



On behalf of  
Trago Mills Limited (Participant 248)

## Representations to Merthyr Tydfil Local Plan EIP

Ref: AH/NR/190053/R0001v3  
Date: June 2019

Mango Planning & Development Limited  
Number One, Waterton Park, Bridgend. CF31 3PH  
Tel: (01656) 644458  
Email: [contact@mangoplanning.com](mailto:contact@mangoplanning.com)  
[www.mangoplanning.com](http://www.mangoplanning.com)

## Contents

1.0	INTRODUCTION	1
2.0	THE SITE	2
3.0	SITE STATUS INCONSISTENCIES	3
4.0	TAN 4 DEFINITION OF EDGE OF CENTRE	5
5.0	DISCUSSION	6
6.0	SUMMARY AND CONCLUSIONS	10

## Appendices

APPENDIX 1	REPRESENTATION TO FOCUSED CHANGES TO THE LOCAL PLAN
APPENDIX 2	IHT "GUIDELINES FOR PROVIDING FOR JOURNEYS ON FOOT"
APPENDIX 3	RHONDDA CYNON TAF LOCAL PLAN MAP EXTRACTS
APPENDIX 4	BBC NEWS ARTICLE (3 <sup>RD</sup> DECEMBER 2018)
APPENDIX 4	GEOSENSE PRESENTATION

## 1.0 Introduction

1.1 Mango Planning and Development Limited is instructed to represent Trago Mills (Merthyr Tydfil) Limited (“Trago Mills”) at the Examination in Public of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.

1.2 Representations have been submitted by Trago Mills to the Focused Changes to the Plan on 27<sup>th</sup> February 2019. These were submitted by Stephens Scown LLP and a copy is attached at Appendix 1.

1.3 These representations commented on behalf of Trago Mills to the Plan, specifically in relation to Focussed Change 27 (“FC27”) and Focussed Change 28 (“FC28”).

1.4 The Inspector in his Examination Matters, Issues and Questions Schedule dated 13<sup>th</sup> May (Paragraph 5.3, Criterion d) raises the following queries:

*“The Plan describes both Trago Mills and Cyfarthfa Retail Park as edge of centre retail locations.*

*i) Does this accord with paragraph 7.4 of TAN4*

*ii) Does the evidence support either location being classified as ‘edge of centre’?”*

1.5 This Statement therefore addresses these points, and comments on the approach taken by the Council in FC27 and FC 28.

## 2.0 The Site

- 2.1 Trago Mills opened in April 2018 on the site of the former Heolgerrig Brickworks just off the A470. Vehicular access is taken from Swansea Road, from the A470 to the east and the A465 to the west.
- 2.2 There is also a pedestrian and cycle link passing under the A470 linking Cyfarthfa Retail Park and Trago Mills. The Council has held discussions recently with Trago Mills regarding opportunities to enhance connectivity and these existing linkages with the town centre.
- 2.3 The main store extends to approximately 200,000 square feet (approximately 19,000 sq m) of retail floorspace, selling a wide range of discounted home and garden furniture, household goods, toys, books, sports goods, musical instruments, clothing and footwear.
- 2.4 In addition, Trago Mills also houses a selection of cafes and food outlets, plus a range of smaller independent retailers in individual units.

### 3.0 Site status inconsistencies

3.1 The Inspector's questions are predicated on his reading of the Local Plan that "The Plan describes both Trago Mills and Cyfarthfa Retail Park as edge of centre retail locations".

3.2 The Inspector's questions highlight an issue that we have identified from our review of the Local Plan (as amended by the Focussed Changes) - that Trago Mills and Cyfarthfa Retail Park are described inconsistently throughout the text. In terms of their sequential status, they are variously described as "edge of centre", "out of centre" and "out of town". By way of example:

- At Paragraph 4.40 the plan states that "The Strategy reflects the need to continue town centre regeneration and will aim to capitalise on the extra spending power attracted to Merthyr Tydfil through edge of centre developments such as the Cyfarthfa Retail Park and Trago Mills. Fundamental to the success of this approach is ensuring that the retail offer in each of these locations is kept sufficiently distinct so as not to undermine the vitality and viability of the town centre. "
- At Paragraph 6.8.27 the Plan describes Cyfarthfa Retail Park as "established edge of centre retail park in close (sic) to the Town Centre, then also goes on to state that "There are also out of centre retail parks at Trago Mills... These edge and out-of-centre retailing areas accommodate bulky goods retailing, albeit that they do not fall within the defined hierarchy of centres."
- At Paragraph 6.8.49 the retail hierarchy is set out. In this section of the Plan both developments are referred to as "out of town retail areas". Both Trago Mills and Cyfratha Retail Park are referred to as "existing out-of-town retail parks" and "existing out of town retail areas" and are to be excluded from the retail hierarchy (along with Dowlais Top Retail Area, Dowlais and Triangle Business Park, Pentrebach).

3.3 It is therefore not possible to conclude on any reading of the Local Development Plan as a whole that, at present, it considers both sites to be edge of centre. It is this uncertainty and confusion that has prompted Trago Mills to submit representations.

3.4 It is also respectfully suggested that this pattern of inconsistency needs to be resolved as part of any assessment of the sequential status of the two sites, since the Local Development Plan as presently worded presents a confused and therefore unsound basis for the assessment of planning applications in these locations against the sequential test.

- 3.5 Also of relevance in this regard is the potential for confusion and misunderstanding of the plan's aims and objectives in this regard caused by the out of date Proposals Map.
- 3.6 The Inspector will have noted in reviewing this topic that the Proposals Map denies completely the existence of Trago Mills. Cyfarthfa Retail Park, whilst shown, is not designated as an existing retail facility of any policy designations or status.
- 3.7 Trago Mills is a key local retail facility, a tourist attractor and a key local employer. Its omission from the Proposals Map ought reasonably to be corrected as part of any review of the role and function of Trago Mills in the retail hierarchy.

## 4.0 TAN 4 definition of edge of centre

4.1 In the previous section we have highlighted that, in fact, the Local Development Plan does not clearly define the sequential status of either Cyfarthfa Retail Park or Trago Mills.

4.2 There is no doubt the neither site is, at present, beyond the town centre, since that boundary is clearly defined. The question is therefore simply whether the sites are edge of centre, since if they are not, they would be out of centre by default.

4.3 To assist the Inspector in determining what the correct sequential status of these sites are, it is first necessary to consider the definitions in paragraph 7.4 of TAN 4.

4.4 Paragraph 7.4 of TAN4 states:

“When allocating sites or when determining applications that are in edge of centre locations, local planning authorities should consider the distance that a site is from the edge of a retail and commercial centre for it to be accessible by foot. Wherever possible edge of centre site allocations or development proposals should be located adjacent to a designated retail and commercial centre boundary, where this is not the case it should not normally be more than 200 to 300 metres from the edge of the centre. Factors such as the size of the retail and commercial centre, local topography and presence of physical barriers to access may influence any assessment. It may be appropriate to use a shorter acceptable distance between the centre and the development proposal if the centre is small. Local planning authorities should consider whether to specify advice in their LDP about accessible distances from retail and commercial centres to edge of centre developments”.

4.5 There is no definition contained in Planning Policy Wales itself, or in the Local Plan (as amended by Focussed Changes).

## 5.0 Discussion

- 5.1 In addressing the issue as to whether the Trago Mills and Cyfarthfa Retail Park sites are edge of centre therefore, there are broadly two relevant considerations raised by TAN4. The first is physical proximity and connectivity and the second is the functional relationship.

### Proximity to the town centre

- 5.2 TAN 4 notes that edge of centre sites ought normally to be within 200-300 metres easy walking distance of the town centre boundary. By strict application of the 200-300 metre distance guideline alone, neither Trago Mills or Cyfarthfa Retail Park would meet the definition of 'edge of centre'. Both would be "out of centre" and there would be little difference in terms of physical connectivity to distinguish between them. They would, per the judgment of the Courts in Telford, be of sequential equivalence.<sup>1</sup>
- 5.3 The 200-300 metre distance falls between the "desirable" and "acceptable" distances for shopping trips identified by the Institute of Highways and Transportation in its 2000 publication "*Guidelines for Providing for Journeys on Foot*".
- 5.4 Notably, this guidance recognises at paragraph 3.34:

*"For shopping, Carley and Donaldsons (1996) advise that that "acceptable" walking distances depend on the quality of the shops, the size of the shopping centre and the length of stay of the shopper. Specifically, they state that parking time governs the distance walked from parking. Higher quality and larger centres generate longer acceptable walking distances with up to 1,250m of walking journey to 100,000m<sup>2</sup> of floor space." (My emphasis).*

---

<sup>1</sup> Borough of Telford and Wrekin v Secretary of State For Communities and Local Government [2013] EWHC 1638



- 5.5 A copy of this guidance is provided at **Appendix 2**.
- 5.6 In this context, the physical distance criteria of the TAN 4 definition alone cannot be determinative of the site's sequential status.
- 5.7 This is well illustrated by the way in which Rhondda Cynon Taff County Borough Council has approached the development of the Brown Lenox site, east of the A470 at Pontypridd.
- 5.8 At **Appendix 3** is a Local Plan Map extract from the current Rhondda Cynon Taf Local Plan, showing the centre of Pontypridd and the inclusion of the Brown Lennox retail development within the defined town centre boundary.
- 5.9 As can be seen the Brown Lennox site (labelled on the Plan as SSA15.1) is separated physically from the retail core by Ynys Angharad Park and the A470. However, it is connected by road and foot, and this created functional links to justify its inclusion within the town centre. Consequently, this site is now considered to be "town centre" for the purposes of the application of retail planning policy.
- 5.10 This is a real world, South Wales valleys example, of where the TAN4 definitions have been interpreted pragmatically, recognising and acknowledging that physical distance guidelines must not be applied slavishly.

#### **Relationship with the town centre**

- 5.11 As outlined above, physical distance from the town centre is not the end of the matter. The very raison d'être of an 'edge of centre' definition is to distinguish those sites and outlets not within a centre that do, or are capable of, supporting the town centre, and those that do not have such a symbiotic relationship. As such, while TAN 4 takes as its starting point the physical distance between sites and the town centre, it recognises that other factors have a role to play in determining whether a site or outlet is functionally 'edge of centre'.

- 5.12 The inclusion of the ‘edge of centre’ reference to Cyfarthfa Retail Park in Paragraph 6.8.27 was made at the Focussed Changes stage, in response to representations from Cyfarthfa Retail Park’s owners that the plan “should underline the important role that Cyfarthfa Park in particular plays in working alongside that defined town centre in a complementary manner.”
- 5.13 The change appears to have been made therefore in unquestioning acceptance of the functional relationship between Cyfarthfa Retail Park and the town centre, since the representor provided no evidence of how Cyfarthfa Retail Park functions in a complementary manner.
- 5.14 It does appear that to-date, physical distance alone has been the principal measure that has been adopted by the Council to-date in assessing Trago Mills’s sequential status. In its response in the Focussed Changes Consultation Report to Trago Mills representations, it stated:
- “The term ‘edge of centre’ under Policy EcW3 has been used to physically describe Cyfarthfa Retail Park as its location and relationship with Merthyr Tydfil town centre does differ from the other out of centre retail areas given its proximity to the Town Centre. Trago is further separated by the strategic highway network (A470) and it is not considered appropriate to describe the Trago site as edge of centre”.*
- 5.15 This conclusion is surprising given that, in contrast to the representations made by Hammerson, the Council itself is able to draw upon substantive and credible evidence to demonstrate a strong functional relationship between Trago Mills and the town centre since its opening.
- 5.16 As is referred to in representations, the Council has been using a monitoring system called Geo Sense to track footfall in Merthyr Tydfil town centre using mobile phone data. While the data is not publicly available, the key results were reported to the Council in public forum in December 2018. The relevant BBC press report is included at **Appendix 4**. We have also now sourced the power point presentation made to members at that meeting and a copy is provided at **Appendix 5**.

- 5.17 As the article explains, the GeoSense system picks up mobile phone Media Access Control addresses as people enter the town centre. It also measures how many people are return visitors and how many are visiting the town centre for the first time.
- 5.18 It also provides a break down by week, peak times, how long people stay in the town centre and where they go while there.
- 5.19 Importantly, the GeoSense data shows that 69,000 more people visited the town centre in the 10 weeks after Trago Mills opened, than visited in the 10 weeks before the store opened, representing a 25% uplift in visitors. This is Council-derived, objective evidence of an undeniably strong and positive functional relationship between Trago Mills and the town centre.
- 5.20 Against the backdrop of data that shows clearly the importance of nurturing the link between the town centre and Trago Mills, one would have expected the Council to recognise that Trago Mills ought to be a key element of any retail strategy to increase footfall and retailer attraction to the town centre and enhancing its vitality and viability.
- 5.21 The Council response to the representations to the Focussed Changes is inexplicable in this context. The only objective evidence before it is that Trago Mills is functionally critical to the success of the town centre, yet the Council has failed to have any regard for this in drawing up its retail strategy for the future of the town centre.
- 5.22 The retail strategy is, instead, still based on the 2017 Retail Study which pre-dates Trago Mills opening and therefore cannot present a robust view of current shopping patterns and trading levels.
- 5.23 The absence of any acknowledgement of the symbiotic nature of the town centre and Trago Mills or any update to the Retail Study is a lamentable and obvious gap in the Local Development Plan's strategy which in my view leads to its retail strategy being out of date and therefore patently unsound.

## 6.0 Summary and Conclusions

- 6.1 Our representations have considered the questions raised by the Inspector.
- 6.2 We have highlighted that the Local Development Plan is inconsistent in referencing and retail hierarchy descriptions. It is therefore unclear at present as to how the Local Development Plan treats Trago Mills or Cyfarthfa Retail Park in sequential test terms. To ensure a sound and robust plan, there is therefore a pressing need for consistency to be applied through the plan, both in the text and on the Proposals Map which omits Trago Mills completely.
- 6.3 Our representations have highlighted that against the guideline distances of TAN4, both Cyfarthfa Retail Park and Trago Mills fall outside the typical distance from the town centre to be considered 'edge of centre'. However, there are local examples of where physically distant outlets are accepted by planning policy as having an important part to play in supporting the town centre.
- 6.4 In the case of Trago Mills, there is important, current objectively obtained evidence to show that its opening has had a transformative effect on footfall within the town centre of Merthyr Tydfil and thus its vitality and viability.
- 6.5 The functional relationship of Trago Mills with the centre is strong and this relationship should be nurtured and supported by the policies and text of the Local Development Plan if that document is to deliver the PPW objectives of supporting town centres. This relationship is already being supported through improvements to pedestrian and cycle links.
- 6.6 It is the view of Trago Mills that there is an evidenced symbiotic relationship with the town centre that we consider justifies fully its recognition as an edge of centre location.
- 6.7 There is no such evidence provided in respect of the functional relationship between Cyfarthfa Retail Park and the town centre. That Cyfarthfa Retail Park is putatively 'closer' to the town centre is not relevant. At best, both sites are of sequential

equivalence.