Quod

# Planning Statement

## Former Dickens Vauxhall Wrexham, Croesfoel Industrial Park, Wrexham LL14 4BJ

NOVEMBER 2024

Q230737

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## Documents


1 Site Location Plan

2 Relevant Planning History

3 WCBC Pre-application Response

4 WCBC Highways Response

# 1 Introduction

1.1 This Planning Statement has been prepared by Quod, on behalf of TP Property Company Limited ('the Applicant'), in support of a full planning application for a new builders' merchant at the former Dickens Vauxhall Wrexham dealership on Croesfoel Industrial Park, Rhostyllen, Wrexham, LL14 4BJ ('the Application Site'). The builders' merchant will be operated by Travis Perkins (TP).

1.2 Specifically, planning permission is sought for the following development:

*"Change of use of existing land and buildings from a car dealership (sui generis) to a builders' merchant including kitchen and bathroom showroom (sui generis) for the display, sale and storage of building materials, timber, plumbing and heating supplies, hard and soft wall and floor coverings, kitchens, joinery, bathrooms and associated products, outside display and storage (including storage racking), refurbishment of existing buildings and erection of 1no. building along with access and servicing arrangements, car parking, landscaping and associated works"*

1.3 TP own and operate builders' merchant branches across the UK. They provide an essential service to the construction industry, supplying building materials to the trade and delivering direct to building sites. TP builders' merchants fall within the *sui generis* classification of The Town and Country Planning (Use Classes) Order 1987 (as amended), as supported by case law and appeal precedent. TP is an employment generating use.

1.4 It should be noted from the outset that TP currently have two existing branches in Wrexham located on Benjamin Road and Ruabon Road. The current proposal is to facilitate a consolidation of the two branches on to one, larger site. This will significantly enhance the overall customer experience, enabling both a full product offer and full range of services to be provided.

1.5 The Application Site provides TP with an excellent opportunity to deliver a purpose-built builders' merchant facility on a site which is vacant, but most recently used as a car dealership (*sui generis*). The development will be owned and operated by the Applicant who will provide local job opportunities, as well securing significant inward investment into the local area.

1.6 Alongside TP and forming an integral part of the overall customer experience and offer is a Benchmarx ('BMX') showroom which will be accessed from within the trade counter effectively being ancillary to the proposed primary use of the site as a builders' merchant. BMX is a kitchen joinery fascia within the Travis Perkins group of companies. BMX will occupy a small amount of floorspace at the Site enabling TP customers to access this offer whilst visiting the branch which is commonplace across the portfolio. This is a strategy used by Travis Perkins to consolidate multiple trading fasciae onto single sites and in doing so, take advantage of asset management opportunities to create a destination for tradespeople.

1.7 The Planning Statement is set out as follows:

- **Section 2** – provides the Site context and planning history;

- **Section 3** – details the proposed development and proposed occupier;
- **Section 4** – summarises the pre-application engagement;
- **Section 5** – considers the relevant planning policy context;
- **Section 6** – sets out the key planning considerations;
- **Section 7** – details the economic benefits of the scheme;
- **Section 8** – draws out the report's conclusions.

1.8 For the avoidance of doubt, this Planning Statement should be read alongside the following reports that also accompany the application:

- Full Planning Drawings, prepared by MJM;
- Drainage Strategy, prepared by MJM;
- Ground Investigation Report, prepared by MJM
- Transport Statement, prepared by Rappor;
- Framework Travel Plan, prepared by Rappor;
- Noise Assessment, prepared by Tetra Tech;
- Tree Survey, prepared by Encon;
- Landscaping Scheme, prepared by Encon;
- Structural Works Statement, prepared by MJM; and
- Green Infrastructure Statement, prepared by Quod.

# 2 Factual Background

## Site and Surrounding Area

2.1 A Site Location Plan (dwg. 6600 P01) is provided at **Document 1**.

2.2 The Site extends to c.1 hectare and comprises two buildings and hardstanding associated with the former Dickens Vauxhall Wrexham car dealership (*sui generis*). Building 1 on the northern part of the site extends to 1,078 square metres (GIA) and Building 2 on the southern part of the site extends to 213 square metres (GIA). The Site has been vacant since February 2024.

2.3 The Site is in Croesfoel Industrial Park, which is in Rhostyllen, a village to the southwest of Wrexham. Several car dealerships are located to the south of the site and further beyond is a dense area of landscaping which is designated by WCBC for land reclamation. Further commercial properties are located to the west of the site, including the Huws Gray Wrexham builders' merchant. Commercial properties are also located to the north of the Site. There is a dense landscaping buffer to the east and beyond that are residential properties. The closest residential properties are located c. 25 metres to the west on Tudor Avenue and 15 metres to the south on Tudor Court.

2.4 The Site itself is bound by Vicarage Hill at its northern boundary, Wrexham Road (A5152) at its southern boundary, the A483 at its western boundary and Tudor Avenue/Church Street at its eastern boundary.

2.5 The Stryt Las a'r Hafod Site of Special Scientific Interest (SSSI) is located c.1.2 kilometres to the south.

2.6 An existing customer access / egress point is located on a private road which connects Vicarage Hill to Wrexham Road (A5152). An existing goods in / out access is located along the eastern boundary of the Site, behind the forementioned private road.

2.7 The site is well connected to the local public transport network. The nearest bus stop to the Site is located on Wrexham Road (A5152), approximately 170 metres from the existing customer access point. This bus stop provides frequent services to surrounding settlements via the 2, 2A, 2C, 3, 4A, 4C, 5, and 5C bus services.

2.8 According to the Natural Resources Wales Flood Map for Planning, the Site is at a very low risk of surface water flooding.

2.9 There are no Tree Preservation Orders on or immediately adjacent to the Site.

## Planning History

2.10 The existing car dealership use was permitted on 13th November 2006 under permission ref. P/2006/1187. The following development was approved:

*"Erection of vehicle showroom, repair centre and associated car parking".*

2.11 The permission was subject to 23no. conditions. A copy of the Decision Notice is enclosed as **Document 2.**

2.12 It should be noted that there is an existing builders' merchant located to the west of the Site. The baseline permission for the builders' merchant is unknown but in May 2012, permission was granted for an extension to the existing builders' merchant portal frame building, hardstanding, car park and footway (ref. P/2012/0247). The principle of a builders' merchant at Croesfoel Industrial Estate has therefore previously been accepted by Wrexham County Borough Council (WCBC).

2.13 There is no other planning history of relevance to this application.

# 3 Pre-application Discussions

3.1 Consistent with Pre-application Community Consultation: Best Practice Guidance for Developers (December 2021), the Applicant has actively engaged with Officers at WBC in formal pre-application consultation. Discussions comprise a single formal pre-application submission made in July 2024.

3.2 We received WCBC's written pre-application response on 14th August 2024, after which the Applicant met with Officers in August 2024 to discuss the matters raised.

3.3 A copy of the written response is enclosed at **Document 3**. A summary of the response and subsequent meeting is set out below.

## Principle of Development

3.4 With regard to the proposed land use, the Applicant made it clear to Officers that the Benchmarx showroom is ancillary to TP's use as a builders' merchant (sui generis). Notwithstanding, the BMX kitchen and bathroom showroom has now been referenced in the proposed description of development, for completeness.

3.5 Officers confirmed that as the application falls beyond the settlement limit and is for employment uses, it would be assessed under Policy EM4. WBCC recommended that a structural survey is submitted to evidence that the buildings on site can be converted, are structurally sound and capable of conversion without extensive alternation, rebuilding or extension.

3.6 WCBC also stated that in line with Policy E6, all retail proposals need to demonstrate compliance with the sequential test. The scheme does not propose retail use therefore this policy does not apply; however, it was agreed with Officers that justification for this should be provided.

3.7 WCBC concluded that the proposal comprises a minor departure from the development plan in principle, as the site is located outside of settlement limits and outside of the designated employment area. Notwithstanding, from a practical point of view, Officers concluded that the proposed reuse of the site by TP would be favourable and would bring a vacant site back into use and bring jobs into the locality.

## Design

3.8 WCBC advised that, providing the new building is constructed of similar materials and design to Buildings 1 and 2, there would not be no significant concern with the design.

3.9 WCBC did however raise concern with the quantity of racking proposed, particularly along the front of the site, as the general character of the area does not involve development right up to the boundary fencing. This was discussed with Officers, and it was outlined that the site opposite (Huws Gray) includes storage right up to the eastern boundary and sets important

precedent. We also outlined that the proposed racking is in line with the general character of the area, which is commercial in nature.

3.10 The design and layout of the scheme is discussed in detail later in this report.

## Impact on Neighbouring Amenity

3.11 WCBC requested that the number of deliveries and the type of delivery vehicles to be confirmed as part of the planning application. This information is included within the submitted Transport Assessment.

3.12 Officers further noted that the proposed use as a builders' merchant could impact detrimentally upon the neighbouring land uses – including residential. For completeness WCBC requested that a Noise Assessment are provided as part of the planning application. This has been prepared based on TP's required hours of operation.

3.13 The Officer agreed that lighting can be conditioned.

## Landscaping

3.14 WCBC suggest that the existing green area to the east and south of the Site should not be damaged or removed in any way, requesting that an Arboricultural Impact Assessment (including tree protection measures) and landscaping scheme should be submitted as part of any application to assess landscape impact.

3.15 WCBC also confirmed that all applications are required to provide a Green Infrastructure Statement setting out how green infrastructure will be retained and enhanced.

3.16 These documents are provided as part of this submission.

## Highways

3.17 Comments from the Local Highways Authority (LHA) were received on 15th October 2024. A copy of the response is enclosed at **Document 4**.

3.18 Regarding access, the LHA requested that visibility splays of 2.4 x 25m in both directions be provided, measured to the nearside edge of the adjoining highway. Visibility from the existing access serving the development site is adequate, providing splays more than the above requirements.

3.19 The LHA note that a large portion of the adjacent estate road is subject to a TRO however there is already typically high demand for the remaining on street parking spaces. It is therefore suggested that maximum parking standards apply to alleviate parking stress on the local highway network.

3.20 In terms of servicing arrangements, it is suggested that swept path drawings be submitted to demonstrate that the layout can accommodate the various types / size of vehicle visiting the site. It is also requested that details of trip generation and vehicle movements are provided.

3.21 Planning conditions are also suggested to secure a Service Delivery Management Plan and Construction Traffic Management Plan, should planning permission be granted.

3.22 This application is supported by a Transport Statement and Framework Travel Plan which addresses these matters.

# 4 Proposed Development & Occupier

## Proposed Development

4.1 Full planning permission is sought for the following development.

*"Change of use of existing land and buildings from a car dealership (sui generis) to a builders' merchant including kitchen and bathroom showroom (sui generis) for the display, sale and storage of building materials, timber, plumbing and heating supplies, hard and soft wall and floor coverings, kitchens, joinery, bathrooms and associated products, outside display and storage (including storage racking), refurbishment of existing buildings and erection of 1no. building along with access and servicing arrangements, car parking, landscaping and associated works"*

4.2 The detail of the proposed development is set out below.

### Existing and Proposed Buildings

4.3 Building 1 is to be retained in its entirety. Once refurbished, Building 1 will be used to provide the main trade counter and showroom, storage, staff offices and staff welfare facilities. A Benchmarx (BMX) unit will also be located within Building 1.

4.4 Building 2 is also to be retained in its entirety. Once refurbished, Building 2 will be used for storage and tool hire.

4.5 A new building is proposed at the northern part of the Site (Building 3). This will extend to 582 square metres (GIA) and will used as a warehouse in connection with the builders' merchant.

4.6 The existing and proposed floorspace figures are set out at **Table 1**.

Table 1 - Existing and Proposed Floor Areas (sqm)

| | Existing Floorspace | | Proposed Floorspace | |
|---|---|---|---|---|
| Building No. | GIA | GEA | GIA | GEA |
| 1 | 1,057 | 1,095 | 1,057 | 1,095 |
| 2 | 200 | 213 | 200 | 213 |
| 3 | 0 | 0 | 582 | 607 |
| **Total** | **1,257** | **1,308** | **1,839** | **1,915** |
| | | **New Build Floorspace:** | **582** | **607** |

### External Area

4.7 The proposed development will continue to be served via the existing access from Wrexham Road, which is proposed to be retained and upgraded to serve the needs of the operator, including the need to provide access for HGVs.

4.8 In terms of parking, the Site will provide 15no. customer car parking spaces and 17no. staff car parking spaces. A total of 2no. accessible car parking spaces are proposed. Covered bicycle storage is proposed to be near the staff car parking area which will provide parking for 10no. bicycles.

4.9 Customer loading bays are located around the Site to enable customers to park close to the products they wish to purchase and conveniently load into the vehicles. A route through the Site will be provided for vehicles, so that they can move in a clockwise direction synonymous with UK driving patterns.

4.10 Areas of external storage are proposed throughout the Site which will be up to a maximum height of 5.5 metres, inclusive of associated storage racking which will be fixed to the concrete slab.

4.11 In terms of landscaping, all existing trees and planting around the perimeter of the Site are to be retained and an additional 2no. trees are proposed along the roadside boundary to improve the street scene and contribute to biodiversity.

## Proposed Occupiers

4.12 As mentioned, the application is being advanced by Travis Perkins who have identified the Application Site as being suitable as a location to consolidate their two existing branches in Wrexham.

4.13 The TP operation is recognised as sitting within the sui generis category of the 1987 Use Classes Order (as amended). This fact is expressly highlighted by the number of TP units which are lawfully trading from sui generis consents throughout the UK. Furthermore, it is also important to note that builders' merchants exhibit very similar characteristics to an employment use, and to a Class B8 use. Indeed, some builders' merchants simply rely on Class B8 consent.

4.14 By way of background, TP is one of the largest timber and builders' merchants in the UK. It supplies more than 12,000 product lines to trade professionals and builders. These lines include general building materials, timber, plumbing and heating, kitchens, bathrooms, landscaping materials and tool hire.

4.15 The modern manifestation of TP was a result of a merge between Travis Arnold and Sandell Perkins in 1998. However, the company can trace its roots back 200 years, making it one of the oldest and most established builders' merchants in the UK. There are now c. 540 branches in the UK which include over 150 Benchmarx showrooms, such as proposed in this instance.

4.16 TP is a UK market supplier that offers high quality products and expert services to predominately trade customers and is therefore a leading supplier to the building and construction industry. Their use is the wholesale supply of building materials and tool hire products to the trade, in addition to the external storage and display of goods. As a result, the typical TP layout and display areas are geared towards trade professionals, who form the predominant customer base.

4.17 It is important to appreciate the perception of TP's operation form an industry standpoint. An appraisal of TP can be found in 2006 'Verdict' report on the UK DIY and Gardening Sector, as follows:

*"Customers range from local tradesmen to national construction companies which can process transactions electronically without having to visit stores.*

*The product mix in the Travis Perkins fascia covers timber, doors, window frames, plumbing and heating and heavy side and light side DIY. It also operates specialist centres with additional products and services including landscaping, paint mixing, waterproofing and bathrooms and kitchens".*

4.18 In 2010, Verdict UK's DIY and Gardening Retailers Report further notes:

*"The majority of the merchanting estate operates under the Travis Perkins fascia, which accounts for two in three of the division's stores. The business is primarily focused towards professional tradesmen, ranging from sole traders to national house builders, but also attracts some customers."*

4.19 Based on national TP data, approximately 70% of all sales are to trade account customers who are local or national trades people. Those are customers who have a trade account, are given credit and settle invoices monthly. The remaining 30% sales are to cash customers. Of the 30%, approximately 25% are cash sales to builders and other trades people who are too small to have a credit facility so buy goods from the branch on the day of purchase. The remaining branch turnover is represented by up to 5% sales to the public, which is clearly ancillary. Many customers (65%) confirm their orders by telephone or email, allowing TP to deliver directly from the manufacturer, suppliers or direct from TP's distribution hubs which are strategically located. In view of the company's strong trade customer base, the marketing strategy is focused on TP's trade customers.

4.20 As mentioned, the TP branch will also include a Benchmarx showroom which will be located in Building 1 within the main trade counter area.

4.21 BMX is a 'trade only' joinery business. The storage and distribution of kitchens is their trade. There are over 120 BMX branches across England and Wales.

4.22 Verdict's UK DIY and Gardening Retailers Report (December 2010) confirms the trade only aspect for BMX:

*"Benchmarx Kitchens and Joinery – the newest business in the division – is a strictly trade only company supplying high quality kitchens, flooring and associated products".*

4.23 As such, purchases can only be made from BMX where a customer has a trade account. The BMX showroom will display a limited number of kitchen designs to assist trade customers with their purchases.

4.24 Typically BMX trade from a Class B8 consent where they trade as a standalone branch. However, where they are an "implant" within a TP branch their use is covered under the wider description of development which includes reference to a kitchen and bathroom showroom.

# 5 Planning Policy Context

5.1 Section 38(6) of the Planning and Compulsory Purchase Act requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

5.2 The adopted development plan for this site consists of the Wrexham Local Development Plan (LDP) (adopted December 2023), and material considerations include Planning Policy Wales (PPW) (Edition 11, February 2021) and the Technical Advice Note 2: Design (March 2016).

## Development Plan

### Wrexham Local Development Plan (LDP) (adopted December 2023)

5.3 On the supporting Proposal Map, the Site is located outside of the recognised settlement limit and is not allocated for a specific use.

5.4 **Policy EM4 ('Employment Development Outside of Settlement Limits')** states that new employment development outside settlement limits will only be permitted through (our emphasis):

***i. The conversion of an existing building where:***

***a) The building is suitable for the proposed use and is structurally sound and capable of conversion without extensive alteration, rebuilding or extension; and***

***b) Conversion does not result in an unacceptable impact on the structure, form, character or setting of a building of historic or architectural merit; and***

***c) The proposed use(s) and the curtilage of the development, either individually or cumulatively with other similar developments, do not result in a harmful effect on the character of the site, infrastructure, the wider countryside and is appropriate in scale for its location in terms of traffic generation.***

*ii. New development required in connection with a rural enterprise, including proposals for farm diversification where:*

*a) The development is located within or forms a logical extension to the complex of buildings on an existing rural enterprise; or*

*b) In the case of buildings located away from an established rural enterprise complex, where a clear need for the development has been demonstrated and where there is no reasonable alternative location for the development.*

*iii. It involves the extension of an existing employment site. Where the existing employment site is located within a settlement limit or employment area and proposes to expand onto land outside the settlement limit/employment area, the following must be met:*

*a) It must be demonstrated that there are no suitable sites located within a settlement limit/employment area for the extension to be located;*

*b) The new development forms a logical extension to the settlement limit/employment area.*

5.5 The spatial strategy of the LDP establishes sustainable locations for the required growth. The Site is allocated in the LDP as a one of these sustainable locations (Local Service Centre of Rhostyllen) classed as a Tier 3 settlement of the settlement hierarchy.

5.6 One of the objectives of the LDP is to *"support a vibrant, diverse and competitive local economy that provides a range of job opportunities to enable new and existing businesses to grow in Wrexham".* The LDP sets out several strategic policies which focus on the broad location of development.

5.7 **Strategic Policy SP2 ('Broad Location of Development')** states that new development for employment services will be directed to within defined settlement limits and employment areas. All development located outside of any defined settlement limit or employment area as shown on the Proposals Map is classed as development in the open countryside

5.8 **Policy EM1 ('Protection of Existing Employment Land)** states that sufficient land will be allocated for employment development between 2001 and 2011.

5.9 Policy EM1 lists the employment allocations which includes Croesfoel Industrial Estate (site ref. 33). The accompanying text to the policy outlines that all new employment development will be directed to the allocated sites.

5.10 **Policy SP12 ('Design Principles & Masterplanning Framework')** states that:

*"All development will be required to be of a high quality, sustainable design which makes a positive contribution to the creation of locally distinctive places by complying with the masterplanning framework SPG and KSS schematics. Proposals must demonstrate how they have taken account of the local characteristics of surrounding areas and how innovative design solutions will enhance the quality of the built and natural environment."*

5.11 **Policy DM1 ('Development Management Considerations')** states that built development should ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and in the nearby locality.

5.12 Policy DM1 also states that wherever possible, new development proposals should make use of existing suitable building materials on sites which have previously been developed to re-use recyclable materials and reduce the quantity of imported materials.

5.13 **Policy T1 ('Managing Transport Impacts')** states that development granted planning permission will be required to provide appropriate levels of vehicle parking and ensure access arrangements for the site to allow for safe manoeuvring. The Local Planning Guidance Note n°16 details special regard will be had to; the availability of public transport nearby; proximity to public car parking; proximity to local services and facilities; and road safety hazards and amenity considerations arising from on-street parking in the vicinity of the site.

## Material Considerations

### Planning Policy Wales (PPW) (Edition 12, February 2024)

5.14 PPW sets out the national context for sustainable land use. The document supports all strategies published by the Welsh Assembly and is supported by various Technical Advice Notes ('TANs').

5.15 PPW recognises that the planning system manages the development and use of land in the public interest by contributing to improving the economic, social, environmental and cultural well-being of Wales.

5.16 Chapter 2 of the PPW relates to achieving well-being through placemaking and outlines that developments should contribute to the long-term economic well-being and utilise existing infrastructure and planning for new supporting infrastructure and services.

5.17 Chapter 3 of the PPW relates to strategic and spatial choices and states that:

*"The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations."*

5.18 Chapter 5 of the PPW relates to economic development and outlines that economic development is defined as the development of land and building for activities that generate sustainable long-term prosperity, jobs and incomes such as the traditional employment land uses of office, research and development, industry and warehousing. It also states that:

*"Wherever possible, planning authorities should encourage and support developments which generate economic prosperity and regeneration".*

5.19 Chapter 5 also promotes the re-use of previously developed vacant and underused land.

### Technical Advice Note 12: Design (March 2016)

5.20 TANs are material to decisions on individual planning applications and should be read alongside the PPW. Local planning authorities should take TANs into account when they are preparing development plans and determining planning applications.

5.21 TAN 12 relates to inclusive design and requires and seeks to deliver good design. Paragraph 4.11.9 outlines that the visual appearance of the proposed development, its scale and its relationship to its surrounding context are material planning considerations. It goes on to state that whilst local planning authorities should reject poor building and contextual designs, they should not attempt to impose a particular architectural taste or style.

### Technical Advice Note 23: Economic Development (February 2014)

5.22 TAN 23 relates to economic development and requires and seeks developments which contribute sustainably to all dimensions. Paragraph 2.1.2 states that environmental and social harm should not outweigh the economic benefit of developments, with the decision depending on specific circumstances and planning authority's priorities.

5.23 Paragraph 4.6.7 goes on to state that LPAs should manage the retention of existing employment sites and aim to ensure that their integrity is not compromised.

### Local Planning Guidance Note No. 16 (Parking Standards)

5.24 The Local Planning Guidance Note No. 16 sets out the adopted parking standards. There are no specific standards for sui generis use, but the Class B8 use requirements are:

- 1 car parking space per 100 square metres (gross floor area); and
- 1 cycle space per 1,000 square metres (gross floor area).

5.25 Class B8 is the use most akin to the proposed sui generis builders' merchant use.

# 6 Planning Assessment

6.1 This section sets out the justification for the principle of development and other development management considerations of the Site.

## Principle of Development

6.2 The Site falls outside the recognised settlement limit and therefore the proposed employment uses would be considered unacceptable under Policy SP2 of the LDP. Development is to be directed within the settlement limit and to allocated employment areas. The proposals comprise the retention of existing buildings as well as delivery of a modest increase in new build floorspace. The 'in-principle' assessment of the application must therefore made against Policy EM4.

6.3 Policy EM4 (i) states that the conversion of existing buildings employment development will only be permitted where:

*a) The building is suitable for the proposed use and is structurally sound and capable for conversion without extensive alteration, rebuilding or extension; and*

*b) Conversion does not result in an unacceptable impact on the structure, form, character or setting of a building of historic or architectural merit; and*

*c) The proposed use(s) and the curtilage of the development, either individually or cumulatively with other similar developments, do not result in a harmful effect on the character of the site, infrastructure, the wider countryside and is appropriate in scale for its location in terms of traffic generation.*

6.4 As agreed during pre-application discussions, this application is supported by a Structural Works Statement (SWS), prepared by MJM. The Statement details the extent of works to Buildings 1 and 2, both of which are to be retained and repurposed. Building 1 will be used to provide the main trade counter, storage, staff offices and staff welfare facilities, and BMX showroom. Building 2 will be used for tool hire including an associated trade counter for tool hire transactions.

6.5 The SWS concludes that, with reference to the change of use and cosmetic alterations, there will be no effect on the existing primary structure of both buildings. Both buildings benefit from suitable structural make-up for repurposing, meaning that no structural changes are needed to accommodate the incoming tenant, thereby satisfying Policy EM4 (i) limb 'a'.

6.6 It can also be concluded that the refurbishment works do not result in an unacceptable impact on the structure, form, character or setting of a building of historic or architectural merit, thereby satisfying Policy EM4 (i) limb 'b'. Limb 'c' can also be satisfied as the development does not result in a harmful effect on the character of the site, infrastructure, the wider countryside and is appropriate in scale for its location in terms of traffic generation, as proven in the submitted Transport Statement.

6.7 The other arm of Policy EM4 (iii) that must be addressed relates to new employment floorspace beyond settlement boundaries:

*a. It must be demonstrated that there are no suitable sites located within a settlement limit/employment area for the extension to be located;*

*b. The new development forms a logical extension to the settlement limit/employment area.*

6.8 Officers have previously confirmed during pre-application engagement that whilst not allocated, the Site is brownfield and has an existing employment generating use. Notwithstanding, in accordance with EM4 (iii), the brownfield site forms an established and natural extension to Croesfoel Industrial Park which is characterised by similar industrial uses of similar scale to that proposed. The majority of floorspace this application relates to is existing, with just 582 square metres (GIA) of new build floorspace (Building 3). The new unit is appropriately cited to enable a natural extension to the built form immediately to the north. WBC have accepted this approach.

6.9 In terms of use class mix, the Applicant is seeking a bespoke *sui generis* planning permission. Despite this TP's use exhibits very similar characteristics to that of a Class B8 operation, which is recognised through case law. Critically, employment generating sui generis uses (i.e., builders' merchants) are considered acceptable, particularly given the former land use of the Site as a car dealership (*sui generis*).

6.10 Overall, TP's presence will complement the surrounding B Class Uses the development will positively contribute to the existing employment offering, support economic development and seeks the reuse of previously developed land. It is considered that Policy EM4 has been met and that the proposals are acceptable in principle.

## Design and Layout

6.11 Policy DM1 of the LDP requires development to accord with and enhance the character and appearance of the site in terms of siting, layout, scale, height, design and materials.

6.12 Whilst no significant external alterations are proposed to the existing buildings (Buildings 1 and 2), they will benefit from a much-needed refurbishment. The external changes chiefly comprise the removal and replacement of the existing cladding, and painting to match TP's corporate livery of green and yellow. Newly constructed Building 3 will be cited to the north of the Site and match this design.

6.13 In terms of scale, Building 3 will have an eaves height of 6.65 metres extending to 8.6 metres to ridge. This comprises a marginal height different to the eaves of existing Building 1 at 6.1 metres. Whilst the ridge height is above that of the existing built form, the eastern boundary of the Site (beyond the redline) comprises dense tree planting which will screen the development from the residential properties on Tudor Avenue / Ferndale Avenue. Similarly, the properties on Tudor Close will not have sight of the new unit given its citing and further landscaping along the boundary. Given the established employment use of the area, the proposed change of use and external alterations will not detract from local amenity. As such, it is considered that there will be no impact on visual amenity from adjoining sites.

6.14 Moreover, the ability to store goods externally is a pre-requisite for any TP builders' merchant and the storage of goods up to a height of 5.5 metres gives the operator the degree of flexibility required. The storage of external materials is essentially the *raison d'etre* of a builders' merchant such as TP with customers constantly looking for available materials to take to construction sites in and around Wrexham.

6.15 The format of these areas does not impede the circulation of vehicles on site and are managed and operated by trained staff, and forklift trucks where necessary. As shown on the submitted drawings, external racking is located mainly within the central areas and along the southern and eastern boundaries, where significant buffer planting exists to screen visibility from these sensitive areas.

6.16 It is therefore considered that the proposed development accords with the relevant policies contained within the Local Plan, namely Policy DM1. There are design or layout issues that should preclude the LPA from granting consent.

## Noise and Amenity

6.17 Noise Assessment has been prepared by TetraTech in support of the development.

6.18 Long-term noise monitoring was undertaken to determine baseline levels at nearby sensitive receptors during the representative opening times for the proposed development. The noise levels associated with the proposed development have been assessed at the nearest noise sensitive receptors against relevant criteria established within BS4142.

6.19 Based on the assessments undertaken, mitigation in the form of a 1.8 metre barrier alongside the southern border of the site has been included within the design. This is due to the initial BS4142 assessment indicating an adverse impact. It is proposed that details of the acoustic fence be secured by way of planning condition.

6.20 With the mitigation measures in place, the BS4142 assessment indicates a low impact at all nearest noise sensitive receptors, resulting in a No Observed Adverse Effect (NOAEL).

6.21 Overall, the Noise Assessment demonstrates compliance with all relevant national guidance and therefore accords with Policy DM1(ii).

## Landscaping and Biodiversity

6.22 Paragraph 6.4.5 of Planning Policy Wales 12 requires that all developments are required to demonstrate a net gain in biodiversity i.e., a better outcome than if the site was left undeveloped. It is important to highlight that the Site includes limited opportunity for green infrastructure enhancements, beyond the dense planting that exists along the western and southern boundary however beyond the redline and therefore will remain untouched.

6.23 This application is supported by a Green Infrastructure Statement, prepared by Quod. This has been prepared alongside a Tree Survey and Landscaping Scheme that have been submitted, prepared by Encon.

6.24 Full consideration has been given to a wide range of landscape enhancements and improvements which have been proposed as part of the development. The scheme creates new tree planting and elevates biodiversity.

6.25 It is considered that the proposed scheme complies with the updated Chapter 6 of Planning Policy Wales which sets out the policy for biodiversity and nature.

## Transport

6.26 The submitted Transport Statement (TS), prepared by Rappor, provides an assessment of the potential transport impacts of the proposals. The trip rates have been calculated from similar sites available on the TRICS database for the Builders Merchant sub land-use category.

6.27 The TS states that the proposed development will result in negligible trip attraction and therefore the proposals will result in only an imperceptible impact on the local highway network. As such there are no significant highways and transportation matters that would preclude the Local Planning Authority from approving this planning application.

6.28 Furthermore, given the branch is a consolidation of the existing TP branches on Benjamin Road and in Ruabon, it is likely there will simply be a transfer of trips from these branches to the Application Site.

6.29 The TS includes the following summary of the highways case:

a) *"A review of the local highway network and accident data in the vicinity of the site indicates that there are no apparent problems in relation to the current operation or safety of the local highways;*

b) *The site is sustainably located and accessible to a range of public transport services operating on Wrexham Road;*

c) *The site has good pedestrian connections including controlled and uncontrolled crossings on Wrexham Road;*

d) *Due to the introduction of a 20mph speed restriction, the local highway network is suitable for cycling;*

e) *There is a convenience store, a Subway and a coffee shop within 200m or a 2-minute of the site;*

f) *Access and egress arrangements are safe and suitable as demonstrated by swept path analysis;*

g) *The internal site layout is suitable for use by the largest forecast vehicles; and*

h) *The additional trip attraction is shown to be negligible and therefore the proposals will result in only an imperceptible impact on the local highway network."*

6.30 The TS goes on to conclude that the proposed development will not have an unacceptable impact on the safety or operation of the surrounding local highway network and as such, there are no significant highways and transportation matters that would preclude WCBC from approving this planning application.

6.31 In addition, this application is supported by a Travel Plan, also prepared by Rappor. The objective is to encourage colleagues and customers to travel to the branch by alternative means of transport to single occupancy vehicle trips. It is intended that this will be achieved by incorporating specific elements within the design of the branch to facilitate trips on foot, by cycle and by public transport.

6.32 Given the nature of end use, TP Property Company Limited will promote the use of the delivery services for the units and the website / telephone ordering system to reduce unnecessary customer journeys.

6.33 The proposal is therefore considered acceptable from a highway's perspective.

## Ground Conditions

6.34 The application is supported by a Phase 1 Preliminary Risk Assessment (PRA), prepared by Igne. The principal objective of the PRA is to assess whether the land is potentially contaminated and/or whether there are other potential geo-environmental liabilities. These could include, but are not limited to, subsidence hazards, the generation or migration of ground gas to beneath the site and other geotechnical abnormalities.

6.35 The levels of contamination in the tested soil and groundwater are considered suitable for retention beneath the proposed development, and to present a sufficiently low risk to both short-term and long-term human health, the development end use and controlled waters. However, procedures should be identified for dealing with unforeseen contamination if this becomes apparent during any below-ground excavation or construction works.

6.36 Full details can be found within the report submitted with this application.

## Flood Risk and Drainage

6.37 This application is supported by a Flood Risk Assessment, prepared by MJM. The Report confirms the Site is located within an area of low risk of flooding from rivers and the sea. Moreover, the Site is shown to be at a low risk of flooding from surface water, groundwater, sewers and artificial sources such as reservoirs.

6.38 Given the nature of the proposed development (i.e., change of use), it is proposed that the existing and established surface water drainage arrangement will be largely retained. All hard standing areas will discharge through the existing connection to the combined sewer. The capacity of the surface water drainage will be improved by increasing some required pipe sizes and providing an attenuation tank on site.

6.39 Overall, the Report concludes that the development is fully compliant with policy in respect of development and flood risk, such that flood risk considerations do not constitute a barrier to the granting of planning consent.

## Summary

6.40 It has been demonstrated above that the application proposals accord with the policies contained within the LDP and PPW. The principle of the development is acceptable when assessed against Policy EM4 which is further supported by localised precedent with another builders' merchant trading nearby.

6.41 The relevant development management considerations have also been properly assessed and fully justified with the proposals providing an excellent opportunity to clean up and modernise the wider Site which has been vacant since February 2024.

6.42 All the issues that exist have been adequately addressed within this report, accompanied by additional technical reports, which comprise the full planning application. Consistency with the local planning policy and the PPW has been demonstrated and therefore planning permission should be granted without delay.

# 7 Economic Benefits

7.1 TP are the freehold owners of the Site and occupied and operated in Wrexham for many years. Having identified the Site as a suitable location for consolidating their two existing branches onto one Site, the development will enable continued support for Wrexham's construction and building industry.

7.2 TP wish to commit long-term to Wrexham and are therefore seeking to provide a modern redevelopment of the Site, which will also result in an improvement to Croesfoel Industrial Estate.

7.3 The proposed development will give rise to several important socio-economic benefits which should be afforded significant weight, especially in this time of economic uncertainty.

7.4 The benefits can be summarised as follows:

- Substantial private sector investment into the local economy;
- The reuse of previously developed land in an established industrial location;
- The improvement in design, building efficiency and general appearance of the land;
- New modern industrial units for two existing local businesses;
- The retention of two existing businesses within the construction and building industry;
- The protection of 25 local jobs with the potential to create new job opportunities for local people at operational stage (this is in additional to the jobs created as part of the construction and fit out of the units);
- Protection of business rates from two successful and expanding occupiers; and
- The redevelopment will represent investor confidence in Croesfoel Industrial Estate

7.5 These factors are significant and considerable planning weight should be afforded to the economic benefits of the scheme when determining the planning application.

# 8 Summary and Conclusions

8.1 We are instructed by TP Property Company Limited to submit the enclosed application seeking permission for a change of use and refurbishment of the former Dickens Vauxhall Wrexham dealership on Croesfoel Industrial Park, Rhostyllen, Wrexham. It is proposed that the Site will operate as a builders' merchant including kitchen and bathroom showroom (sui generis).

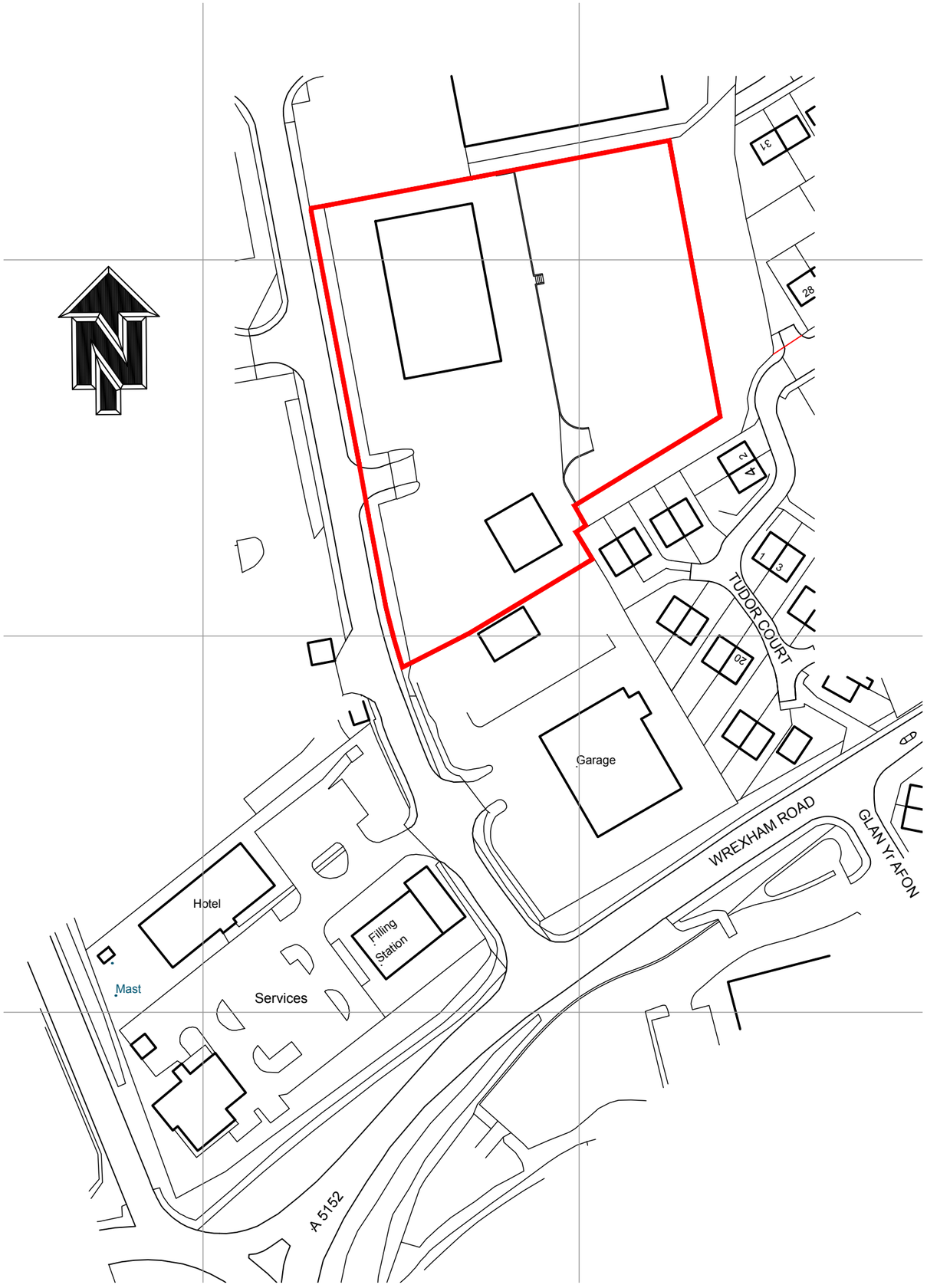
8.2 The proposals are entirely acceptable on this site, given the longstanding history of the land being used for commercial and industrial uses. There is clear and strong support from both national and local policies. The character and operation of the surrounding area, in addition to the existing Site itself, suggests that the proposals are acceptable and in keeping with the character of the area.

8.3 All relevant development management considerations have been assessed and have been found to be acceptable, including mitigation where necessary. The proposed extension gives rise to no design, amenity, highways, or flood risk concerns and will bring planning benefits including the reuse of previously developed land in a strategic location. Moreover, the proposal will deliver biodiversity net gains and support the continued function of this important site.

8.4 Based on the above, the proposed development accords with local and national planning policy and should be approved without delay.

# DOCUMENT 1

## SITE LOCATION PLAN




10 0 10 20 30 40 50 60 70 80 90 100

Scale 1:1250

## DESIGNER RISK INFORMATION

IN ADDITION TO THE HAZARDS/RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, NOTE THE FOLLOWING:-

CONSTRUCTION:

MAINTENANCE/CLEANING:

DECOMMISSIONING/DEMOLITION:

IT IS ASSUMED THAT ALL WORKS WILL BE CARRIED OUT BY A COMPETENT CONTRACTOR WORKING, WHERE APPROPRIATE, TO AN APPROVED METHOD STATEMENT.

| Rev | Date | Amendment | | |
|---|---|---|---|---|
| P03 | 16.10.24 | RED LINE BOUNDARY AMENDED | NT | AJN |
| P02 | 07.08.24 | TITLE BLOCK AMENDED. RED LINE BOUNDARY AMENDED | NT | AJN |
| P01 | 13.05.24 | FIRST ISSUE | NT | AJN |

mjm Consulting Engineers Ltd
Southgate House, 38 Southgate, Wakefield WF1 1TL
T: 01924 811 000 mjmc.co.uk

Project:
TRAVIS PERKINS
CROESFOEL INDUSTRIAL ESTATE
WREXHAM, LL14 4BJ

Client:

Drawing Title:
SITE LOCATION PLAN

| | | |
|---|---|---|
| nt | AJN | AJN |
| MJMC Ref: 9003 | Scale: 1:1250 | Sheet Size: A3 |
| Revision Status: P03 | Suitability Status: S4 | Date: MAY '24 |

Suitability Description: FOR APPROVAL (PLANNING)

Drawing Reference:
Project - Originator - Zone - Level - File Type - Discipline - Number
9003-MJM-XX-XX-DR-D-6600

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# DOCUMENT 2

## DECISION NOTICE (REF. P/2006/1187)

In pursuance of its powers under the Acts an Orders referred to below, the County Borough Council as Local Planning Authority, hereby determines your application in accordance with the particulars and plans comprising the application

4
Expiry Date: 30/11/2006
Decision Notice Sent: 13/11/2006
Grid Reference:
E 33109100
N 348475

wrexham COUNTY BOROUGH
BWRDEISTREF SIROL Wrecsam

| | | | |
|---|---|---|---|
| **Applicant** | Mr Neville Dickens<br>Dickens Group of Companies | **Code No** | ESC P/2006/1187 |
| **Agent** | ISP Architects LLP<br>Mr Craig Baugh<br>61 Regent Street<br>Wrexham<br>Wrexham<br>LL11 1PF | **Date Received** | 06/10/2006 |
| | | **Decision Date** | 13/11/2006 |

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**Town and Country Planning Act, 1990**

**Location of application**

Dickens Garage Croesfoel Industrial Estate Rhostyllen Wrexham LL14 4EJ

**Description of application**

Erection of vehicle showroom, repair centre and associated car parking.

In reaching this decision the Council has had regard to the relevant policies in the Wrexham Unitary Development Plan which are as follows:-

| | |
|---|---|
| E1 | Employment allocations |
| GDP1 | Development objectives |
| PS1 | Settlement limits |
| PS2 | Development and the environment |
| S8 | Shopping development within defined employment areas |
| T8 | Parking |

**Particulars of decision that permission be GRANTED**
**Subject to the following:-**

**Condition(s)**

1. The development hereby permitted shall be begun before the expiry of five years from the date of this permission.
2. No part of the development shall be commenced until samples of all external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.

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|---|---|---|---|
| **Applicant** | Mr Neville Dickens<br>Dickens Group of Companies | **Code Number** | ESC P/2006/1187 |
| **Agent** | ISP Architects LLP<br>Mr Craig Baugh<br>61 Regent Street<br>Wrexham<br>Wrexham<br>LL11 1PF | **Date Received** | 06/10/2006 |
| | | **Decision Date** | 13/11/2006 |

wrexham COUNTY BOROUGH
BWRDEISTREF SIROL wrecsam

3. Within one month of the date of this permission, a shrub planting specification for the buffer strip adjacent to the proposed housing site located adjacent to the southern edge of the site shall be submitted to and approved in writing by the Local Planning Authority.

4. The approved landscaping scheme for the two buffer strip areas shall be fully implemented within the first planting season (November to March) following the first use of the adjacent areas for the parking of vehicles.

5. Other than landscaping details for the buffer strip areas, all other hard and soft landscape works as approved as part of the permission shall be carried out within 3 months of the first use of the development with exception of soft landscaping which shall be carried out in the first planting season (November to March) or seeding season (April to September) following the first use.

6. Any trees or shrubs (forming part of the approved landscaping scheme, including the details approved for the buffer strips) removed, dying, being severely damaged or becoming seriously diseased within 5 years from the completion of the landscaping details as approved and implemented, shall be replaced by trees and shrubs of similar size and species to those originally required to be planted unless otherwise approved in writing by the Local Planning Authority.

7. The temporary screen fencing adjacent to the buffer strips as shown on the approved site plan shall be erected before the adjacent car park areas are first used in accordance with the specification shown on the approved plans, and this shall be fully maintained for a minimum period of 5 years.

8. The rating level of any noise generated by plant or machinery associated with the development shall not exceed the pre-existing background noise level by 3dB(A).

9. All surface water drainage from parking areas and hardstandings linking to be discharged to a watercourse, surface water sewer or soakaway system shall be passed through an oil interceptor designed and constructed to have a capacity capable of handling water to be drained from the site.

10. Foul and surface water must be drained separately from the site.

11. No surface water or land drainage run-off will be permitted either directly or indirectly to connect or discharge into the public sewerage system.

12. There shall be no vehicular access onto Tudor Avenue or Ferndale Avenue.

13. No floodlighting shall be introduced at the site without further approval of the Local Planning Authority.

14. The existing hedgeline situated along the eastern boundary of the site, as shown on the approved plans, shall not be removed or uprooted, and any pruning work or other tree work is only allowed subject to the prior written permission of the Local Planning Authority having been first obtained.

15. The visibility splays shown on the approved plans (measuring 2.4m x 45m in both directions) shall be fully provided before the first use of the site, and shall

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| **Agent** | ISP Architects LLP<br>Mr Craig Baugh<br>61 Regent Street<br>Wrexham<br>Wrexham<br>LL11 1PF | **Date Received** | 06/10/2006 |
| | | **Decision Date** | 13/11/2006 |

wrexham COUNTY BOROUGH
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therefore be retained. Within the splays, nothing shall be allowed to be placed or allowed to grow to a height exceeding 1 metre above the level of the nearside edge of the estate road.

16. The gradient for the new access shall have a maximum gradient of 1:8 metres

17. A 2 metres wide footway shall be fully provided to highway adoption standards across the full road frontage of the site before the building is first used.

18. Within 3 months of the date of this permission, a scheme to demonstrate how all recyclable waste generated by the use will be collected and stored for the purpose of recycling on site until ready for collection, shall be submitted to and approved by the Local Planning Authority. The scheme as approved shall be fully implemented before the building is first used, and shall be fully maintained thereafter.

19. Notwithstanding the approved plans, before work starts on the new showroom and repair centre building, the roof area of the building shall be re-designed to include details for the construction/installation of roof lights and/or solar tubes, and details shall be submitted to and approved by the Local Planning Authority. The scheme as subsequently approved shall be fully implemented and retained unless first agreed in writing with the Local Planning Authority.

20. Within one month of the date of this permission, details for cycle parking facilities shall be submitted to and approved by the Local Planning Authority. The details as approved shall be fully implemented before the first use of the building.

21. The boundary fence shall be erected along the eastern boundary of the site shall be erected between the points of A to B to C to D as shown on the approved plans.

22. The retaining wall to be constructed along the southern edge of the site shall be faced with a smooth red brick.

23. Development shall only be carried out in strict accordance with the approved plans unless the prior written approval of the Local Planning Authority has been obtained.

**Reason(s)**

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

2. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to protect the amenities of future occupants

4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

| | | | |
|---|---|---|---|
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wrexham COUNTY BOROUGH
BWRDEISTREF SIROL wrecsam

5. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
7. To help screen the site from the adjacent areas whilst other landscaping is getting established in the interests of the visual amenities of the area
8. In order to prevent any noise issues to residents in the interests of the amenity.
9. To prevent pollution of the water environment.
10. To protect the integrity of the public sewerage system.
11. To prevent hydraulic overloading of the public sewerage system.
12. To protect the amenities of nearby residential property
13. To protect the amenities of nearby residential property
14. In the interests of the visual amenities of the area
15. To ensure that adequate visibility is provided at the proposed point of access to the road.This is a non-standard reason
16. To ensure the formation of a safe and satisfactory access
17. In the interests of pedestrian safety.
18. To ensure that development does not generate excess waste, in order to comply with the Council's adopted sustainable development guidance, and to accord with Policy PS10 of the Wrexham Unitary Development Plan.
19. To ensure that the development reduces the amount of energy required for artificially lighting in order to comply with the objectives of the Council's adopted sustainable development guidance.
20. To ensure that cycle parking facilities are provided to comply with adopted Local Planning Guidance Note No. 15.
21. To prevent the area adjacent to the existing hedgeline from becoming an unauthorised area for tipping, in the interests of the visualk amenities of the area.
22. In the interests of the visual amenities of the area
23. To ensure that the development fully complies with the appropriate policies and standards.

**Note(s) to applicant**

If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Network Development Consultants on tel no. 01433 331155.

The noise levels as indicated in condition 3 shall be determined at the nearest noise sensitive premises. Measurements and assessments shall be made in accordance with

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|---|---|---|---|
| **Applicant** | Mr Neville Dickens<br>Dickens Group of Companies | **Code Number** | ESC P/2006/1187 |
| **Agent** | ISP Architects LLP<br>Mr Craig Baugh<br>61 Regent Street<br>Wrexham<br>Wrexham<br>LL11 1PF | **Date Received** | 06/10/2006 |
| | | **Decision Date** | 13/11/2006 |

wrexham COUNTY BOROUGH
BWRDEISTREF SIROL wrecsam

BS4142:1997 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas.

If any evidence of hydrocarbons are found during the development, it would be prudent to investigate issues of potential contamination and you should contact the Council's Environmental Protection Section on 01978 297041 for further guidance.

You area advised that it would be beneficial from a energy saving point of view for the number of dedicated energy efficient fittings for lights to be increased to a level that is above current building regulations.

Your attention is drawn to Highway Supplementary Notes Numbered 1, 3, 4 and 5 on the enclosed "Applicants' Rights and General Information".

This permission is granted subject to the above conditions. Some conditions may require your attention prior to you carrying out any work on the proposal. These conditions are known as "conditions precedent". You should be aware that it is important that you comply with any "conditions precedent". If you do not, then any work you undertake on the development subject of this permission would not have planning permission.

**Officer Appointed for this purpose**
**Refer to the Statement of Applicant's Rights and General Information Enclosed**

**Chief Planning Officer, Lambpit Street, P O Box 1290, Wrexham, LL11 1WL.**

# DOCUMENT 3

## PRE-APPLICATION RESPONSE

Cyngor Bwrdeistref Sirol Wrecsam/ Wrexham County Borough Council
Neuadd y Dref, Wrecsam. LL11 1AY
Guildhall, Wrexham. LL11 1AY
www.wrecsam.gov.uk www.wrexham.gov.uk
Cyfnewid Testun/Text Relay: 18001

wrexham
COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL
wrecsam

CHARLOTTE WILLIAMS
21 SOHO SQUARE LONDON W1D
3QP

| | |
|---|---|
| Eich Cyf/Your Ref | |
| Ein Cyf/Our ref | ENQ/2024/1014 |
| Dyddiad/Date | 14/08/2024 |
| Gofynner am/Ask for | Emma Bailey |
| Rhif Cyswllt/Contact No | |
| E-bost/E-mail | emma.bailey@wrexham.gov.uk |

Dear Sir / Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**PROPOSAL: REFURBISHMENT OF 2 NO. COMMERCIAL BUILDINGS AND ERECTION OF 1**
**LOCATION: DICKENS VAUXHALL WREXHAM CROESFOEL INDUSTRIAL PARK RHOSTYLLEN, WREXHAM, LL14 4BJ**

I refer to your enquiry for the above proposal. All information listed below is based upon the information submitted as part of your enquiry and a recent site visits by the case officer.

## The Site:

The site relates to the former Dickens Vauxhall which is located on the Croesfoel industrial Estate, Rhostyllen. Dickens Vauxhall vacated the site in February 2024.

The site measures about 0.95 hectares in total and is split over 2 levels with the rear of the site being slightly higher. It comprises of 2 buildings, one to the north measuring about 1,078 square meters and one to the south measuring about 213 square meters. The eastern boundary of the site is bound by a bank of mature trees and vegetation with the residential roads of Tudor Avenue and Tudor Court beyond this. To the south of the site are car dealerships and commercial units. To the west of the site on the opposite side of the road is Huws Gray builders merchant and other commercial properties location to the north.

The site is located in open countryside, outside of the Settlement Limit and outside of the designated Employment Land.

## The Proposal:

Advice is sought for the refurbishment of the 2 existing commercial units on the site and for the erection of a new building to the rear of the site on the raised land.

**Rydym yn croesawu gohebiaeth yn Gymraeg. Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.**
**We welcome correspondence in Welsh. We will respond to any correspondence in Welsh and this will not lead to any delay.**

The proposal would also change the use of the land from a car dealership (sui generis) to a builders' merchant (sui generis/ B8/ A1) for the display, sale and storage of building materials, timber, plumbing and heating supplies, hard and soft wall and floor coverings, kitchens, joinery, bathrooms and associated products.

Outside racking for storage measuring max 5m in height is proposed. Alterations and improvements are also proposed to the existing access as well as the provision of customer (14 no) and staff parking (17 no), landscaping and associated works.

Building 1 will be retained in its entirety and refurbished. This building will provide the main trade counter and showroom, storage, staff offices and staff welfare facilities. A Benchmarx (BMX) unit will also be located within this building.

Building 2 will also be retained in its entirety and refurbished. This building will be used for storage and tool hire.

A new building is proposed (Building 3) measuring 582sqm. This building will be used as a warehouse in connection with the builders' merchant.

**Background/ Information provided by applicant:**

The enquiry is made on behalf of TP Property Company Limited in relation to a proposed Travis Perkins builder's merchant (TP) to operate from the site. The supporting statement identifies that the builders' merchant falls within the sui generis classification and this has been confirmed in various appeal decisions.

TP currently have two existing branches in Wrexham located on Benjamin Road and Ruabon Road. These branches will be closed and relocated to this site.

Benchmarx (BMX) – a brand which sits within the TP Group will also occupy floorspace at the site. BMX is a 'trade only' joinery business which trades in the storage and distribution of kitchens. BMX units also include a small ancillary showroom where a limited number of kitchen designs are displayed to assist trade customers with their purchase. BMX requires a Class B8 consent to trade lawfully, along with the ability to operate a trade counter and ancillary showroom.

**Relevant Planning Policy:**

The site is located outside of the settlement limits within open countryside. The proposed development will be subject to assessment against the below policies.

**National Policy:**
Planning Policy Wales (Edition 12, 2024)
Future Wales: The National Plan 2040
The Planning (Wales) Act 2015

Technical Advice Notes (TAN):
TAN 5 – Nature conservation and planning
TAN 11 - Noise
TAN12 – Design
TAN 18 – Transport
TAN 21 – Waste
TAN 23 – Economic development

**Development Plan policies:**
Adopted Wrexham Local Development Plan (2013-2028)
SP2 – Location of development
SP5 – Planning Obligations
SP8 – Economic Growth, Employment and Enterprise
SP11 – Transport and Accessibility
SP12 – Design Principles & Masterplanning Framework
SP14 – Natural Environment
SP19 – Green Infrastructure
EM1 – Protection of Existing Employment Land
EM4 – Employment Development Outside of Settlement Limits
NE1 – International and National Nature Conservation Designations
NE3 – Trees, Woodlands and Hedgerows
NE6 – Waste Water Treatment and River Water Quality
DM1 – Development Management Considerations
T1 – Managing Transport impacts

**Local Planning Guidance Notes:**
LPGN07 – Landscape and Development
LPGN12 – Shopfront Design and Security
LPGN15 – Cycling
LPGN16 - Parking Standards
LPGN17 – Trees and Development
LPGN26 – Landscape and Industrial Development
LPGN30 - Design
LPGN32 - Biodiversity and Development

**Relevant Planning History**

**P/2008/0885**
Removal of condition no 22 imposed on application P/2006/1187 relating to facing of the southern boundary of the site.
GRANTED 14.11.2008

**P/2007/1389**
Relaxation of planning condition number 3 of permission P/2007/1157 to allow floodlights to be fitted with automatic timer operating between 8am and 7pm.
GRANTED 04.02.2008

**P/2007/1163**
Erection of signs
GRANTED 21.11.2007

**P/2007/1158**
New portacabin for sales staff (7.3m x 3m)
GRANTED 22.11.2007

**P/2007/1157**
Erection of 6m & 10m high external lighting poles (in retrospect). 10m high poles x 4 frontage of site and 6m in all other locations
GRANTED 05.11.2007

**P/2006/1187**

Erection of vehicle showroom, repair centre and associated car parking.
GRANTED 13.11.2006

**P/2006/0608**
Erection of vehicle showroom and repair centre
REFUSED 15.09.2006

**P/2005/0144**
Erection of vehicle service bay
GRANTED 25.05.2005

**P/2003/1101**
Use of land as vehicle display area, with access from existing industrial estate road.
GRANTED 09.02.2004

## Validation information:

A formal planning application should be accompanied by the following information:

- Fully completed Planning Application Form
- Planning application fee
- Site location plan to an identifiable scale with a North arrow
- Detailed plans / drawings that explain the proposed works;
  - Existing and proposed block / site plans to an identifiable scale
  - Existing and proposed floor plans to an identifiable scale
  - Existing and proposed elevations to an identifiable scale
- Details of foul and surface water drainage
- Details of access, parking and turning area
- Details of cycle parking and bin storage
- Green Infrastructure Statement
- Net Biodiversity Benefit measures
- Transport Assessment
- Noise Assessment
- Landscaping scheme including tree protection measures for existing trees to the east and south of the site
- Ground Investigation Report
- External lighting plans and specifications
- Details of the floor layout of the building which include details of the sales areas and show room areas.
- Structural survey of existing buildings

Please note this list is not exhaustive and other documents may be required at validation stage or during the life of the application.

## Other Information:

**Site constraints**
The site lies outside of the defined Settlement Limit. The site also lies within the catchment for the Five Fords Waste Water Treatment Works (WwTW).

**Developer contribution Requirement**
None expected at this stage based upon the information before me.

**Assessment and Views of officer:**

***Principle of Development***

The supporting statement outlines that TP building merchants operates throughout the UK under a Sui Generis use. It is stated that there are numerous appeal decision which support this use class. It would be beneficial if these appeal decision could be provided as part of any planning application. The supporting statement also identify that BMX needs to operate under a B8 use class. The Council's initial understanding of the use class proposed is that it would be a mixed use site that may fall under B8 and A1 and potentially Sui Generis. This matter can be further addressed under the application process.

The site is located outside of the recognised settlement limit and as such the principle of development is generally unacceptable under Policy SP2 of the LDP which seeks to direct new development to the defined settlement limits and employment areas as identified on the Proposals Map.

Given the location of the development outside the existing settlement limits, Policies EM4 and R6 of the LDP are applicable.

Policy EM4 deals with employment development outside of the settlement limits and states that development will only be permitted through:

i. The conversion of an existing building where:

   a) The building is suitable for the proposed use and is structurally sound and capable for conversion without extensive alteration, rebuilding or extension; and
   b) Conversion does not result in an unacceptable impact on the structure, form, character or setting of a building of historic or architectural merit; and
   c) The proposed use(s) and the curtilage of the development, either individually or cumulatively with other similar developments, do not result in a harmful effect on the character of the site, infrastructure, the wider countryside and is appropriate in scale for its location in terms of traffic generation.

ii. No relevant

iii. It involves the extension of an existing employment site. Where the existing employment site is located within a settlement limit or employment area and proposes to expand onto land outside the settlement limit/employment area, the following must be met:
   a. It must be demonstrated that there are no suitable sites located within a settlement limit/employment area for the extension to be located;
   b. The new development forms a logical extension to the settlement limit/employment area.

The proposal would involve the change of use of two existing buildings and noting that these building were granted permission in 2006 it would seem reasonable for these buildings to be structurally sound and capable of conversion. A structural survey should support any future application to demonstrate that this is the case. I am also satisfied that the proposal would not result in harmful effects on the character of the site noting that it is a brownfield site within an existing industrial area. Therefore, subject to

confirmation from the structural survey, I consider that the requirements of Policy EM4 i. are met.

I consider that it could be argued that the proposal involves an extension to an existing employment site through the introduction of the additional building and it would form a logical extension to the protected employment area of Croesfoel Industrial Park. Thereby satisfying the requirements of Policy EM4 iii.

Policy R6 of LDP relates to retail, leisure and commercial development on the edge and out of centres.

Policy R6 outlines that proposals will need to demonstrate compliance with the National Planning Policy Sequential test, the preference is first to locate new development within a retail, leisure and commercial centre. Where proposals demonstrate there are no suitable available sites or premises within these centres, then edge of centre sites can be considered and if no such sites are suitable or available only then should out of centre site be considered.

Retail development will only be permitted outside Wrexham City Centre, District , Local, Village and Neighbourhood Centres if:

i. There is a need for the proposed floor space (with precedence according to establishing quantitative need); and
ii. The proposal complies with the sequential test above; and
iii. The proposal would not cause unacceptable harm to the vitality, attractiveness or viability of Wrexham City Centre, a District, Local , Village or Neighbourhood centre; and
iv. The site is accessible by a choice of means of transport; or
v. The proposal is for small scale retail development with a floor space of 100m2 or less meeting local needs.

As part of any application submission it would need to be demonstrated that the above criteria of Policy R6 of the LDP is met.

Technically, it would appear that the proposal would be a minor departure from the LDP as the site is located outside of the settlement limits and outside of the designated Employment Area. That said, from a practical view point, the proposed reuse of the site by Travis Perkins would be favourable and would bring a vacant site back into use. In addition to this it would provide jobs within the locality. The site lies within a well-established commercial employment area and is an existing developed site which would in my opinion be a logical extension to the LDP Employment Protection Area. Therefore, subject to compliance with Policy EM4 and NE6 I would consider that the principal of development should be acceptable.

***Design***

Policy DM1 of the LDP requires development to accord with and enhance the character and appearance of the site in terms of siting, layout, scale, height, design and materials.

The proposal would involve the refurbishment of building 1 and 2. No details have been provided of the finer details associated with this however it is anticipated much of the works would be internal. New logos are likely to be required and may require separate advertisement consents.

Building 3 will be a new construction located to the north west corner of the site to the rear of building 1 and set at a right angle to it. The building would have a proposed floorspace of 582m squared with a height unknown at this point. Elevations have not been provided as part of this enquiry however provided that this building is constructed of similar materials and design as buildings 1 and 2, significant concern would not be raised. Its location to the rear of the site avoidance any prominence from the street scene.

As part of the proposal a significant amount of external racking is proposed. This racking would be up to 5m high. The submitted proposed site layout plan shows this racking to be located on most site boundaries as well as internally within the site. Significant concern is raised to the amount of racking proposed and the resultant appearance this would have on the overall site and wider area. Of particular concern is racking proposed along the front of the site. The general character of the area does not involve development right up to the boundary fencing. I note that Huws Gray does have storage of materials adjacent to the boundary fence within their site however this would not be equivalent to a fixed 5m high racking which is proposed for this site. I would advise that the amount and location of racking be reassessed and reduced.

***Impact on Neighbouring Amenity***

Policy DM1. ii of LDP states that development must not have an unacceptable effect on the amenity of the occupiers of nearby properties/land.

The site was last in use as a car dealership which included servicing and repairs. The proposed use as a builder's merchant would potentially have similar comings and goes in terms of customer as the previous use. What is unknown at this point is how often deliveries are proposed and what vehicles will service the site. Details of operational hours have also not been provided.

The site sits adjacent to the settlement limit and as such is flanked by residential dwellings of Tudor Avenue and Tudor Court to the east and south. It is noted that a coppice of trees is present which separates the site from the residential properties.

The location of building 3 is considered the most appropriate in terms of impact to neighbours. In its location, building 3 is not considered to result in any overbearing or loss of light to adjacent neighbours, this is subject to plans confirming the height of the building. Building 3 will be used as a warehouse.

The main trade counter and show room will be located within building 1 which is located further away from residential dwellings.

Noting that to all other aspects of the site are commercial buildings, I do not consider that the proposed use as a builders merchant would impact detrimentally upon these neighbouring land uses.

A noise assessment, proposed external lighting and operational hours including deliveries should be provided as part of any application submission so a full assessment of the impact to neighbours can be undertaken.

***Highway Considerations***

The Highways Department has been consulted as part of the enquiry however a response has not yet been received. This will be forwarded on as soon I am in receipt of it.

Parking standards should comply with the requirements of LPGN16.

Policy 12 of Future Wales – The National Plan 2024 requires all non-residential development to provide EV charging spaces at a rate of 10% of the total number of car parking spaces. These should be accommodated within any future application.

***Natural Environment***

The site is devoid of any existing green infrastructure. Outside of the site, to the east and south is an area of trees and mature vegetation. Whilst these trees are not protected by any Tree Preservation Orders, the Council would not wish for this green area to be removed or damaged in any way. Building 3 is located in close proximity to some of the trees and is likely to be within the root protection area. As such an Arboricultural Impact Assessment and tree protection measures should be submitted as part of any application. It would also be advisable if some landscaping or green infrastructure could be accommodated as part of the proposal within the site.

*Net Biodiversity Benefit (NBB)*

In accordance with paragraph 6.4.5 pf Planning Policy Wales 12, all developments are required to demonstrate that provision has been made for net biodiversity benefit (NBB) i.e. a better outcome than if the site was left undeveloped. Failing to provide such a benefit is a valid reason for refusal. Every application regardless of size must not only mitigate any negative impacts of the development, but also have a positive benefit for biodiversity which will be in place for the lifetime of the development. Enhancements should be onsite, proportional to the size of development, tailored towards features valuable in the area or providing linking habitats.

A plan to indicate what measures are proposed to ensure NBB would need to be submitted with any planning application.

*Green Infrastructure Statement*

In accordance with Planning Policy Wales (Chapter 6), all applications are now required to provide a statement in relation to Green Infrastructure (paragraph 6.2.12). This can be a short and simple submission and should include a brief statement about green infrastructure that currently exists at the site, such as whether there are grassed areas and trees and whether these will be retained or enhanced through additional planting. It should also provide details as to whether the proposal will affect any trees or grassed areas within or nearby the site, what this impact may be and how these impacts can be overcome. For completeness, reference can also be made to the NBB that is being provided.

In accordance with Policy NE1 of the LDP a phase 1 Ecology survey should be provided to ensure that the development would not impact detrimentally upon protected species.

***Drainage***

It is unclear from the submission whether the proposal would be connected to the main sewer or a private treatment plant. Full details of drainage should be submitted with any

planning application. If the proposal is to be connected to a private treatment plant, details should be provided to show that the treatment plant is capable of accommodating the additional foul water flows from the development. If connection to the mains sewer is likely, it is important that the associated Waste Water Treatment Works (WwTW) has an up to date phosphate permit and that it has capacity to accommodate any additional foul water flows.

The suitability of the scheme in terms of drainage would be assessed through consultation with Natural Resources Wales (NRW) and the relevant Water Board for the area once an application is submitted.

**Overall Conclusion**

The proposal would represent a minor departure from the LPD in that the development is proposed outside of the Settlement Limits and outside of the Designated Employment Area. Any future application must demonstrate compliance with Policy EM4 and NE6 of the LDP. That said the site would appear to be a logical location for the proposed use and would provide site specific benefits. Impacts to neighbouring land uses are considered to be acceptable (subject to the submission of detailed plan, noise survey, operational hours and lighting details). The design and layout of the site is considered to be generally acceptable however consideration needs to be given to the proposed racking along the front boundaries of the site.

Matters of highways are yet to be finalised however the response will be sent through as soon as it is received.

The advice is based on the planning policies, guidance and circumstances that apply at the time of this response. This advice may not be relevant may should policies or circumstances change before a formal planning application is submitted. You should also note that the above comments are the informal views of an Officer of the Council and do not commit the Council in the determination of any formal planning application.

I note that you have requested a meeting with officers. Should you still wish to proceed with this please contact me to arrange a suitable time and date.

Yours faithfully,

Emma Bailey

Economi a Chynllunio
Economy and Planning

# DOCUMENT 4

## HIGHWAYS PRE-APPLICATION RESPONSE

# MEMORANDUM

| | | | |
|---|---|---|---|
| **From:** | Chief Officer, Environment & Technical | **To:** | Chief Officer Planning & Regulatory |
| | | FAO: | **Emma Bailey** |
| **Our Ref:** | ET/DC/PP/ENQ/2024/1014 | **Your Ref:** | ENQ/2024/1014 |
| **Date:** | 15/10/2024 | | |

**Dickens Vauxhall Wrexham, Croesfoel Industrial Park, Rhostyllen, Wrexham.**
**Proposed Builders Merchant.**

Further to your email / consultation dated 13/08/2024 in respect of the above, I comment as follows:-

**Access**

The proposed development site is located on Croesfoel Industrial Estate which is an unclassified road (cul de sac) subject to a 20mph speed limit.

Based on typical speeds of 20mph, any proposed / existing access would require visibility splays of 2.4 x 25m in both directions measured to the nearside edge of the adjoining highway. Visibility from the existing access serving the development site is adequate providing spalys in excess of the above requirements.

The existing access is 6.7m wide with 6m radii and is gated at 10.8m behind the edge of carriageway. The acces is hard paved and slopes towards the highway.

It is understood that the site was previously occupied by a car sales business including associated servicing centre and would have accommodated a significant number of vehicle movements by cars, trucks and potentially car transporters.

It is understood that the existing access is to be improved to accommodate access by HGVs. Details of such improvements including plans and swept path details will be required. Any such improvements may potentially require a s.38 / 278 agreement.

**Parking & Turning Provision**

Although a significant portion of the unclassified estate road is subject to a TRO (double yellow lines), there is already typically high demand for the remaining on-street spaces by vehicles assumed to be from neighboring businesses. In terms of parking provision, the Local Highway Authority (LHA) would recommend that maximum LPGN 16 standards are provided within the curtilage of the site.

Adequate turning fcaiities must be provided within the curtilage of the site to accommodate the anticipated vehicle types / sizes visiting the site.

Swept Path Details

Appropriate swept path details will need to be provided of the various types / size of vehicle visiting the site detailing how they will access, park, turn and exit the site.

**Active Travel**

The LHA recommend that the applicant liaises with our Strategic Transport Manager – Gwen Thomas on Tel: 01978 729667 (or email: gwen.thomas@wrexham.gov.uk) in respect of any specific requirements for the proposed development that may be required under the Active Travel Act Guidance / LPGN 16. Any such requirements should be referenced / indicated on a revised layout.

**Traffic Generation**

No details of the previous / proposed daily vehicle movements at the site have been provided (both staff, customers, deliveries).

Details of the previous type / size of vehicle eg/ cars, vans, HGVs visiting the site will need to be provided along with typical daily vehcie movements.

Details of the proposed type / size of vehicle eg/ cars, vans, HGVs visiting the site will need to be provided along with typical dail vehcie movements.

A detailed Transport Statement will need to be submitted to support any future application.

**Refuse Collection / Recycling**

The LHA recommend that you consult with our Senior Waste Strategy Officer Gabrielle Povey (Senior Waste Strategy Officer) on 01978 729640 to discuss the above detail and the adequacy of any area allocated to waste collection. However, it is assumed that the proposed business will be serviced by a private contractor.

**Service Delivery Management Plan**

If the proposed development is considered to have significantly more deliveries than previously experienced at the site and is supported, it may be considered appropriate to include a condition requiring the submission of a Service Delivery Management Plan (SDMP) prior to commencement, which details how the business will operate in respect of delivery vehicles, details of how HGV deliveries will be staggered throughout the day etc. to avoid any parking of vehicles on the highway.

**Construction Traffic Management Plan (CTMP)**

If an application for development is supported at the site, Iteh LHA recommend any permission includes the following condition:-

*No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the plan as is approved has been fully implemented.*



On behalf of Chief Officer, Environment & Technical