

Policy EcW2 Compliance & Justification Statement

Proposed Change of Use to Leisure (Padel Facility) –

Unit 2, Paisley Park, Pant Industrial Estate, Merthyr Tydfil, CF48 2SR

1. Introduction

This statement has been prepared to address Policy EcW2 of the Merthyr Tydfil Replacement Local Development Plan (2016–2031)

The proposal seeks a change of use from B1/B2/B8 employment use to a leisure use (padel facility) within an established employment area. The applicant acknowledges the importance of safeguarding employment land and therefore provides this detailed justification to demonstrate full compliance with Policy EcW2.

2. Policy Context – EcW2

Policy EcW2 states that development within employment areas will be permitted where it is:

Within Use Classes B1(b), B1(c), B2 or B8, or

An ancillary facility or service supporting the primary employment use, or

An acceptable complementary commercial service outside B-class uses, or

Where it can be demonstrated that the existing use is inappropriate or the premises are surplus to employment requirements.

The policy further clarifies that acceptable complementary uses may include gyms, fitness centres, activity centres, crèches, cafés, training centres and similar uses, subject to scale and impact.

3. Nature of the Proposed Use

The proposed padel facility is a low-impact indoor sports and fitness use, operating primarily during evening and weekend periods.

Key characteristics:

No industrial processes

No HGV movements

No external storage

Controlled attendance via pre-booking

Minimal noise break out

No emissions or pollutants

The use is therefore compatible with surrounding employment uses and does not conflict with the operational needs of neighbouring businesses.

4. Compliance as an “Acceptable Complementary Commercial Service”

The internal policy memorandum identifies that fitness and sports centres may be acceptable complementary commercial services under Policy EcW2.

The proposed padel facility falls squarely within this category for the following reasons:

Comparable to Examples Listed in EcW2

Padel is a recognised indoor fitness and sporting activity, comparable in scale and function to:

- **Gym**
- **Fitness centres**
- **Activity centres**

These uses are explicitly referenced within Policy EcW2 as potentially acceptable within employment areas.

4.1 Relationship to the Employment Area

The facility also provides and intends to:

- Serve local employees working within Pant Industrial Estate
- Provide after-work and weekend recreational opportunities
- Support corporate bookings and staff wellbeing initiatives

This aligns with the policy requirement that complementary uses support the wider employment function of the site.

4.3 Scale and Impact

The proposal:

- Occupies a single existing unit
- Does not introduce clustering or over-concentration of non-B uses
- Retains the overall character and function of the employment estate
- 75% of the estate is still of B class uses

As such, it does not result in an unacceptable change in the nature of the employment site, which is the primary test set out in EcW2.

5. Employment Land Considerations

No Net Loss of Employment Activity; While the use class changes, the proposal:

- Creates direct employment (management, coaching, reception, cleaning)
- Supports indirect employment through suppliers and local services
- Introduces a new unit that has been available on the market for an extended period but has not attracted industrial interest, bringing it into active economic use.

The proposal therefore maintains employment activity on the site, consistent with the objectives of the LDP.

5.1 Suitability of the Unit for Modern Industrial Use

The premises are not well suited to contemporary B2/B8 requirements due to:

Lack of dedicated service yard

Limited HGV manoeuvring capability

Increased market preference for modern logistics accommodation elsewhere

In this context, reuse for a low-impact leisure use represents an efficient and sustainable use of previously developed land, consistent with LDP regeneration objectives.

5.2 Evidence of Marketing and Demand – Knight Frank (Letting Agent)

To further inform the assessment of compliance with Policy EcW2, the applicant contacted the appointed letting agents, **Knight Frank**, to obtain formal confirmation of the marketing history, level of interest and demand for B-Class uses at the unit. Knight Frank have been responsible for the marketing of the speculative development since **November 2023**, providing an informed and up-to-date view of market demand for the site.

Kate Maffey, Knight Frank, confirmed the following via email:

“Knight Frank were instructed in November 2023 to market the speculative development on a To Let basis.

During our marketing approach we have received a broad range of enquiries as outlined below;

B1 / B2 / B8 Use Classes:

- Trade counter
- Offices / Storage
- Car mechanics / diagnostics

Uses extending beyond B1 / B2 / B8:

- Personal Training
- Wellness and Therapy Centre
- Veterinary Clinic
- Educational Centre
- Community Centre

We are currently receiving a relatively low level of take-up across the scheme. Whilst there has been interest from traditional occupiers, we have seen an increase in enquiries directed to alternative uses including gym/leisure (D2), veterinary and nursery/educational (D1) uses. A large reason for this is that many national occupiers and conventional commercial occupiers are already established either on the wider Pant Industrial Estate or locally in Merthyr Tydfil. In addition, the close proximity to residential developments means the location is attractive to alternative uses as the site is accessible by foot or public transport.

The development has been extensively marketed across a broad spectrum of marketing mediums for a period extending beyond 12 months.”

This correspondence demonstrates that the unit has been **actively and appropriately marketed for industrial and commercial purposes for over 12 months**, yet has experienced **limited take-up from B-Class occupiers**. Importantly, it evidences a clear and growing market demand for **alternative uses**, including leisure and community-related activities, which are more closely aligned with the site’s location and surrounding context. As such, the proposed use would not prejudice the availability or viability of employment land within the wider industrial estate and is consistent with the flexible application of Policy EcW2 in circumstances where continued B-Class occupation has not been forthcoming.

6. Conclusion

The proposed padel facility:

- Is not an unacceptable loss of employment land
- Falls clearly within the definition of an acceptable complementary commercial service
- Is directly comparable to fitness and sports centres identified in Policy EcW2
- Supports the employment area without undermining its function
- Delivers economic, employment, health, and regeneration benefits

It is therefore concluded that the proposal fully complies with Policy EcW2 of the Merthyr Tydfil Replacement Local Development Plan.

