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Wrexham County Borough Council
Planning Department,
Lambpit Street,
Wrexham,
LL11 1AR

17 July 2025

Dear Sir/Madam,

FORMER MALPAS TRACTORS SITE, CLYWEDOG ROAD SOUTH, WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL13 9XS
CHANGE OF USE OF UNIT TO ENABLE THE STORAGE AND MAINTENANCE OF VEHICLES LINKED TO THEIR COMMERCIAL HIRE AND ASSOCIATED DEVELOPMENT (SUI GENERIS USE)

Montagu Evans LLP is appointed by Car Hire (Day of Swansea) Limited ("the Applicant") to submit an application seeking the change of use to enable the storage and maintenance of vehicles linked to their commercial hire and associated development (Sui Generis Use) at Former Malpas Tractors Site, Clywedog Road South, Wrexham Industrial Estate, Wrexham, LL13 9XS ("the Site").

The application submission comprises the following documentation:

- Completed Pre-Application Forms
- Site Location Plan
- Drawing No. 22542_PL-SP-00 Site Plan as Existing
- Drawing No. 22542_PL-SP-01 Site Plan as Proposed
- Highways Note
- Green Infrastructure Statement
- Landscaping Plan

The application has been submitted via the Planning Portal (Ref- PP-14186123). The application fee of £460 has been paid to the Council.

SITE DESCRIPTION AND PLANNING HISTORY

The Site comprises the Former Malpas Tractors Site, Clywedog Road South, Wrexham Industrial Estate. It is 0.3ha in extent and comprises the rear workshop building which was formally occupied by Malpas Tractors, associated parking and hardstanding to the east.

The rear unit within the Applicants ownership, subject of this application comprises 630 Sq. m at ground floor level and includes a mezzanine floor of 64 Sq. m.

The Site is within the Settlement Boundary. It is located at the southern end of within Wrexham Industrial Estate and in close proximity to highway infrastructure from which vehicular and pedestrian access is taken comprising Clywedog Road South.

Montagu Evans LLP is a limited liability partnership registered in England and Wales with registered number OC312072. Registered office 70 St Mary Axe, London, EC3A 8BE.
A list of members names is available at the above address.

Via internal roads within the Industrial Estate, Clywedog Road South provides a connection Wrexham Road which links to both Wrexham City Centre to the west and settlements to the east. The industrial estate is served by a bus service from which the No. 41 service runs to a variety of location within the Borough Council area. The closest bus stop is located at Pentre Maelor some 1.1KM from the Site.

Based on NRW Development Advice Map, the Site is not at risk of flooding for the purposes of achieving a planning permission (extract below):



Figure 1 – Development Advice Map Extract

A review of Historic Wales records show that the Site is free from any heritage assets that would present issues for the purposes of achieving planning permission. It is not located within or adjacent to a Conservation Area, nor is any element of it is subject of a Listing.

Reflective of the location within Wrexham Industrial Estate, surrounding uses are commercial in nature. The area is characterised by warehousing and industrial uses including to the immediate west, north and south of the Site. Clywedog Road South is located to the east with warehousing beyond.

We have undertaken a search of the planning history of the Site using the Council's online planning explorer. The most recent permission at the Site comprises LPA Ref. P/2014/0451 which identified the uses of the rear unit as a mixture of B1(C), B8 with an ancillary retail offer. Given the lawful use of the Site, an alteration is required to facilitate occupation by the Applicant.

Albeit not at the Site, the Applicant secured retrospective consent enabling the occupation of 26 Abenbury Way within Wrexham Industrial Estate in January 2025 (LPA Ref. P/2024/1188). The retrospective permission confirmed the acceptability of Day's operation within the industrial estate and conformity with relevant planning policy in this regard.

CAR HIRE (DAY OF SWANSEA) LTD

The business Car Hire Day of Swansea Ltd has been trading since 1956 and provides fleet rentals to the public and private sector throughout the UK.

The history of the company has been punctuated by progressive development, expansion and success, resulting in it being the largest Welsh based dealer group within Wales and within the top fifty dealer groups nationally. The company employs in the region of 600 people throughout South Wales, making it one of the largest private employers in the area.

Days have identified that circa 85% of their rentals are to Local Authorities and Government operations throughout the UK. Just 2% of their rentals are to the public (i.e. for retail purposes).

Following purchase of the Site, Day's intends to relocate from their existing premises within Wrexham Industrial Estate at 26 Abenbury Way which no longer offer the scale of unit or wider area for them to operate successfully.

THE PROPOSED SCHEME

The proposal comprises the change of use of the Site for the purposes of vehicle storage in association with their commercial hire. The prevailing use will be as a distribution hub for vehicle hire servicing the wider Wrexham area. In separate, but very similar applications throughout the UK, such as use has been accepted as Class B8. Notwithstanding, the Council consider the required planning use to be Sui Generis. We have therefore applied for such a use based on feedback received as part of application LPA Ref. P/2024/1188.

No physical works are proposed beyond the introduction of EV charging and the introduction of a bird box. The workshop building as existing will not be altered as a result of proposals. The application therefore relates to the use of the Site in isolation.

Alterations to the existing layout are limited to the rationalisation of the vehicle parking area to the east of the workshop building. The existing vehicular and pedestrian access from the adopted highway will continue to be taken from Clywedog Road South and not altered.

The proposed development will lead to economic benefits via the retention of 8no. positions comprising:

- Business Development Manager
- Depot Manager
- 2 Hire Controllers
- 4 Driver / Cleaners

Albeit cleaning takes places out of hours, the hours of operation comprise:

- Monday – Friday 8AM – 5:30 PM
- Saturday 8AM – 12:30 PM
- Sunday Closed

In respect of landscaping, a Green Infrastructure Statement and Landscaping Plan form part of the application proposals. No existing landscaping or trees are proposed to be removed or altered. Bird boxes are proposed to ensure a Net Benefit for Biodiversity.

Linked to no additional floorspace being created via the proposed development, it is not considered that SAB requirements are triggered via the retrospective proposal.

PLANNING POLICY

We consider national policy contained in Future Wales: The National Plan 2040, Planning Policy Wales (Edition 12), various Technical Advice Notes and The Wellbeing of Future Generations (Wales) Act 2015 are relevant to this application. At a local level, the statutory Development Plan comprises the Wrexham Local Development Plan (2023).

<u>Future Wales: The National Plan 2040</u>

Future Wales: The National Plan 2040 was adopted in February 2021 establishes a national framework setting the direction for development in Wales to 2040.

The Plan forms a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate resilience, developing strong ecosystems and improving the health and well-being of our communities.

Policy 1 promotes employment generating development within the growth regions including Wrexham.

Policy 6 of the Future Plan is in relation to a Town Centre First approach and states:

> *"Significant new commercial, retail, education, health, leisure and public service facilities must be located within town and city centres. They should have good access by public transport to and from the whole town or city and, where appropriate, the wider region. A sequential approach must be used to inform the identification of the best location for these developments, and they should be identified in Strategic and Local Development Plans."*

Policy 11 supports the creation of a network of rapid-charging points to enable longer distance travel by electric vehicles throughout Wales.

Policy 20 identifies Wrexham a National Growth Area.

Planning Policy Wales

Planning Policy Wales (PPW) Edition 12 (February 2024) sets out the land use planning policies of the Welsh Government. It is supplemented by a series of Technical Advice Notes (TANs), Welsh Government Circulars, and policy clarification letters, which together with PPW provide the national planning policy framework for Wales.

The planning system is central to achieving sustainable development in Wales. It provides the legislative and policy framework to manage the use and development of land in the public interest which is consistent with key sustainability principles. Paragraph 3.3 states:

> *"Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area."*

PPW emphasises that the planning system should support economic growth within the context of sustainable development and that economic development should facilitate regeneration and promote social and environmental sustainability.

Para 5.4.2 identifies:

> *"Economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism, and public services."*

Para 5.4.4 states:

> *"Wherever possible, planning authorities should encourage and support developments which generate economic prosperity and regeneration. Sites identified for employment use in a development plan should be protected from inappropriate development."*

Technical Advice Notes

The following Technical Advice Notes (TANs) adopted by Welsh Government are also considered to be of relevance to this submission:

- TAN 4: Retail and Commercial Development
- TAN 18: Transport

- TAN 23: Economic Development

The Wellbeing of Future Generations (Wales) Act 2015

The Wellbeing of Future Generations (Wales) Act 2015 places a duty on public bodies that they must carry out sustainable development. The Well-being Goals include:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh Language
- A globally responsible Wales.

Local Development Plan (2023)

The Wrexham Council CBC Local Development Plan was adopted in 2023. Under the provisions of the Planning (Wales) Act, it comprises the statutory Development Plan for the Borough Council area.

The Site is located within the Settlement Boundary and is allocated for employment purposes as per the Proposals Map (extract below):



Figure 3 – Proposals Map extract

Linked to the allocation of the Site, the following policies are considered relevant:

- Policy SP2 identifies new development is directed to the defined settlement limits and employment areas as identified on the Proposals Map.
- Policy SP8 relates to economic growth, employment and enterprise. It states the Borough Council will undertake the following:
    - *"Allocating a strategic expansion site of 28ha at Wrexham Industrial Estate – the County Borough's Key Business Sector area, improving the quality of employment sites supply within Wrexham Industrial Estate and protecting a strategic ecological network for a number of local, national and internationally protected species and habitats;*
    - *Safeguarding 25 existing national, regional and locally important industrial sites essential to meeting the future economic growth of the County Borough, which ensures a range and choice of sites co-located with housing in both urban and rural settlements;*
    - *Providing a level of growth which allows opportunities to deliver approximately 4200 jobs in the County Borough over the Plan period across a wide range of employment sectors."*
- Policy SP9 relates to Wrexham Industrial Estate. It identifies, *"Wrexham Industrial Estate as shown on the proposals map is the County Borough's Key Business Sector Area and will be the primary focus for new*

employment development over the plan period for class B1, B2 and B8 employment. Land is also protected on the estate for a strategic ecological network for a number of local, national and internationally protected species and habitat."

- Policy EM1 identifies Wrexham Industrial Estate as a protected site for Class B and complimentary uses.
- Policy T1 relates to the management of traffic impacts arising from developments.

PLANNING CONSIDERATIONS

The proposed development comprises the use of the unit and adjacent hardstanding in association with the storage and maintenance of vehicles linked to their commercial hire.

In the context of the proposed development, the following observations are made:

- The Site is located within the Settlement Boundary. It is therefore suitable for development in principle.
- It is located within Wrexham Industrial Estate which is the principal Employment location within the County Borough Council area as per the LDP. It is surrounded by commercial uses.
- The Applicant has operated from the wider industrial estate since 2017. Retrospective permission was granted in January 2025 (LPA Ref. P/2024/1188) confirming their occupation accords with relevant LDP policies which are relevant in the determination of the application to which this Statement relates.
- The Site meets the requirements of the existing occupier. The proposal is therefore not speculative.
- No physical development of note is proposed. The application relates to the use of the Site in isolation.
- The existing vehicular and pedestrian access will be utilised as part of the proposed development.
- The intended use of the premises will enable linked trips with surrounding commercial uses, thus reducing the need to travel between alternative facilities within Wrexham.
- The development will result in economic benefits via retention of existing positions via Day's relocation which comprises a material consideration in the determination of the application.

<u>Principle of Development</u>

The Site is brownfield in nature and identified as suitable for employment generating development via its allocation in the Local Development Plan. It is vacant and therefore not serving any purpose, providing any services or employment generation for Wrexham.

The application proposes a change of use of it for the purposes of vehicle storage and maintenance associated with their commercial hire. The proposed development is therefore consistent with the allocation of the Site in prevailing planning policy.

In correspondence regarding Planning Permission LPA Ref. P/2024/1188, the Council have maintained that the lawful use of the Site linked to Day's operation should be under a Sui Generis use. Day's operations throughout the UK have been accepted as a B8 use class however to avoid dispute over this, the application is submitted on the basis of a Sui Generis use.

Irrespective, the specifics of Day's operation, with 98% of business undertaken for fleet hire and only 2% for retail purposes serves to highlight their occupation is not akin to a traditional retail operation for the rental of vehicles such as Enterprise or Hertz. The retail element of the business is de minimis in nature and ancillary to the prevailing element which is the storage and maintenance of vehicles linked to their fleet hire via Local Authorities and Government organisations.

Policy SP9 identifies "*Wrexham Industrial Estate as shown on the proposals map is the County Borough's Key Business Sector Area and will be the primary focus for new employment development over the plan period for class B1, B2 and B8 employment".* Notwithstanding the Council's interpretation of the Day's Use Class, it is clear that the proposed use of the unit, which is vacant and not providing any employment opportunities nor services is suitable in the context of the role and function of the industrial estate and Day's operational characteristics.

Regardless of interpretation re the lawful use, the operation from the Site is one that is consistent with the aims and aspirations for Wrexham Industrial Estate as set out in Policy SP9 and those set out in Policy SP8.

Access and Highways

The proposed development will utilise the existing vehicular and pedestrian access from Clywedog Road South that serves both the Site and the adjacent unit within Day's ownership.

A note has been prepared regarding highways matters by Dynamic Transport Planning. The note identifies:

- As part of the proposals, 14 parking bays will be provided for staff and occasional customers, with 48 spaces available for vehicle storage in the vehicle compound area west of the building on site.
- A review of the existing highway accident data within the vicinity of the site has been undertaken and shows that there are no pre-existing patterns or trends of incidents that could be impacted by the development proposals.
- The accessibility of the site for non-car modes of travel has been assessed. It is considered that the site is located to allow potential for some journeys to be undertaken by modes other than private car.
- A first principles approach has demonstrated that the level of vehicular movements associated with the site would be very low and would not constitute an intensification over the existing use of the site.
- Overall, on the basis of the above assessment, it is concluded that there are no outstanding reasons why the proposals should not be granted planning permission on transport grounds.

In accordance with the above, the retrospective application is compliant with the requirements of Policy T1 of the Local Development Plan.

Economic Benefits

The proposed development will lead to economic benefits in the form of job retention comprising 8no. positions. It will therefore comprise sustainable economic development and accord with the principles of the PPW.

The economic benefits comprise a material consideration in the determination of the forthcoming application.

Green Infrastructure, Net Benefit for Biodiversity and SAB

No existing landscaping or trees are proposed to be removed or altered as part of the application.

The proposed landscape scheme comprises native species trees, mixed native species scrub planting and species-rich grass to the rear site boundary. Existing trees and vegetation will be retained.

It is assessed that these landscape proposals are proportionate to the scale of the proposed development and will optimise the site's potential for connectivity to the wider green infrastructure network. The planting will provide habitat for a range of vertebrates and invertebrates, flowering species will attract pollinators and fruiting/berrying plants will attract birds and other wildlife.

The proposed development includes the introduction of 2no. bird boxes. The bird boxes, in addition to the landscaping will ensure the proposal is resultant in Net Benefit for Biodiversity.

Given no additional floorspace or hardstanding is to be created as a result of the proposals, a requirement for a SAB application is not triggered.

CONCLUSION

The application proposes the change of use of the former Malpas Tractors Site, Wrexham Industrial Estate to a Sui Generis use to enable its occupation by Car Hire (Day of Swansea) Ltd. The Applicant is seeking to relocate from their existing

premises within the Industrial Estate to cater for additional demand. A recent retrospective planning permission at their existing premises confirmed the conformity of Day's operation with relevant Local Plan policies which also relate to the application Site.

The occupier overwhelmingly provides fleet hire vehicles to Local Authorities and Government organisations, with just 2% of their trade being retail in nature. Given this, the use of Site is generally of a low intensity. Given the limited scope of the proposals, planning considerations are limited in nature.

We trust that the above is clear and consider that the information submitted should enable a positive determination of the application. Should you have any questions or wish to discuss, please do not hesitate to contact Matthew Gray (07881230361 / matthew.gray@montagu-evans.co.uk) at this office.

Yours sincerely,

MONTAGU EVANS LLP

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