are poor, providing there is no overriding conflict with other policies.

In addition, proposals for large residential developments in areas where existing facilities are inadequate to cater for the increased population will be expected to make appropriate provision for community facilities to meet the needs of new residents, if necessary by entering into a planning obligation to contribute towards the improvement or provision of off-site facilities.

14.2.1 Community facilities make a positive contribution in improving the level of service provision and they can help foster community contact and give a sense of social identity to locations. Community facilities can be considered appropriate in residential and non-residential areas as they serve the needs of the wider community. Whilst there is a general presumption in favour of community facilities, they should not erode the character and appearance of the natural and built environment nor the general design qualities of their location and should be in accord with Policies ENV1 and DES1.

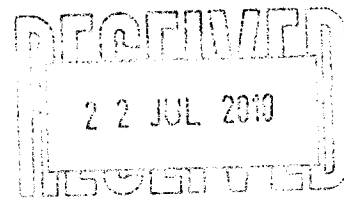
14.2.2 Community facilities should be located where access is easy and safe so as not to discourage anyone from using the facility, particularly disabled people, elderly people and people with young children. Generally, community facilities should be located to minimise private car use, wherever possible. The car traffic generated by the development should not undermine this in terms of access or parking. Generally, off-street parking should be provided if on-street parking conditions are not sufficient to cater for the amount, and likely manoeuvres, of traffic generated.

14.2.3 Where appropriate, the Council will seek to enter into a Section 106 Planning Obligation with developers to secure community facilities on, or near the development site that meet the needs of local people. Planning obligations can often result in the provision of much-needed community facilities that would otherwise not have been forthcoming through the planning condition process. More information on the use of planning obligations can be found in Welsh Office Circular 13/97: Planning Obligations.

David Swanson
Development Control Manager

Petitions Committee
Cardiff Bay
Cardiff
CF99 1NA

FAO Christine Chapman AM



Dear Madam

RE: Public Toilet Provision

Thank you for your letter dated 21st June 2010 regarding the above, I apologise for the delay in responding.

Having checked our policies within the Neath Port Talbot Unitary Development Plan, it is evident that there are no policies specifically requiring the provision of public toilets.

In terms of specific developments, I cannot recall a submission for a development within a rural area which would have attracted members of the public and which did not have such provision included within it.

I trust that this clarifies your query.

Yours faithfully,


GEOFF WHITE
HEAD OF PLANNING



Newport Council

5/07/2010

Dear Naomi,

Further to the request from the Chair of the Petitions committee to Andy Evans of this authority on the above matter, I would respond as set out below.

Out of town retail developments tend to include large stores which provide customer toilets. Where there are leisure uses or food outlets, these also include customer toilets. A need for further public provision has not therefore been apparent.

Where a major, largely freestanding development is proposed, it may be appropriate to consider public toilet provision in the district centre of such development.

Kind regards,

Graham Fry
Principal Planning Officer (Policy)
Prif Swyddog Cynllunio (Polisi)
Newport City Council
Cyngor Dinas Casnewydd
Tel: 01633 233223
graham.fry@newport.gov.uk
www.newport.gov.uk/planningpolicy

Date · Dyddiad 30th June 2010

Your ref · Eich cyfeirnod

My ref · Fy nghyfeirnod

Telephone · Ffôn

Ask for · Gofynnwch am

Email · E-bost

01 02
01437 - 764551
R. J. Smith

BRYN PARRY-JONES, MA (Oxon)

Chief Executive

Dr STEVEN JONES, BA(Hons), DMS, MBA, PhD, MCIIM
Director of Development

Pembrokeshire County Council,
County Hall, HAVERFORDWEST,
Pembrokeshire, SA61 1TP

DX 98295 HAVERFORDWEST
Telephone: 01437 764551

Prif Weithredwr

Cyfarwyddwr Datblygu

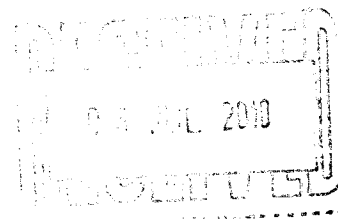
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Neuadd y Sir, HWLFFORDD,
Sir Penfro, SA61 1TP

DX 98295 HWLFFORDD
Ffôn 01437 764551



Ms. Christine Chapman, AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear Ms. Chapman,



Petitions Committee – P-03-292 – Public Toilet Provision

Thank you for your letter of the 21st June 2010 concerning the above and addressed to Mr. Stephen Hurr (Head of Planning, Pembrokeshire County Council), who has asked me to respond on his behalf.

The current Development Plan for Pembrokeshire is the Joint Unitary Development Plan for Pembrokeshire (JUDP), which was adopted in 2006. There are no policies in this plan which specifically require the provision of public toilets in 'out-of-town developments', or in 'other public developments which are in rural / isolated locations'. However, there is a policy requirement, set out in policy 76, that:

'Development will only be permitted where it is well designed in terms of siting, layout, form, scale, bulk, height, materials, detailing and contextual relationship with existing landscape and townscape characteristics. The effects of layout and / or resource efficiency in building, such as orientation, water conservation, adaptability and the use of environmentally sensitive materials will also be important considerations in the evaluation of planning applications.'

Policy 124 of the same plan supports the development of community facilities, where the site is well-located to serve the needs of all sections of the local community. Although not specifically listed in the reasoned justification to the policy, public toilets would seem to fall within the scope of this policy, which is essentially permissive of community facility proposals subject to consideration of locational aspects.

I would also draw your attention to policy 127 of the plan, which says that:

'Where development generates a directly related need for new or improved infrastructure, services or community facilities, then:

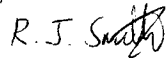
- i) *Provision that is reasonably related in scale and kind to the development shall be made by that development; and*
- ii) *Provision that is made by the development may be on site or contributions may be made to the provision of facilities elsewhere, provided their location can adequately serve the development.*

The timely provision of directly related infrastructure, services and community facilities shall be secured by planning condition(s), the seeking of planning obligation(s) by negotiation, and / or by any other agreement or undertaking'.

The Council is currently preparing the successor plan to the JUDP, which will be called a Local Development Plan (LDP).

There is an expectation that LDPs in Wales will be less detailed and more strategic than their predecessors and in that context I would be cautious regarding any expectation that the Pembrokeshire County Council LDP or for that matter the LDPs of other Welsh Local Planning Authorities will include provisions for such detailed matters as public toilet provision in out of town, rural and isolated developments. It is more probable that design and infrastructure provision requirements for new developments will be set out in more general terms, with detailed consideration of provision at individual sites taking place at planning application stage, as to a large extent it does now. You may wish to discuss this further with Rosemary Thomas, the Welsh Assembly Government's Head of Planning.

Yours sincerely,



R. J. Smith, Principal Planning Officer

Pembrokeshire National Park Authority

From: Sarah Middleton [mailto:SarahM@pembrokeshirecoast.org.uk]
Sent: 25 June 2010 15:17
To: Petition
Cc: Vicki Hirst
Subject: P-03-292 Public Toilet Provision

Dear Mrs Chapman, I refer to your letter dated 21st June 2010 regarding provision of public toilets. I would advise that the National Park Authority does not routinely seek the inclusion of public toilets in relevant planning applications. They are, of course, usually included by the architect/designer/developer as a normal requirement within proposals for buildings where the public would normally be expected to have access such as cafes, large shops etc. This Authority provides public toilets at its visitor attractions at Oriell y Parc in St Davids, Carew Castle, Tenby National Park Visitor Centre and Castell Henllys. There is also provision at the Authority's satellite office at Newport.

The need for provision of public toilets has been a matter of concern for a number of years at St Justinians which is a remote point on the coastline 2km west of St Davids overlooking Ramsey Island. A large number of visitors are attracted to this area for boat trips around the islands and also canoing and walking. We have had a number of complaints over the years from local landowners about people using hedgerows and fields, particularly those around the campsite and temporary car park, in absence of toilets facilities being available. Over the last 5 or so years St Davids City Council has provided portaloos at the location, but these in themselves are a cause of complaint - both through the smell they create and the litter (toilet paper) littering the local area. In this instance we are aware that the RNLI has proposals to develop a replacement lifeboat station at this location and through that process we would work with them and Pembrokeshire County Council to try to ensure that a more suitable and permanent facility is available for the public - either within the new station or by making use of the vacated station.

I trust that this information is of use to you, but please contact me if you require any further clarification.

Regards

Sarah Middleton
Planning Officer (Development Plans) / *Swyddog Cynllunio (Datblygu Unedol)*

Pembrokeshire Coast National Park Authority/ *awdurdod Parc Cenedlaethol Afordir Penfro*
Llanion Park/ *Parc Llanion*
Pembroke Dock/ *Doc Penfro*
Pembrokeshire/ *Sir Penfro*
SA72 6DY

Tel/*Ffon* 0845 345 7275
Fax/ *Ffacs* 01646 689076

www.pembrokeshirecoast.org.uk/www.afordirpenfro.org.uk

Michael

In response to the query raised by the Petition's Committee I would make the following comments:

Firstly, in assessing planning applications (whether proposals are in out of town or in isolated locations) the LPA can consider whether a S106 contribution (planning obligations) should be sought. Planning policy requires planning obligations to be sought only where they meet the following tests:

1. necessary;
2. relevant to planning;
3. directly related to the proposed development;
4. fairly and reasonably related in scale and kind to the proposed development;
5. reasonable in all other respects.

The provision of public toilets, as part of any new development, would therefore have to meet the above tests if they were to be provided by the developer.

Secondly, the Council contains a policy in its UDP which aims to protect existing community facilities and services (which could include public toilets) and I refer to this below.

Powys Unitary Development Plan. Adopted March 2010.

11.5 Protecting existing community facilities and services

11.5.1 To ensure that residents throughout the County have access to a wide range of community facilities, the Council will seek as far as possible, to safeguard existing community premises from redevelopment. Consideration may be favourably given for proposals involving the loss of an existing facility where the applicant is able to demonstrate that adequate alternative provision exists or is to be provided within the local area or is made available elsewhere and is satisfactorily accessible.

POLICY CS2 - PROTECTING EXISTING COMMUNITY FACILITIES AND SERVICES

THE LOSS OF PREMISES THROUGH ALTERNATIVE DEVELOPMENT PROPOSALS, OR PARTS OF PREMISES, USED FOR COMMUNITY PURPOSES, INCLUDING MEETING HALLS AND PLACES OF WORSHIP WILL BE RESISTED UNLESS IT CAN BE DEMONSTRATED THAT:

1. THE PREMISES ARE NO LONGER APPROPRIATE OR REQUIRED FOR COMMUNITY USE.
2. ALTERNATIVE SOLUTIONS TO SUPPORT THE LONG TERM USE OF THE FACILITY FOR THE COMMUNITY HAVE BEEN ADEQUATELY EXPLORED.
3. APPROPRIATE ALTERNATIVE PROVISION EXISTS OR IS AVAILABLE ELSEWHERE IN A LOCATION THAT IS OF SATISFACTORY ACCESSIBILITY

TO THE COMMUNITY AFFECTED.

I trust this helps.

Regards

Lesley Kirkpatrick
Head of Regeneration and Development
Pennaeth Adfywio a Datblygu
Powys County Council

AM



Regeneration and Planning Division

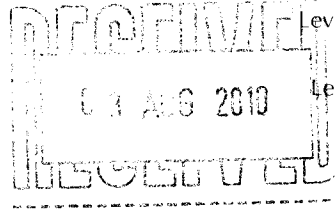
Adran Gynllunio ac Adfywio

Level 5, Unit 3, Pennant House, Catherine St.
Pontypridd, CF37 2TB

Level 5, Uned 3, Tŷ Pennant, Stryd Catherine
Pontypridd, CF37 2TB

Fax/Ffacs: 01443 407725

Christine Chapman AM
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA



My Ref/Fy Nghyf:

Your Ref/EichCyf:

Date/Dyddiad:

Please ask
for/Gofynnwch am:

10601437

P-03-292

16 July 2010

Nicola Gulley
01443 490409

Dear Ms Chapman AM

PETITIONS COMMITTEE: P-03-292 PUBLIC TOILET PROVISION

I write in response to your letter of 25 June 2010.

The Council's draft Local Development Plan does not specifically provide for public toilets in out of town developments, or other public developments in rural/isolated locations. I would note that Local Development Plans should not repeat national guidance which is already in place.

Welsh planning policy guidance contained in *Technical Advice Note 12 – Design*, however, does encourage those seeking to build new and public commercial buildings to include in their plans accessible toilet facilities. Although these facilities are encouraged it is the discretion of applicants for developments as to whether these facilities are provided.

If you require any further assistance please do not hesitate to contact me or Nicola Gulley, Spatial Development Manager directly.

Yours sincerely

Jane Cook
Director of Regeneration and Planning



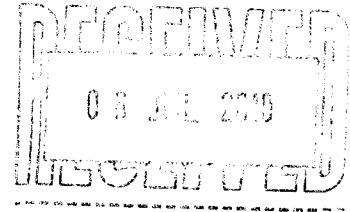
Cyswilt · Contact
Ffôn · Telephone
Ein cyf · Our ref
Eich cyf · Your ref
Dyddiad · Date
e-bost · e-mail

Aneurin Phillips
01766 772 202
AP/RLR
1st July 2010
aneurin.phillips@eryri-npa.gov.uk



PARC CENEDLAETHOL ERYRI
Ile i enaid gael llonydd
SNOWDONIA NATIONAL PARK
one of Britain's breathing spaces

Christine Chapman AM,
Chair, Petitions Committee,
National Assembly for Wales,
Cardiff Bay,
Cardiff. CF99 1NA



Dear Ms. Chapman,

Petitions Committee: P-03-292 Public Toilet Provision

Thank you for your letter of the 21st June.

From a planning point of view there is no requirement to ensure that there is provision for public toilets in out of town developments, or other public developments which are in rural/isolated locations.

The Authority currently owns and maintains 15 rural toilets and 3 portaloos. As a result of budget cuts the Authority last year closed one toilet in Llanelltyd because of lack of use and decided not to renew a lease on a toilet (owned by the National Trust) near Llynnoedd Cregennen. Our existing toilets are maintained to a high standard and we have upgraded several in the past few years.

Yours sincerely,

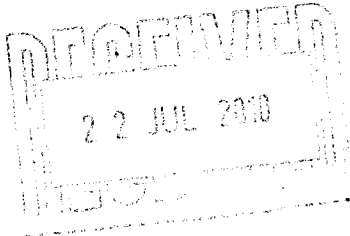
Aneurin Phillips
Chief Executive



CITY AND COUNTY OF SWANSEA
DINAS A SIR ABERTAWE

National Assembly for Wales
F.A.O. Ms Christine Chapman AM
Chair, Petitions Committee
Cardiff Bay
CARDIFF
CF99 1NA

Please ask for: Bryan Graham
Gofynnwch am:
Direct Line: (01792) 635706
Llinell Uniongyrchol:
E-Mail: bryan.graham@swansea.gov.uk
E-Bost:
Our Ref: P-03-292
Ein Cyf:
Your Ref: L5168BG/DVH
Eich Cyf:
Date: 16th July 2010
Dyddiad:



Dear Ms Chapman,

TOWN AND COUNTRY PLANNING ACTS 1990-2004

RE: PETITIONS COMMITTEE P-03-292 PUBLIC TOILET PROVISION.

I refer to your letter dated 21st June 2010 and apologise for the delay in my reply.

I can confirm that this Council currently has no planning policies requiring the provision of public toilets either in out of town development or public development in rural/isolated locations.

Yours sincerely

BRYAN GRAHAM
HEAD OF PLANNING SERVICES

CC Phil Holmes, Head of Economic Regeneration and Planning
Kim Flanders, Planning Policy and Environment Manager

ENVIRONMENT DEPARTMENT / ADRAN AMGYLCHEDD
PLANNING SERVICES / GWASANAETHAU GYNLLUNIO
CIVIC CENTRE, OYSTERMOUTH ROAD, SWANSEA, SA1 3SN
Y GANOLFAN DDINESIG, HEOL YSTUMLLWYNARTH, ABERTAWE, SA1 3SN

☎ (01792) 635701 📠 (01792) 635719
☎ Minicom 1800201792635708

To receive this information in alternative format, please contact the above.
I dderbyn yr wybodaeth hon mewn fformat arall, cysylltwch â'r person uchod.

DS AM
PLANNING & PUBLIC PROTECTION SERVICE
GWASANAETH CYNLLUNIO A GWARCHOD Y CYHOEDD
Chief Officer/Prif Swyddog
Duncan Smith

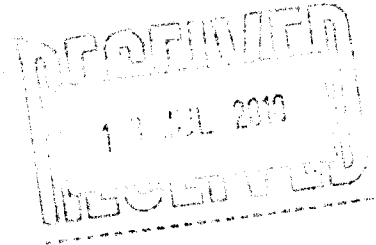
TORFAEN
COUNTY
BOROUGH

BWRDEISTREF
SIROL
TORFAEN

Your ref/Eich cyf: DS/RPS
Our ref/Ein cyf: DS/RPS
Date/Dyddiad: 9 July 2010

Please contact/Cysyllter â: Duncan Smith
Direct line/Llinell union: 01633 647626
Direct fax/Llinell ffacs: 01633 647328
Email: duncan.smith@torfaen.gov.uk

Ms Christine Chapman
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
CARDIFF CF99 1NA



Dear Ms Chapman

PETITIONS COMMITTEE: P-03-292 PUBLIC TOILET PROVISION

Thank you for your letter dated 21 June 2010.

Torfaen has no specific formal planning policy regarding the provision of public toilets in new development schemes or public developments which are rural/isolated. In considering development proposals, in any instance, the Council would, however, take account of requests for such provision in making decisions on planning matters.

With regards to the existing public toilet facilities, Torfaen County Borough Council is committed to ensuring that they are maintained and cleansed to a high standard wherever economically viable.

Please contact me if you wish to clarify any points I have raised in my letter.

Yours sincerely

Duncan Smith
CHIEF OFFICER
PLANNING & PUBLIC PROTECTION SERVICE

cc Chris Howell, Head of Technical Services, Neighbourhood Services.

THIS DOCUMENT IS AVAILABLE IN LARGER PRINT UPON REQUEST

Torfaen Planning & Public Protection Service continuously improving via ISO 9001:2000 INVESTOR IN PEOPLE
Gwasanaeth Cynllunio a Gwarchod y Cyhoedd Torfaen yn parhau i wella trwy CSRb 9001:2000

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Neuadd y Sir • Cwmbrân • Torfaen • NP44 2WN • Ffôn: 01495 762200 • Ffacs: 01633 648017

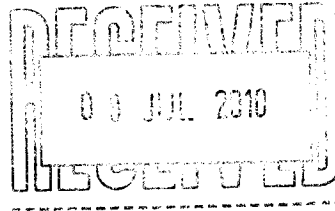
You are welcome to correspond in Welsh or English/Mae croeso i chi ysgrifennu yn Gymraeg neu Saesneg

www.torfaen.gov.uk



6th July 2010 Vale of Glamorgan Council
Councillor Jeffrey James

P-03-292
HJWJ/lje S10/15021



Christine Chapman AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear *Ms Chapman*

Petitions Committee P-03-292 Public Toilet Provision

Thank you for your letter dated 21st June 2010.

In answer to your query our Adopted Unitary Development Plan does not contain any specific policies relating to the provision of public toilets on new developments and this would as a matter of course be an issue for the developer to consider.

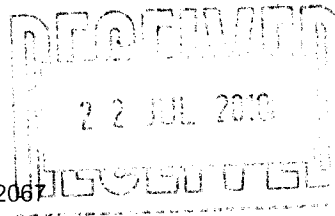
Yours sincerely

Councillor Jeffrey James OStJ
Cabinet Member for Planning and Transportation

Chief Planning Officer/Prif Swyddog Cynllunio
Lawrence Isted

Lampit Street, Wrexham, LL11 1AR
Stryt y Lampint, Wrecsam, LL11 1AR

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www.wrexham.gov.uk www.wrecsam.gov.uk



Christine Chapman AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Your Ref/Eich Cyf
Our Ref/Ein Cyf
Date/Dyddiad
Ask for/Gofynner am
Direct Dial/Rhif Union
E-mail/E-bost

P-03-292
LI/JW/P1
16 July 2010
Lawrence Isted
(01978) 292500
lawrence.isted@wrexham.gov.uk

Dear Ms Chapman

Re: Petitions Committee: P-03-292 Public Toilet Provision

I refer to your letter dated 21 June 2010 regarding the matter as above.

There are no specific policy documents which set out requirements for the provision of public toilet facilities in out of town developments, or other public developments which are in rural isolated locations within the County Borough of Wrexham. However, all proposals for such development would need to satisfy the general policy requirements of GDP1 of the Wrexham UDP (2005).

At a national policy level, the delivery of sustainability and the achievement of good design are relevant to all forms of development as set out in WAG (2010) Planning Policy Wales (Update) and TAN 12: Design. There are also legislative requirements (June 2009) for the submission of Design and Access Statements for certain types of proposals, which should demonstrate five key principles/objectives of movement, access, character, community safety and environmental sustainability. In this regard a Design and Access Statement, together with appropriate plans, should highlight whether or not public realm facilities are to be provided within a scheme for large scale shopping development wherever it is located.

I am also aware that Local Authorities have been involved, since 2009, in a Public Facilities Grant Scheme to create more free-to-use public toilets in Wales and improve washroom facilities. The Welsh Assembly Government initiative offers organisations grants of up to £500 in exchange for opening their facilities for use by the general public.

Yours sincerely

Lawrence Isted
Chief Planning Officer