

DELEGATED REPORT

Application No:	P/25/0339
Site Address:	Unit 2 Paisley Business Park Pant Industrial Estate Pant Merthyr Tydfil
Development:	Change of use from general industrial (use classes B1, B2 and B8) to indoor sport/recreation/fitness (use class D2)
Case Officer:	Kate Glover
Site Visit:	14th January 2026
Application Expiry Date:	15th March 2026
Consultation reply date expired:	4th February 2026

APPLICATION SITE

This application relates to an industrial unit, measuring approximately 329m², which forms part of a larger development of 14 industrial units (Paisley Park).

The site is located in the north-eastern section of the Pant Industrial estate and is bound to the west and south by existing industrial units. The main highway serving the site is to the north. Additionally, the site is located within the settlement boundary (LDP Policy SW4), a Primary Growth Area and the Pant Industrial Estate Protected Employment Site (LDP Policy EcW2).

PROPOSED DEVELOPMENT

Planning permission is sought for the change of use of the industrial unit from a Use Classes B1, B2 & B8 to a padel court (Use Class D2).

The proposed ground floor plan includes a reception, office and toilet and a single padel court which would occupy the majority of the floor area. No changes to the external envelope of the building are proposed. The unit has the benefit of 5 parking spaces and 2 bicycle hoops.

The opening hours would be 07:00 to 23:00 Monday to Sunday and include bank holidays with the court accommodating up to 4 customers and there would be 1 member of staff.

PLANNING HISTORY

The relevant planning history is summarised below:

P/96/0121	Erection of a factory Unit 5306 sq metres (57113 sq ft) and associated car parking and landscaping Granted 10.04.96
P/20/0109	Erection of industrial units (Use Classes B1, B2, B8) and associated works Granted 12 Aug 2020
P/20/0278	Vary condition 8 (retaining walls) of planning permission P/20/0109 Granted 10 Dec 2020
P/23/0226	Removal of conditions 11 and 13 and variation of conditions 2, 3, 5, 6 and 12 of planning permission P/20/0109 Granted 06 Nov 2023

CONSULTATION

Head of Engineering and Highways: No objection.

Planning Policy Officer: No objection.

Environmental Health Manager: No objection.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining properties and a site notice was displayed within the vicinity of the site.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

Future Wales: The National Plan 2040 (February 2021) (Future Wales)

National Planning Policies

Planning Policy Wales (Edition 12, February 2024).

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 (LDP) are relevant to the determination of this application:

- SW4 Settlement Boundaries

- SW11 Sustainable Design and Placemaking
- EcW2: Protecting Employment Sites
- EnW1 Nature Conservation and Ecosystem Resilience
- SW9: Planning Obligations

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 2: Planning Obligations (March 2012)
- Note 4, Sustainable Design
- Note 5, Nature and Development

PLANNING CONSIDERATIONS

The main issues to consider under the assessment of this application relate to the principle of development, parking and highway safety, visual impact and ecology. Consideration has also been given to planning obligations and Community Infrastructure Levy.

Principle of Development

The planning application is supported by a Compliance and Justification Statement in relation to LDP policy EcW2. The applicant states that the padel facility is an acceptable complementary commercial use within the employment area because it aligns with the types of uses specifically referenced in Policy EcW2, such as gyms, fitness centres, and activity centres. The document emphasises that the activity is low-impact, generates no industrial noise, emissions, or HGV traffic, and operates mainly during evenings and weekends, and is fully compatible with surrounding employment uses.

The applicant goes on to state that the proposal also supports the employment area by offering services for local employees, such as after-work recreation and wellbeing opportunities, without undermining the estate's function. The submission highlights that the change of use affects only one unit, and that approximately 75% of the entire industrial estate remains in B-class industrial employment uses. This demonstrates that the proposal does not create an over-concentration of non-industrial uses and does not alter the overall industrial character of the site.

The applicant also advises that the unit has been marketed by Knight Frank since November 2023 and has been actively advertised for over 12 months across a wide range of platforms. Despite this, take-up from traditional B1/B2/B8 industrial occupiers has been limited.

Turning to the requirements of LDP policy, Policy EcW2 (Protecting Employment Sites) states that at ...Pant Industrial Estate... 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 would result in the loss of employment land / 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 and where the existing use is inappropriate, or the land / premises are surplus to the requirements of the employment market.

The Planning Policy Officer has not raised an objection to the proposal. The Policy Officer notes that the proposal would not lead to an unacceptable change in the nature of the employment site or undermine or have an unacceptable effect on the employment sites characteristics in terms of its role and function. In relation to the marketing of the unit, the Policy Officer notes that the Paisley Park site was completed in approximately May 2024, and was actively marketed during its construction and since its completion. Knight Frank (estate agents) were instructed in November 2023 to market the speculative development on a To-Let basis. A marketing brochure, produced by Knight Frank, and available on the company's website, is dated January 2024. As such, it is considered that the site has been appropriately marketed for a suitable period of time. Given that the unit in question (and other units on the site) remain vacant, it is considered that it is surplus to the requirements of the employment market. As such, there is sufficient evidence to satisfy the above criteria, and the loss of employment land is justified in this instance.

Accordingly, the proposal meets the requirements of LDP Policy EcW2.

Parking and Highway Safety

The planning application is supported by a Parking Justification report, in which the applicant states that there would only be a maximum of 1 staff member and 4 visitors would be on site at one time. Additionally, the start times to each padel session would be staggered, this ensures that parking is available for the next session and there would be no lack of availability for parking, therefore the proposed parking arrangement is acceptable.

The Head of Engineering and Highways has raised no objection to the proposed use and notes that the use of the premises as a padel court and no other falling under D2 Use Class can be used to ensure that the parking requirements would be accommodated in the existing parking areas.

In relation to the proposed use and general uses falling under D2 Use Class, it is necessary to consider the extent to which the approved use could generate vehicular movements and parking demand beyond that reasonably accommodated within the constraints of the site.

The site is served by 5 parking spaces and bicycle hoops. The adjacent units are subject to limited levels of parking of between 5 and predominantly lower numbers of spaces allocated to each unit. The surrounding highway network is within an established industrial area where large vehicles often move around the site, which require sufficient room to manoeuvre around junctions and along the highway. As such, even modest increases in parking demand have the potential to result in overspill parking into spaces allocated to adjacent units, thereby affecting their operation. Also, the potential for parking on the adjacent highway, leading to obstruction, reduced visibility for drivers and pedestrians, and general conflict between highway users. This could give rise to unacceptable highway and pedestrian safety impacts.

It is noted that two recent planning applications for the use of Unit 1 Paisly Park as a veterinary practice (refs. P/24/0265 and P/24/0087) were refused on the basis of that the activities of the vets could not be accommodated by the 5 parking spaces and bicycle hoops that were available to the unit and the insufficient parking provision would result in adverse implications for the neighbouring units and highway safety.

The planning application seeks consent for the use of the unit as a padel court, which is considered a specific recreational use within the broader spectrum of activities typically falling under Use Class D2. While the operational characteristics of a padel court involve a predictable and managed flow of users, typically by pre-booked sessions with limited participant numbers, the wider D2 use class includes a variety of uses such as gyms, assembly and leisure venues, cinemas, and other recreational facilities that can generate significantly higher parking demands.

Allowing the unit to operate under the full extent of D2 use rights would therefore create possible future intensification in vehicular activity exceeding that associated with the present proposal. Such intensification could exacerbate the parking shortfall already identified through the earlier refusals and could directly undermine the safe and efficient operation of the highway network.

For these reasons, it is considered both necessary and reasonable to impose a condition restricting the use of the building strictly to a padel court, as applied for, and preventing its use for any wider purpose within Use Class D2. The condition is required to ensure that the development does not give rise to unacceptable parking pressure or highway safety issues, consistent with the grounds of refusal established in previous applications for the site.

Accordingly, the proposal meets with the requirements of Policy SW11 of the LDP.

Visual impact

LDP Policy SW11 which relates to sustainable design and placemaking, seeks to ensure that development is appropriate in its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density. It is noted that no alterations to the external envelope are proposed, and the proposal would not materially affect the character and appearance of the building or the wider industrial estate. Therefore, the proposal meets the requirements of LDP Policy SW11.

Ecology

The planning application is supported by a Biodiversity Statement which recognises that there is no impact on ecology and that the site is constrained in terms of being able to incorporate biodiversity. The Statement goes on to recognise the need for development to enhance biodiversity, and this requirement could be secured via condition

Policies EnW1 of the LDP which relates to nature conservation and ecosystem resilience seek to ensure that the green infrastructure and the biodiversity interests are maintained and enhanced. The proposal seeks a change of use of the industrial unit with no proposed extensions or significant alterations to the building. Given the scale and nature of the proposal, there are no significant concerns in respect of the potential impacts on the green infrastructure or any protected species or habitats. Notwithstanding this, ecological enhancements would be requested and controlled by condition, which would provide

additional habitats in the local area, and therefore contribute to the wider green infrastructure objectives.

Planning Obligations

The Planning Policy Officer has confirmed that, given the nature of the proposal, on-site provision of affordable housing or open space, or a financial contribution towards affordable housing, would not be sought. Additionally, Community Infrastructure Levy (CIL) would not be chargeable.

CONCLUSION

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **CONDITIONS:**

1. The development shall begin not later than five years from the date of this decision.
Reason - To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development shall be carried out in accordance with the following approved plan:

Drawing Title: Proposed Plan, Section, Site and Location Plan Drawing No. Padel Unit 2 02A, Received on 16 February 2026.

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.
3. **BEFORE WORKS COMMENCE ON SITE** a scheme for biodiversity enhancement, including a timescale for implementation, shall be submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).
4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order revoking and re enacting those Orders with or without modification, the building shall be used only as a padel

court as specified in the Parking and Access Justification Statement received on 12 January 2026, and for no other purpose within Use Class D2 (or any equivalent future use class).

Reason - To ensure that the use does not result in an intensification of parking demand or associated overspill onto the adjacent highway, in the interests of maintaining highway and pedestrian safety, in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence. All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1> is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 19.02.2026