



Safeguarding SPG21 Employment Sites



Executive Summary

This Supplementary Planning Guidance (SPG) expands upon the Council's existing planning policy contained within the adopted Local Development Plan (LDP) which deals with the protection of identified employment sites for their employment function and circumstances where alternative uses, including D2 uses may be acceptable.

It outlines those uses which are considered as 'exceptions' in terms of the protection of employment land for its primary function, the nature of D2 use classes that may be permitted on employment sites and guidance on site selection and submission of planning applications which meet the criteria contained in the relevant LDP policies.

This SPG will be a material consideration in the determination of all planning applications for development which results in the loss of allocated employment land for non 'B Class' uses, including applications for renewal of consents.

The Council would urge anyone seeking to submit an application for non-employment uses on allocated employment sites within the County Borough to read this SPG and to contact the Local Planning Authority in advance of submitting an application to discuss the issues which are raised in this document on a site specific basis.

1. Introduction

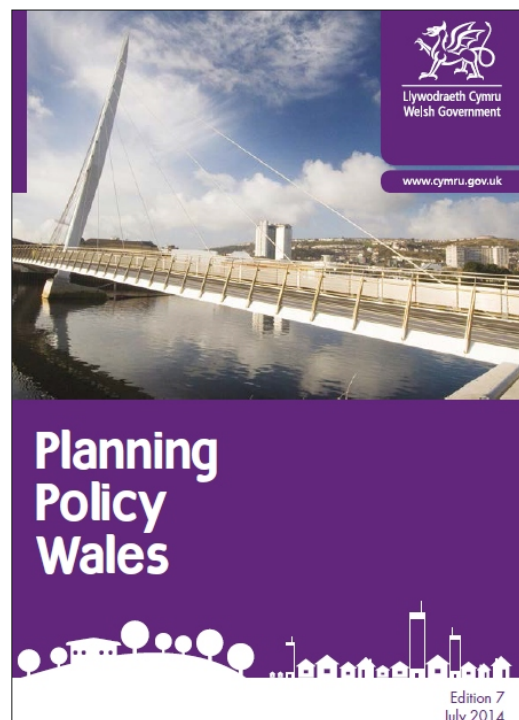
- 1.1** This guidance supplements policies SP9, REG1, REG2, and REG3 of the adopted Bridgend Local Development Plan (LDP) (2006 - 2021). Its purpose is to provide advice to applicants on issues that they will have to consider to satisfy the Council that any proposed loss of employment land for a non-industrial or business use will serve an identified need which will not have an adverse impact on the employment function of industrial estates or commercial activity in the wider County Borough.
- 1.2** It will enable applicants to interpret LDP policies and identify where other non-specified uses will be acceptable on designated employment land, including what evidence they will need to provide to support their application.
- 1.3** A healthy supply of employment land is necessary to secure continued investment from a range of industries which support a competitive industrial base and future employment opportunities in sustainable locations throughout the County Borough.
- 1.4** Through the implementation of its LDP policies, the Council will seek to control the loss of identified employment land for other non-specified uses unless it is considered to have a positive impact which outweighs the need to retain the land for its primary employment function.

2. National and Local Policy Guidance

National Policy Guidance

- 2.1** National planning guidance as contained in Planning Policy Wales (2014), paragraph 7.1.3 states that:-

“The planning system, including planning policies, should aim to ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses. Local planning authorities should aim to facilitate the provision of sufficient land required by the market, except where there are good reasons to the contrary”.



2.2 Paragraph 7.5.1 states:

Development Plans should:

- *Include policies relating to future development on existing employment sites to protect them from inappropriate development:*
 - *To encourage the regeneration and re-use of sites which are still suitable and needed for employment;*
 - *To control and manage the release of unwanted employment sites to other uses.*

Local Planning Policy

2.3 The Bridgend Local Development Plan was adopted on the 18th September 2013. It sets out the Council's land use planning policies up to 2021. In the consideration of applications for employment development, the following policies are particularly relevant:



Policy SP9	Employment and the Economy
Policy REG1	Employment Sites
Policy REG2	Protection of Identified Employment Sites
Policy REG3	D2 Uses on Employment Sites
Policy SP7	Waste Management
Policy ENV16	Commercial and Industrial Waste
Policy SP2	Design and Sustainable Place Making

2.4 In the context of Policies SP9 and REG1 their main purpose is to allocate, safeguard and protect identified employment land to primarily ensure that sufficient land is available for employment B1 (business), B2 (general and industrial) and B8 (storage and distribution) opportunities.

The sites identified in Policies SP9 and REG1 of the LDP are listed in Appendix 1 for ease of reference.

2.5 However, as detailed in paragraph 5.1.15 and 5.1.16 of the LDP, Policy REG2, whilst protecting employment land in principle, also allows other uses as exceptions where these can be identified as ancillary or complementary to the main employment activity of the employment site or represents a sui generis activity more suitably located on employment land.

- 2.6** The Council also recognises the increasing pressure to allow certain uses falling within Class D2 (assembly and leisure) of the use classes order within employment areas. These include children's soft play centres and other indoor sporting or leisure activities which, by their very nature, require a large open indoor space, often with significant headroom. Therefore Policy REG3 states the criteria where D2 (Assembly and Leisure) uses would be considered acceptable on Policy REG1 sites.
- 2.7** Policies SP7 and ENV16 also recognise that the most suitable location for waste facilities would be employment estates and directs development of this nature to allocated employment sites.
- 2.8** Policy SP2 is the overarching development control policy which is applied to all development proposals in the interest of achieving high quality, attractive and sustainable places.
- 2.9** The purpose of this SPG is to provide additional guidance in relation to Policies REG2 and REG3 which will allow applicants to determine the acceptability of alternative uses on allocated employment sites and the necessary evidence required to satisfy the Policies.

3. Policy Interpretation and Guidance

REG2 - Protection of Identified Employment Sites

- 3.1** Policy REG2 aims to protect existing jobs and ensure continued availability of a wide range of employment opportunities throughout the County Borough, by strongly resisting the redevelopment of allocated employment land and buildings for alternative purposes.
- 3.2** Policy REG2 however recognises that employment areas operate more efficiently if they can provide an element of service to their employees and their clients.

Policy REG2 ***Protection of identified Employment Sites***

Proposals which result in the loss of existing or proposed employment (B1,B2 land B8) land or buildings on sites identified in Policy REG1 will not be permitted. Exceptions will need to be justified on one of the following grounds:

- 1. In appropriate locations, a limited number of those uses regarded as complementary and/or ancillary to the main use of the land for industrial purposes;**
- 2. In appropriate locations, those sui generis employment uses which are regarded as being suitably located on industrial land.**

3.3 As noted in paragraph 5.1.15 of the LDP, there are a limited number of non B1, B2 and B8 uses which could be considered as acceptable on employment sites as they would provide a service to employees and their clients and contribute to the efficiency of the employment site. Paragraph 5.1.15 of the LDP lists a number of examples which could be considered as acceptable in that regard. They are:

- Hotels with conference facilities
- Banks
- Post Offices
- Public Houses
- Cafes
- Newsagents
- Bakeries
- Gyms
- Crèches



3.4 Applicants should be aware that this list is intended to provide examples of uses which could be acceptable subject to detailed assessment and is not an exhaustive list.

3.5 Policy REG2 and paragraph 5.1.15 of the LDP also reference 'appropriate locations' a 'limited number' and 'cumulative impact'. 'Suitable locations' has a dual meaning in respect of criteria 1. In the first instance it refers to whether the employment site is suitable to accommodate ancillary/complementary use and secondly it refers to the location of uses within employment sites.

3.6 In respect of the above therefore, when determining planning applications for non B uses on employment sites in the context of Policy REG2(1) consideration will be given to the following:

- The nature of the use proposed and whether it is considered as ancillary to the functioning of the industrial estate;
- Existing ancillary uses already operating (or recently benefiting from planning consent) on the employment site;
- The size of the employment site and its ability to sustain the proposed use; and
- An assessment of the potential impact on nearby retail centres.

3.7 Further guidance on 'suitable locations' within employment sites can be found in paragraphs 3.27 to 3.32.

3.8 In addition, some sui generis uses by their very nature do not fit appropriately within town centres or within close proximity to residential areas and are better located on industrial estates. Such sui generis uses regarded as being suitably located on industrial land include those below, but this is not necessarily an exhaustive list.

- Car show rooms,
- Automotive sales/repairs
- Car/minibus/taxi hire
- Plant hire
- Tyre retailing/fitting
- Veterinary clinic or hospital
- Petrol filling station
- Timber merchants yard
- Waste disposal/treatment



3.9 Further guidance on 'suitable locations' within employment sites can be found in paragraphs 3.27 to 3.32.

3.10 In addition to the above, the Council also permits in certain circumstances uses falling within use class D2 (Assembly and Leisure – including indoor sports and recreation) of the Use Classes Order. In some cases these can be justified where they provide an ancillary service in the context of Policy REG2, examples of these are included in paragraph 3.3. Those D2 uses will not be subject to assessment in the context of the criteria relating to Policy REG3 as some may genuinely be considered as complementary or ancillary to the main use of the land for employment purposes. However, they will need to satisfy the criteria in Policy SP2 with regards amenity and parking requirements etc.

3.11 The guidance below should be applied to all other D2 uses.

Policy REG3 - D2 Class Uses on Employment Sites

3.12 For all other D2 uses on employment sites, Policy REG3 will apply. Policy REG3 is included below and the explanatory text following provides greater clarity on how the Council will implement the Policy and the evidence required to satisfy each of the criteria relating to Policy REG3.

Policy REG3
D2 Class Uses on Employment Sites

Proposals which result in the change of use of existing employment (B1,B2 and B8) buildings to uses within Class D2 of the Use Classes Order on Policy REG1 sites will be permitted provided that:

1. In sequential order of preference, all suitable retailing and commercial centre, edge-of-centre and out-of-centre sites and buildings have been assessed and found unsuitable;
2. The building has been vacant for at least 2 years and has been actively marketed for employment uses throughout that time;
3. The site is accessible by a choice of means of transport other than the car;
4. It is demonstrated that a former industrial building is required to accommodate the use;
5. The proposal, in terms of size and number, either singularly or cumulatively with other existing or permitted developments, is clearly subordinate to the employment use of the area and does not threaten the status and character of the wider allocation as an employment site for B1, B2 or B8 uses; and
6. The operations of other industrial and employment uses in the vicinity of the site would not be adversely affected.

3.13 The following guidance will address each of the above criteria in-turn:

Criteria 1

In sequential order of preference, all suitable retailing and commercial centre, edge-of-centre and out-of-centre sites and buildings have been assessed and found unsuitable

- 3.14** In the first instance locations within, or on the edge of town and district centres are the most sustainable locations for D2 uses as they are more accessible by a range of transport modes, especially public transport. These uses also add to the vitality and viability of centres by increasing footfall, especially uses associated with fitness where the peak times are when other operations in town centres maybe closed. Public car parking facilities are also available in town and district centres.
- 3.15** Out-of-centre retail sites would also be considered as suitable locations for these proposals given the size of the units available, the purpose of multi-functional trips and the availability of parking.
- 3.16** When it is demonstrated that the commercial centres or out-of-centres retail sites cannot suitably accommodate the proposal, consideration should be given to a location within the wider urban area and accessible close to existing communities.

3.17 In identifying suitable land or buildings for this type of use in the urban areas, the applicant may want to investigate the availability of vacant commercial or retail units, or redundant churches. Opportunities may also exist in establishing the use alongside an existing operation which would be complimentary to the use proposed.



3.18 Finally, once the applicant has demonstrated all reasonable attempts have been made to identify sites in the context of the above, consideration can be given to suitable employment allocations.



3.19 Employment land will be considered favourably in principle when sequentially preferable sites have been exhausted. However, the range of industrial estate which are available throughout the County Borough vary significantly in terms of their size, occupation rates and industrial intensity. The applicant will therefore be expected to consider the nature of the industrial estate, the location within the industrial estate and the nature of the use proposed in the context of its surroundings. Further information on this is provided in paragraphs 3.27 to 3.32 below.

3.20 It is not sufficient for the applicant to simply state that the sequential approach has been carried out. The Council will expect the applicant to provide evidence to reasonably demonstrate that this approach has been undertaken. This should include details of the properties that have been visited in commercial centres, out-of-centre retail sites, urban areas, and finally employment sites (which maybe considered more suitable for the nature of use proposed) and reasons why they were not suitable.

It should be noted that rental costs are not a planning consideration.

Criteria 2

The building has been vacant for ay least 2 years and has been actively marketed for employment uses throughout that time.

3.21 The Council will expect the applicant to have evidence to demonstrate that the proposal accords with criteria 2 including letters from letting agents and landlords and marketing materials. It should additionally be noted that the Council monitors the occupancy of the units on industrial estates, the applicant is therefore advised that they can contact the Council to ascertain this information.

Criteria 3

The site is accessible by a choice of means of transport other than the car.

3.22 The proposal should be located within close proximity to a bus stop and /or a train station and should demonstrate safe pedestrian access. The applicant should therefore provide information on the following:

- Distances from bus stops and/or train station and the locations that they serve;
- Availability for safe access by means of bicycle/foot.

3.23 More detail is provided in paragraphs 3.27 to 3.32 below.

Criteria 4

It is demonstrated that a former industrial building is required to accommodate the use

3.24 The applicant will be required to demonstrate that the size, location and any other specifications associated with the industrial building are required to accommodate the use. The information that would be necessary in this regards would be:

- Information on the activity proposed;
- Information on the equipment necessary to support this activity.

Criteria 5

The proposal, in terms of size and number, either singularly or cumulatively with other existing or permitted developments, is clearly subordinate to the employment use of the area and does not threaten the status and character of the wider allocation as an employment site for B1, B2 or B8 uses.

3.25 Whilst a proposal might be justified in the context of the other criteria, the Council maintains that the primary use of the allocation for employment purposes and will protect it for this use. Therefore, if a proposal is considered either singularly or cumulatively to 'tip the balance' in terms of employment/alternative uses, the Council will not consider the application favourably.

Criteria 6

The operations of other industrial and employment uses in the vicinity of the site would not be adversely affected.

3.26 There will be a presumption against any proposals which will have a negative impact on the functioning of an existing or proposed employment use. Therefore regard should be had to the location of the proposal in the context of the guidance in paragraphs 3.27 to 3.32 below.

Location of alternative uses within the Industrial Estate

3.27 This section is particularly relevant to Policy REG2 (which places emphasis on the 'suitable location' of uses) and the consideration of whether a proposal satisfies criteria 3, 5 and 6 of Policy REG3 relating to accessibility, the cumulative effect of non B Class uses on the character of the employment area and neighbouring uses.

3.28 With regards Policy REG2, the suitable location of facilities simply relates to the surrounding employment uses, ensuring that the proposal will not adversely affect the operations of neighbouring industrial uses, or be adversely affected by them. Issues to consider in terms of operation affects both from and on neighbouring uses include noise, dust, vibration and smell etc. Therefore, the applicant should wherever possible look for sites in close proximity to other ancillary/complimentary uses.

3.29 In respect of Policy REG3 and D2 uses, once the applicant had demonstrated that, in the sequential order of preference, employment sites are the last available option (criterion 1), careful consideration should be given to the location of the proposal taking account of the surrounding industrial operations and health and safety issues.

3.30 In the first instance the applicant should look for a site on the periphery of the employment site and nearest the main-stream public transport service reducing the need to travel into the industrial estate and potentially reduce the conflict with heavy traffic associated with industrial uses.

3.31 They should look for sites with similar ancillary and/or D2 uses where the proposal will not adversely affect the operations of neighbouring industrial uses, or be adversely affected by them. Issues to consider in terms of operation affects both from and on neighbouring uses include noise, dust, vibration and smell etc.

3.32 The building should have adequate car parking to ensure that all users can be accommodated without the need to 'spill out' onto the industrial estate and there should be direct access from the car park to the building.

4. Pre Application Advice

- 4.1** The planning implications and merits of a non B Class use on an employment site will need to be assessed in detail by the Local Planning Authority once the planning application is submitted.
- 4.2** The Council would urge anybody seeking to submit a planning application for a non B Class use on an employment site to enter into pre-application discussion with the Council (details available on the Council's website) in the interest of identifying issues that maybe relevant to site selection and the determination of a planning applications as early as possible in the process.

Appendix 1

LDP Policies SP9 and REG1

Strategic Policy SP9

Employment and the Economy

In order to meet the varying requirements of business, and to provide access to employment and training for all residents, a range and choice of vacant sites on 120 hectares of land is identified and protected for employment (B1, B2 and B8 uses) purposes.

Land is allocated and safeguarded for the establishment of high quality 'strategic employment sites'. such sites must be developed, in accordance with a development brief/masterplan, to the highest environmental standards. Preferred uses on the site are ICT, Energy and Environment, Advanced Materials and Manufacturing, Creative Industries, Life Sciences, and B1 financial and Professional services.

The following strategic sites are allocated for employment purposes:

SP9(1) Brocastle, Waterton, Bridgend;	20 Hectares
SP9(2) Island Farm, Bridgend;	11 Hectares
SP9(3) Pencoed Technology Park;	5 Hectares
SP9(4) Ty Draw Farm, North Cornelly.	2 Hectares

LDP Objectives: 1a, 1b, 1d, 3a, 3b, 3c

Policy REG1

Employment Sites

Land is allocated and protected for employment development falling within the uses specified, at:

Bridgend		Valleys Gateway	
<i>Strategic Regeneration Growth Area</i>		<i>Strategic Regeneration Growth Area</i>	
	<u>Uses</u>		<u>Uses</u>
REG1(1)*†† Brackla Industrial Estate	B1, B2, B8	REG1(16) Abergarw Industrial Estate	B1, B2, B8
REG1(2) Bridgend Industrial Estate	B1, B2, B8	REG1(17)* Bryncethin Depot	B1, B2, B8
REG1(3)* Coity Sidings, Bridgend	B1	REG1(18)†† Brynmenyn Industrial Estate	B1, B2, B8
REG1(4) Coychurch Yard, Bridgend	B1, B2, B8	REG1(19)* Former Christie Tyler Site	B1, B2, B8
REG1(5)*†† Litchard Industrial Estate	B1, B2, B8	REG1(20) Enterprise Centre, Tondu	B1, B2, B8
REG1(6)* Parc Afon Ewenni	B1, B2, B8	REG1(21)* Land west of Maesteg Rd, Tondu	B1
REG1(7) Penybont Industrial Estate	B1, B2, B8	REG1(22) Land adjacent to Sarn Park	B1
REG1(8)†† Waterton Industrial Estate	B1, B2, B8	Services	
Maesteg & The Llynfi Valley		Other	
<i>Strategic Regeneration Growth Area</i>		<i>Strategic Regeneration Growth Areas</i>	
REG1(9)* Coegnant, Caerau	B1, B2, B8	REG1(23) Bocam Park, Pencoed	B1
REG1(10)* Ewenny Road, Maesteg	B1, B2, B8	REG1(24) Bldgend Science Park	B1
REG1(11) Forge Industrial Estate, Maesteg	B1, B2, B8	REG1(25) Crosby Yard, Bridgend	B1, B2, B8
REG1(12) Heol Ty Gwyn, Maesteg	B1, B2, B8	REG1(26) Dunraven House, near Pyle	B1, B2
REG1(13) Spelter Industrial Estate, Maesteg	B1, B2, B8	REG1(27) Ffaldau Industrial Estate	B1, B2, B8
		REG1(28)* Land at Gibbons Way, North Cornelly	B1
Porthcawl		REG1(29) Georgia Pacific	B1, B2, B8
<i>Strategic Regeneration Growth Area</i>		REG1(30) Green Meadow, Llangeinor	B1, B2, B8
REG1(14) Glan Road, Porthcawl	B1, B2, B8	REG1(31)* Isfryn Industrial Estate (including Cwm Ogwr Fach, Blackmill)	B1, B2, B8
REG1(15) Pwll y Waun, Porthcawl	B1	REG1(32) SW of Pencoed Technology Park	B1, B2, B8
		REG1(33) Penllwyngwent, Ogmere Vale	B1, B2, B8
		REG1(34) South Cornelly Industrial Estate	B1, B2, B8
		REG1(35) Trews Field, Bridgend	B1, B2, B8
		REG1(36)†† Village Farm Industrial Estate	B1, B2, B8
		REG1(37) Wern Tarw	B1, B2, B8

Those sites marked with an asterisk* are sites included within, or form part of mixed-use schemes as defined in Policy PLA3.

Those sites marked with †† are sites which are also considered as acceptable in principle to accommodate a waste treatment facility as defined in Policy SP7.

**APPENDIX 2 –
CONSULTATION RESPONSES TO SUPPLEMENTARY
PLANNING GUIDANCE 21 SAFEGUARDING EMPLOYMENT
SITES**

Safeguarding Employment Sites Supplementary Planning Guidance Consultation Responses

Organisation	Section No.	Page No.	Representation	Reasoned response	Decision and Action
Natural Resources Wales			<p>We have no adverse comments regarding its content and we support your authority's sentiments as stated within paragraph 3.28 when referring to the consideration of any detrimental adverse affects upon neighbouring industrial uses.</p> <p>We would also draw to your authority's attention that proposed waste disposal/treatment uses of vacant industrial building/sites will need to be considered; assessed and monitored very closely to ensure that these uses do not impact upon the surrounding industrial uses from an environmental risk perspective.</p>	Noted.	No action required.
The Coal Authority			Having reviewed the document, I confirm that we have no specific comments to make at this stage.	Noted.	No action required.
Cliff Patten			In respect of paragraph 3.3, whilst it is accepted that the list of non Class B uses that may be acceptable is not exhaustive, I suggest that exploratory boreholes and production sites for methane gas should be included, as this may ultimately provide a cheaper source of energy for industrial users.	<p>It is recognised that proposals for exploratory boreholes and production sites for methane gas could potentially result in a complementary future energy source for existing industrial users.</p> <p>However, the drilling of an exploratory borehole is a sui generis/industrial process and a methane extraction 'plant' is classified as a B2 use. As such it would be inappropriate to specifically include these in paragraph 3.3 of the SPG as examples of acceptable 'non' B class uses.</p>	
Glamorgan Gwent Archaeological Trust			<p>The development of all sites, including employment sites, may have both a direct physical impact on buried and upstanding archaeological remains, and also an indirect visual impact on heritage assets.</p> <p>There are hundreds of sites on the Bridgend Historic Environment Record curated by GGAT. Less than 2% of</p>	<p>Noted.</p> <p>Issues relating to the potential impact of development on heritage assets will be properly assessed including consultation with GGAT and CADW as part of any future planning application process and consideration</p>	No action required.

Organisation	Section No.	Page No.	Representation	Reasoned response	Decision and Action
			<p>these are on average Scheduled Ancient Monuments: Cadw have responsibility for the SAMs and must be consulted if any development is proposed that may impact them. For sites with non-statutory designations, archaeological mitigation work may be required both pre and post determination to ensure that development complies with Planning Policy Wales Chapter 6: Conserving the Historic Environment, and the Welsh Office Circulars 60/96 and 61/96. Early consultation with GGAT Archaeological Planning, as the advisors to Bridgend County Borough Council, is advisable.</p> <p>A Register of Historic Landscapes, Parks and Gardens is compiled by Cadw, ICOMOS and NRW and any developments of a large scale within a Registered area may need an ASIDOHL report undertaken and submitted (Assessment of the Impact of Development on a Historic Landscape: guidance is available from Cadw's website http://cadw.wales.gov.uk/docs/cadw/publications/LandscapesRegisterGoodPractice_EN.pdf)</p> <p>The impact of any development on the setting of Scheduled Ancient Monuments, Listed Buildings and archaeological features without statutory designations also has to be taken into consideration, and Cadw have produced Conservation Principles, to provide further detailed guidance when dealing with such issues, details at: http://cadw.wales.gov.uk/docs/cadw/publications/ConservationPrinciples_EN.pdf</p> <p>It should also be noted that archaeological features and finds exist outside Registered and Scheduled areas and may require pre-planning and conditioned archaeological</p>	<p>of other relevant policies including Policies SP5 and ENV8 of the LDP.</p>	

Organisation	Section No.	Page No.	Representation	Reasoned response	Decision and Action
			<p>mitigation. All archaeological work undertaken in relation to planning issues should be undertaken to the Standards and Guidance of the Institute for Archaeologists and it is our policy to recommend that either a Registered Organisation with the IfA or a member with MIfA level membership should undertake the work.</p>		
<p>South Wales Police</p>			<p>In relation to the SPG I have no observations to make.</p>	<p>Noted.</p>	<p>No change required.</p>
<p>Suzy Davies, AM</p>			<p>I will not be submitting a detailed response to the consultation but I would be grateful if the following points might be taken into account when the responses are being considered.</p> <ol style="list-style-type: none"> <li data-bbox="622 730 1120 1125">1. Supplementary guidance specific to exploratory applications for gas extraction. Clearly not a renewable source of energy, but should the guidance on renewable energy cover the balance a Council may need to strike between different sources, not lease between different renewable sources? Essentially, TAN 8 is also just guidance and the 93/7% split in favour of on-shore wind and can be overcome by a greater local preference for other renewably sourced energy. <li data-bbox="622 1177 1120 1420">2. Heritage landscape. There is already guidance on this but Welsh Government will be bringing forward its draft Heritage Act soon. That will have implications for scatter sites and sites which contribute to specific sense of place. Although the new legislation will not be available before your work is completed, how 	<p>Noted.</p> <p>This comment more specifically relates to the consultation on draft Renewables in the Landscape SPG.</p> <p>Potential impact on heritage assets (including heritage landscapes) – see comment relating to GGAT representation above.</p>	<p>No change required.</p>

Organisation	Section No.	Page No.	Representation	Reasoned response	Decision and Action
			will the new guidance provide for potential strengthening of protection of sites of heritage interest.		

Late Representations Received

Organisation	Section No.	Page No.	Summary of Representations	Reasoned response	Decision and Action