RAPLEYS

LDP Team, Planning Section
County Hall
Atlantic Wharf
Cardiff
CF10 4UW

Submission by email: LDP@cardiff.gov.uk

Our ref: WH/21-01806
Date: 5 November 2026

Dear Sir/Madam

Re: Cardiff Replacement LDP – Consultation on the Schedule of Proposed Changes - Representations on behalf of Hovis Bakeries (formerly Allied Bakeries) (Representor Number 67) in respect of Proposed Plan Change Reference PPC6

We act on behalf of Hovis Bakeries (formerly Allied Bakeries) and have been instructed to submit representations to the above consultation specifically in relation to the Proposed Plan Change Reference PPC6.

We submitted a further written statement on Employment (Hearing Session 6) in respect of Policy EC5A. It is noted that the proposed changes to Policy EC5A are intended to address tension between EC3 and EC5A as it is not clear how the Council as decision maker can both deem EC3 sites to be fully capable of employment use and necessary to meet wider strategic aims and potentially unneeded and unsuitable employment use.

It is not considered that there is a tension inherent between EC3 and EC5A. Policy EC3 protects designated employment areas as a supply provision to meet the demand forecast for employment provision over the plan period. Policy EC5A continues to protect designated employment areas and provides criteria against which proposals for alternative uses are considered because site or economic circumstances could change significantly in the long term from the evidence that informed the Local Plan Development was prepared. Policy EC3 identifies designated employment areas which are to be protected as a supply provision to meet the demand forecast based on the evidence now. While Policy EC5A protects designated employment areas, it provides the necessary flexibility to respond positively to changing site or economic circumstances as supporting paragraph 7.111 states. As such, there is no tension between Polices EC3 and EC5A.

However, the proposed changes to Policy EC5A are such that alternative uses within land safeguarded under Policy EC3 will not be permitted unless it can be demonstrated that all of the criteria under Policy EC5A are satisfied. This would mean that even in the circumstances where the applicant has demonstrated that there is no reasonable prospect of the land or premises being retained, reused or occupied for employment purposes, having regard to

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market demand and marketing evidence and that opportunities to retain the land or premises in employment use have fully been explored, the site could still be protected if it was deemed by the decision maker that criterion i) is not satisfied.

The test under criterion i) is an ambiguous test, which disregards the site specific circumstances and considers the impact of the delivery of non-employment use of a site on the delivery of the city-wide employment land strategy. The policy could prevent a vacant site from being reused for alternative uses even in the circumstances where the applicant has provided marketing evidence including marketing demand and viability evidence exploring all opportunities to retain the land or premises in employment use. Policy EC5A could potentially have the effect of preventing designated employment sites from being reused or redeveloped in perpetuity, depending on how criterion i) is assessed by the decision maker.

The proposed changes to Policy EC5A is not sufficiently flexible to respond to changing site and economic circumstances in the long term even when robust evidence is provided by the applicant to demonstrate that there is no reasonable prospect of employment use on site, having also regard to marketing evidence and viability.

As such, we object to changes to Policy EC5A and consider that criterion i) should be removed.

We also remain concerned with Policy EC5B, which requires the provision of an element of new employment workspace and community facilities as part of a mixed-use residential redevelopment where the criteria of Policy EC5A have been satisfied. While the proposed changes to Policy EC5B allows for circumstances where there is no realistic prospect of delivering viable employment uses on site through marketing and viability evidence, it is not justified to seek to secure developer contributions to "compensate for the economic harm arising from the loss of the employment site." Where Policy EC5A is satisfied in terms of alternative use, there should be "no harm" arising from the loss.

We consider that Policies EC5A and EC5B and supporting paragraphs should be amended as follows:

> EC5A: PROTECTION AND ALTERNATIVE USE OF EMPLOYMENT LAND AND PREMISES
> Development of protected business, industrial and warehousing land and premises safeguarded under Policy EC3 (identified on the Proposals Map) for alternative uses that are not considered a complementary use (as defined by Policy EC4) will not be permitted unless all of the following criteria are satisfied:
>
> ~~*i) The proposal would not prejudice the delivery of Cardiff's employment land strategy, having regard to the role and function of the site or premises within Cardiff's employment land portfolio, and the supply, availability, range, choice and distribution of employment land and premises across the City;*~~
>
> ii) The applicant has demonstrated that there is no reasonable prospect of the land or premises being retained, reused or occupied for employment purposes, having regard to market demand and marketing evidence;
>
> iii) Opportunities to retain all or part of the land or premises in employment use through refurbishment, adaptation, subdivision, reconfiguration or redevelopment have been

fully considered and demonstrated not to be feasible; evidence has been provided as to why such opportunities would not be viable or deliverable; and

iv) The proposal would not have an unacceptable impact on the operation, operating conditions, viability or future expansion of existing businesses and employment uses in the locality.

EC5B: NEW WORKSPACE WITHIN MIXED-USE DEVELOPMENT

Where the criteria of EC5A ~~(i. to iv)~~ have been satisfied, and an alternative use is considered appropriate, provision should be made for an element of new employment workspace and community facilities as part of a mixed-use residential redevelopment, *where appropriate and viable*.

The new employment workspace provided should be in the form of accommodation for research and development, affordable workspace, light industrial, flexible office space, local distribution, or similar premises, and may include premises for professional services and medical or health services.

Applications must be supported by marketing and viability evidence.

~~Where it is demonstrated, through robust evidence, that there is no realistic prospect of delivering viable employment uses on the site (including through continued use, redevelopment or refurbishment, or as part of a mixed use scheme retaining employment use), development will be permitted only where appropriate developer contributions are secured to compensate for the economic harm arising from the loss of the employment site, in accordance with Policy SP6 (Planning Obligations).'~~

7.110 This Policy provides criteria against which proposals for the change of use of protected business, industrial and warehousing land and premises designated under Policy EC3 will be assessed.

7.111 Whilst Policy EC3 safeguards employment land and premises as part of Cardiff's employment land portfolio, circumstances may arise where proposals come forward for alternative uses. Policy EC5A provides the framework for considering such proposals, recognising the need to balance the protection of employment land and premises with changing market circumstances and site specific considerations. Proposals seeking the loss of protected employment land or premises will be expected to demonstrate, through robust evidence, that there is no reasonable prospect of continued employment use.

7.112 In determining whether there is a reasonable prospect of land or premises being retained, reused or occupied for employment purposes under Policy EC5A, the Council will have regard to a range of factors, including:

• Whether and for how long land or premises have been vacant and actively marketed, together with details of enquiries received and expressions of interest during this period;

~~• Whether the site offers particular benefits not generally available within Cardiff's employment land portfolio;~~

• Whether the site ~~is within an area of high unemployment and~~ offers realistic prospects for employment use;

~~• Whether the relocation of existing occupiers to suitable alternative accommodation can be facilitated without prejudice to their continued operation and growth;~~

• Whether the proposed development would retain an element of employment floorspace as part of a mixed-use development;

• Whether opportunities to retain all or part of the land or premises in employment use through refurbishment, adaptation, subdivision, reconfiguration or redevelopment have been fully explored; and

~~• The impact of the proposal on the role and function of the site or premises within Cardiff's employment land portfolio, including the effect on the supply, range, choice and distribution of employment land and premises across the City.~~

7.113 The Council recognises that different types of employment land and premises perform different functions within Cardiff's employment land portfolio and are subject to differing market conditions. Industrial, manufacturing, storage and distribution sites often represent a constrained resource with limited opportunities for replacement provision. Office and business accommodation may be subject to changing patterns of demand and occupier requirements, including the need for modern and flexible workspace. The implications of the loss of employment land will therefore vary according to the type of accommodation proposed to be lost and the availability of alternative provision.

7.114 Where the loss of protected employment land or premises is considered acceptable under Policy EC5A, priority will be given to mixed-use development comprising employment uses, housing and community facilities, where appropriate and *viable*. Such developments should maximise the delivery of affordable housing in accordance with Policy H3 Affordable Housing.

7.115 Mixed-use residential redevelopment can provide opportunities to retain an employment function on the site through the provision of modern and flexible workspace that better meets business requirements and contributes to the supply, range and choice of employment premises within Cardiff.

7.116 Workspace provided or retained within redevelopment proposals can include flexible small workspace for enterprise start up and early-stage growth, Mixed B1(a), B1(b) and B1(c) uses, makerspace, affordable workspace, space for cultural industries, local logistics and community oriented facilities. Enterprises and premises of this type in emerging key sectors often favour new forms of workspace. Such provision can lead to the intensification of employment use on a site. The workspace element should be proportionate to the proposal's scale and location and have regard to the employment density of the most recent use. Consideration should be given to the design, siting and

potential occupancy of the workspace element within mixed use development proposals to ensure the compatibility of the workspace with surrounding residential development.

7.117 It is also important to ensure that the introduction of residential or other uses into an industrial or warehousing area does not unduly restrict the operating conditions of remaining businesses.

7.118 Cardiff's employment land is a finite resource and, once lost, it is unlikely to return to employment use. Whilst changing market conditions may affect the viability of employment development at a particular point in time, this does not necessarily indicate that a site has no long-term employment value. The loss of safeguarded employment land may therefore reduce the flexibility and resilience of Cardiff's employment land portfolio and must be carefully considered in the context of the wider employment land strategy.

7.119 Where a developer demonstrates that a protected employment site no longer has a reasonable prospect of continued employment use, either as a standalone employment site or as part of a mixed-use redevelopment, the Council may give consideration to alternative uses, subject to compliance with other Plan policies. Consideration will be given to the extent to which redevelopment proposals incorporate employment workspace, community facilities and other measures that support the economic objectives of the Plan. Each proposal will be assessed on its merits, including the extent to which it could result in isolated non-employment uses within employment areas, and whether a more comprehensive redevelopment would better support the long-term planning objectives of the area.

~~7.120 Where appropriate developers will be requested to make provision for an appropriate contribution towards bringing forwards compensatory employment opportunities elsewhere in the County in line with Policy SP6 Planning Obligations.~~

7.121 Where there is the potential to develop residential units on areas previously identified for commercial/ industrial use, there needs to be an appropriate assessment for the presence of land contamination. The land contamination standards set for commercial/industrial use are not suitably protective for residential use and therefore unacceptable risks to the end users may be present which will require appropriate remediation.

We request that our representations are taken into account in the consideration of Policies EC5A and EC5B.

Yours faithfully,

[redacted]

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