



Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL
MERTHYR TYDFIL
County Borough Council

HEARING SESSION 5
COMMERCIAL, RETAIL, LEISURE AND TOURISM DEVELOPMENT
ACTION POINT 5.5 – COUNCIL RESPONSE

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Action Point

Council to amend policies EcW1 and EcW2, and their reasoned justification, to clarify that the provision of B1(a) (office) uses on out-of-centre allocations would be subject to sequential assessment.

Council's Response

This statement has been prepared by the Council in response to an issue that was raised at Hearing Session 5. The Council's Hearing Statement under matter 5.3 (b) clarified that complementary town centre uses, including offices, should be subject to the sequential approach set out under PPW paragraph 4.3.21 and changes have been proposed to policy EcW3: Retail Hierarchy that clarify the sequential approach would apply to complementary town centre uses.

In response to matter 5.1 (b)(i) the Council set out its sequential approach towards allocating employment sites, including for B1 uses. Following discussion at the Hearing Session 5 it was considered appropriate to clarify that new B1(a) development for new office floorspace should be subject to the sequential test, consistent with PPW paragraph 4.3.21 and changes proposed to policy EcW3. It should also be clarified that the allocated B1 uses at employment sites relate to light industrial uses under the B1(b) and B1(c) uses classes. Changes have been proposed to policies EcW1 and EcW2 accordingly and these will be included in the Council's Schedule of Matters Arising Changes.

Matters Arising Change

Policy EcW1: Provision of Employment Land

To support economic development, 30.65 hectares of employment land (for B1**(b)**, **B1(c)**, B2, B8 uses) is allocated at the following locations:

Site	Gross area (Ha)	Net area (Ha)
1. Former Hoover Factory Car Park	1.5	1.5
2. Goatmill Road	16.98	14.75
3. Ffos-y-fran	18.85	11.3
4. Land South of Merthyr Tydfil Industrial Estate	3.1	3.1
Total		30.65 ha

6.8.9 The Council's Employment Land Review (2018) indicated a quantitative requirement for 14.46 hectares of employment land to meet local needs over the Plan period, with need for approximately 5 hectares for B1 uses and 9 hectares for B2/B8 uses. This level represents the minimum land requirements based on past take up trends. The review has provided recommendations regarding employment land provision and protection that have been

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incorporated into the Plan. These have been informed by a property market assessment and audit of sites and take account of site availability, deliverability issues, the need to provide a range and choice of sites in suitable locations and regeneration objectives.

- 6.8.10 Policy EcW1 makes provision for a total of 30.65 hectares of employment land (net developable land) in order to provide for a sufficient range and choice of employment sites across the County Borough. This level of provision above the minimum quantity of land indicated provides sufficient flexibility in the supply of new sites and takes account of the planned regeneration of the Hoover Factory site at the Hoover Strategic Regeneration Area. It also allows for local and large scale development opportunities at Goatmill Road and an extension to the Merthyr Tydfil Industrial Estate at Troedyrhiw. In particular, this level of provision allows for the loss of previously productive employment land in the area and will enable the relocation or replacement of under used employment land and buildings that no longer meet modern business requirements. This includes for example, the loss of approximately 9 hectares at the Hoover Factory site following the end of production and its future redevelopment for other uses.
- 6.8.11 Whilst there is no identified regional land requirement for future waste management facilities, existing and allocated employment sites where B2/B8 class uses would be acceptable are identified as potentially suitable locations for waste management facilities. These sites have been identified to support the development of a network of integrated waste management facilities as set out in the Welsh Government Collections, Infrastructure and Markets (CIM) Sector Plan (2012). Whilst these are likely to fall under employment type uses it is possible future large scale single users serving a regional role could reduce the land available for the local employment market.
- 6.8.12 Land has also been allocated at Ffos-y-fran adjoining the A4060 as this area is anticipated to become available from 2024 following completion of open cast coal mining and restoration of the area. This will allow for the provision of future slip road access that is envisioned from the north and south of the site.
- 6.8.13 This level and distribution of allocation complements the areas existing strategic highways infrastructure and the Plan's transportation strategy which will see the County Borough better connected with the Cardiff Capital Region via planned South Wales Metro improvements, particularly in connection with future employment opportunities at the Hoover Strategic Regeneration Area.

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6.8.14 Further details regarding the employment site allocations can be found in Section 8 - Site Allocations Details which provides information on the identified site constraints and other planning requirements.

Policy EcW2: Protecting Employment Sites

In order to protect the employment function of the County Borough's business and employment sites, development will be permitted at Rhydycar Business Park where:-

- it falls within Use Class B1; or
- it provides an ancillary facility or service that supports the primary employment use.

At Pengarnddu, Pant Industrial Estate, Goatmill Road, EFI Industrial Estate, Cyfarthfa Industrial Estate, Triangle Business Park, Merthyr Tydfil Industrial Park, The Willows/ Abercanaid Industrial Estate, and at allocated employment sites, development will be permitted if:-

- It is within Use Classes B1**(b)**, B1**(c)**, B2 or B8; or
- It provides an ancillary facility or service that supports the primary employment use, or
- It is an acceptable complementary commercial service outside class B uses, or
- It is an appropriate waste management facility compatible with existing industrial and commercial activities.

Development proposals for uses other than those stipulated and that would result in the loss of employment land / premises at the above sites will only be permitted where it can be demonstrated that the proposal would not lead to an unacceptable change in the nature of the employment site and where the existing use is inappropriate or the land / premises are surplus to the requirements of the employment market.

At existing employment sites and premises outside the sites identified development proposals for non B-class uses that would result in the loss of the employment land / premises will be permitted where it can be demonstrated that the existing use is inappropriate or the land / premises are surplus to the requirements of the employment market.

6.8.15 Existing business and industrial parks are ingrained in the existing urban form and contribute substantially to our economic base. As such the Plan seeks their protection from development which would erode their employment characteristics, which has evolved over many years to meet specific economic demands. The incremental loss of employment land and premises can lead to a gradual erosion of an employment area. Without management, fragmentation and pressure for alternative uses could result in

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a cumulative loss of employment land and premises to the detriment of the local economy.

- 6.8.16 Accordingly, the Plan seeks to protect existing office, employment and industrial warehousing land (B1, B2 and B8 uses) to ensure their continued role and function in providing accessible sources of employment, and encourages the intensification and refurbishment of sites and premises which are under used, vacant or in decline.
- 6.8.17 Rhydyccar Business Park is protected for B1 class uses, **reflecting the existing business park function and office uses**, unless the development proposal provides an ancillary facility or service that supports the primary employment use. All other identified existing employment sites and employment allocations are protected for B1**(b)/B1(c)**/B2/B8 subject to a number of specified exceptions. **In accordance with the sequential approach to complementary retail and commercial centre uses in national policy¹, proposals for new office floor space at out-of-centre locations will be subject to the application of the sequential test under policy EcW3: Retail Hierarchy.**
- 6.8.18 Policy EcW2 allows for the development of ancillary services or facilities that supports the primary employment use of the site. Due to their ancillary nature these will be of an appropriate nature and scale to the existing employment site and will have an obvious and clear benefit to the existing employment use. These will be clearly secondary in nature to the main employment use and could include for example, a small shop or trade counter selling produce from the unit or a small service or storage area.
- 6.8.19 Acceptable complementary commercial service outside B class uses are also permitted under policy EcW2. These are generally small-scale commercial activities outside of the B-class uses which provide a service to local employees or users of the existing employment site. These could include for example, small snack bars, cafés, local shops or trade uses, training centres, day nurseries or fitness gyms. As complementary uses should support the users of industrial estate or business park the scale and number of similar complementary uses will also be relevant.
- 6.8.20 Policy EcW2 also allows for waste management facilities on sites where B2/B8 class uses would be acceptable provided these are compatible with existing industrial and commercial activities. Such development proposals would also need to satisfy Policy EcW14: Waste Facilities and the Plan's other design and environmental protection policies.

¹ **Planning Policy Wales, Edition 10, Paragraph 4.3.21**

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- 6.8.21 Development proposals at existing or allocated sites for uses other than those specified that result in the loss of employment land or premises will only be permitted where it can be demonstrated that the proposal would not lead to an unacceptable change in the nature of the employment site. This requires that alternative uses do not undermine or have an unacceptable effect on the employment sites characteristics in terms of its role and function. Such uses could include for example, children's soft play, activity centres, fitness/sports centres or retail units, where the intended customer base is further afield than the users of the existing employment site. Alternative uses will also need to satisfy other relevant policies of the Plan and ensure there are no unacceptable conflicts with existing users.
- 6.8.22 Proposals for alternative uses will also need to demonstrate that either the existing use is inappropriate or that the land or premises are surplus to the requirements of the employment market. Where existing uses are surplus to the requirements of the employment market viability and marketing evidence should be provided to justify the loss of employment land or premises. The type of evidence required will vary depending on the use and individual circumstances but may include details of why the land or premises is no longer in use and evidence to show that appropriate and reasonable efforts have been made to market it for sale or lease for its existing use. Information from the agent or applicant regarding demand could take the form of a marketing report or correspondence from a suitably qualified property agent or surveyor. The type of information could include the following:
- Details of existing occupiers, if any;
 - If appropriate, the length of time a property or site has been vacant;
 - The type of use which the property/site has been marketed for, and what the marketing strategy involved and its duration (typically there should be a minimum of 12 months appropriate marketing);
 - The amount of interest in the site during the marketing period - this should detail the number of queries, the type of use sought, and if known, the reason for not pursuing the initial query; and,
 - Whether the relocation of existing occupiers to other suitable accommodation will be facilitated.
- 6.8.23 Policy EcW22 applies to both existing and allocated employment sites which are identified on the LDP Proposals Map. The policy also affords some protection to existing employment sites and premises outside the identified existing employment sites where development proposals for alternative uses will be permitted provided it is demonstrated the existing use is inappropriate or the site or premises is no longer viable. As recommended in the Council's Employment Land Review, this will protect an important supply of smaller sites

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and premises across the County Borough and office uses in the Town Centre whilst allowing sufficient flexibility where alternative uses can be justified.