

Many thanks for reviewing the Planning Statement so promptly. In relation to the comments provided, please find some clarifications / explanations below:

- 1) PPW11 does confirm the town centre first policy in relation to the location of new retail and commercial development. However, paragraph 4.3.18 states that:

*“The Welsh Government operates a ‘town centres first’ policy in relation to the location of new retail and commercial centre development. In implementing this policy, planning authorities should adopt a sequential approach to the selection of new sites in their development plan and when determining planning applications for retail and other complementary uses. **By adopting a sequential approach first preference should be to locate new development within a retail and commercial centre defined in the development plan hierarchy of centres.**”(our emphasis added).*

In the circumstances of this application, the site is located within an existing Employment Area, as defined by the LDP. Policy EC3 of the LDP relates to ‘*Employment Area Uses*’ and this confirms that ‘*commercial services unrelated to Class B*’ are appropriate within the existing employment areas. The Council has previously suggested that a gym use doesn’t meet this definition. However, in the appeal decision contained within the Planning Statement the Planning Inspectorate / PEDW have been clear that the proposed gym use forms a commercial service unrelated to Class B for the purposes of Policy EC3. Therefore, the LDP has designated the site for employment uses and the proposed use meets the definition of an acceptable use in an employment area, so there is no need for the sequential assessment to be undertaken.

- 2) In relation Policy EC4, the policy states “*Proposals which would result in the loss of existing land or buildings in employment use as **defined in Policy EC3***” (our emphasis added). Therefore, whether loss of employment land is occurring is defined by whether the use is moving outside of any uses defined by Policy EC3. As already outlined above, the development meets a use defined under Policy EC3, as the gym is a commercial service unrelated to class B and a the café is an ancillary facility which supports the wider role and function of the primary employment use. This ensures that no loss of employment building / land is occurring, as the uses remain within those defined by Policy EC3 of the LDP. Notwithstanding this point, the proposals will generate 30 full time staff, which is a significant employment generator, especially when compared to the dilapidated and vacant building. The development accordingly complies with criterion 3 of Policy EC4.
- 3) In relation to the flood risk, the question is whether the gym would form a public building and be highly vulnerable development under TAN15. In this case it would not be a public building. The gym will be operated by Vitality as a private gym, whereby people are required to be members to use the facilities. Therefore, it is not a public building, as public building is one which is operated by the public sector, which is not occurring in this instance. As a private gym, it falls under commercial development and so forms less vulnerable development and the change of use doesn’t impact the development category for flood risk accordingly.