



All Heads of Planning  
Local Planning Authorities

13 March 2020

Dear colleagues

## **CORONA VIRUS COVID 19 – RELAXATION OF ENFORCEMENT OF CONDITIONS RELATING TO RETAIL DISTRIBUTION**

The Welsh Government is working with the UK Government and food industry representatives to ensure supermarkets and other food retailers are able to respond to increased consumer demand for some products during the Novel Coronavirus (COVID-19) outbreak.

There are supermarkets, food retailers and distribution centres that are subject to planning conditions which restrict night-time and early morning deliveries. These conditions are necessary to make the development acceptable to local residents who might otherwise suffer from traffic, noise and other amenity issues as a result of these deliveries.

Given the exceptional challenges facing Wales and the United Kingdom as a whole from COVID-19, it is vital that deliveries of food, sanitary and other essential products over the coming weeks can be made as quickly and safely as possible, minimising disruption to the supply chains on which communities depend. The likely pressures on driver capacity mean additional flexibility is needed so retailers can accept deliveries throughout the day and night where necessary.

As well as ensuring effective supply chains, there may also be pressures on retail outlets to vary opening hours. There may be increased demand for stores to be open earlier or later, allowing people concerned over the risks of exposure to coronavirus to shop at times that avoid more congested periods.

The Welsh Government requires all enforcement complaints received by a local planning authority to be investigated. However, national planning policy emphasises that the decision whether to proceed with formal enforcement action following suspected breaches of planning control is discretionary and planning authorities should act proportionately in any action they decide to take.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Given the exceptional challenges from COVID-19 and the resultant temporary pressures placed on relevant retailers and distributors, planning authorities should take a positive approach to their engagement with food retailers and distributors, as well as the freight industry, to ensure planning controls are not a barrier to maintaining the food supply chain during this period. Furthermore, a positive approach should be taken in relation to ensuring that stores can remain open to serve the local community.

Planning authorities should not seek to undertake planning enforcement action which would result in unnecessarily restricting deliveries of food and other essential deliveries during this time, or in regard to extended store opening times, having regard to their legal obligations.

I recognise an increase of deliveries during unsociable hours and extended opening hours could have a temporary impact on the amenity of local residents, which planning conditions are seeking to protect. The retail and logistics sectors have worked to minimise impacts on residents over recent years through best practice and I expect that to continue.

I emphasise that this is a temporary measure and the need for the flexibility outlined in this letter will be withdrawn once the immediate urgency has subsided.

Yours sincerely



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