



Parker Planning

POSITIVE PLANNING SOLUTIONS

Planning Statement

Proposal: Change of use of vacant unit to class D2 (gym)

Location: Unit 5 Pandy Business Park, Pandy, Wrexham.

1.0 Introduction

- 1.1 This Planning Statement has been prepared in support of a planning application for the change of use of a vacant unit. This Statement should be read alongside the submitted plans and documents and will refer to the relevant adopted planning policies. The current adopted Development Plan is the Wrexham Local Development Plan (LDP) adopted on 20/12/23 and covers the period 2013 to 2028.

The Site

- 1.2 Unit 5 is a vacant unit within Pandy Business Park, which comprises a small number of units that vary in size and appearance, some are red brick built, some finished in white/cream render. There are 8 buildings in the Business Park, with some buildings comprising more than one unit. The Business Park has a high vacancy rate with a total of 5 units (including Unit 5) remaining empty with no occupants/businesses operating. Unit 5 is semi-detached with the majority of the building comprising metal sheet cladding with the entrance building finished in red brick.

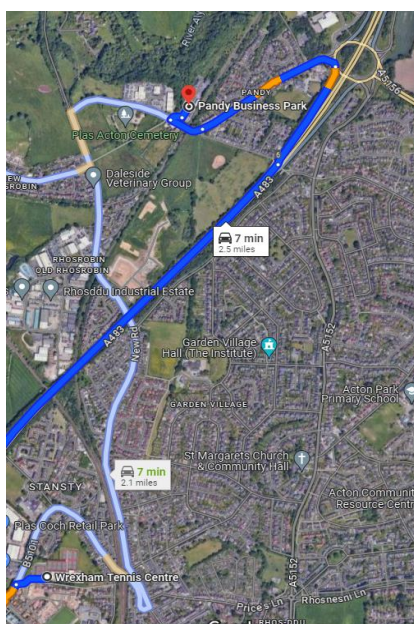
Unit 5:



- 1.3 The buildings within the Business Park are of high-quality construction with their appearance contributing positively to the character of the area. The Business Park is located close to Junction 6 of the A483 Wrexham by-pass. The property is situated at the head of Plas Acton Road alongside the A483. As such it is readily accessible to Wrexham and the surrounding areas. The A483 provides a dual carriageway route to Chester and the M56 in the north and Oswestry, Shropshire and Telford to the south. The site is allocated as an Employment Area as shown on Inset 5 on the Proposals Map of the Wrexham LDP.

2.0 Background

- 2.1 The applicant, RPM Health Fitness LTD, was given notice to vacate their premises at Wrexham Tennis Centre, a building which is owned by the Council. RPM Fitness was established in 2004 and operates a successful health, well-being and fitness business that also supports local personal trainers in their gym facility. In 2022, Wrexham Council received £22.7 million from the UK Government as part of the UK Shared Prosperity Fund. As the UK is no longer part of the European Union, the UK Government Shared Prosperity Fund was sent directly to Wrexham Council to spend on local projects in Wrexham. The Tennis Centre was one of many recipients and received £2 million in Shared Prosperity Funding.
- 2.2 Whilst the improvements and funding investment are positive for the Tennis Centre, it has resulted in those businesses operating from the centre having to vacate and find alternative premises in a very short space of time. In discussions with the Council about the requirement to relocate it was suggested that *“moving out of the council building (tennis centre) is for the greater good”*. The notice period given was 3 months from the 12th January 2024 to 12th April 2024. This gave very little time to find new premises that suited the needs of the gym in terms of location, size, suitability with parking provision and in the same catchment area as the Tennis Centre in order to serve the existing client base.
- 2.3 The applicant’s consulted with commercial estate agents, where a number of vacant units were considered, including the unit subject of this application as well as 4 other vacant units at Pandy Business Park with others located in similar business areas. There were no available units within or on the edge of the town centre. As mentioned above, an important factor is the location of RPM Fitness to maintain the current client base and provide members with a quality service with minimal disturbance, which inevitably supports the continued success of the business. The Google map image shows the distance from the Wrexham Tennis Centre to Pandy Business Park, approx. 2 miles. There are no other available and suitable units within a similar distance.



3.0 Wrexham Local Development Plan 2013 – 2028

The main applicable adopted policies are set out below:

Policy SP2: Location of New Development

- 3.1 New development is directed to the defined settlement limits and employment areas as identified on the Proposals Map. This policy directs development to the most suitable locations within the County Borough in accordance with sustainable development principles set out in national planning policy. Emphasis is given to the hierarchy of the settlements within the County Borough based on the need for development plans to secure sustainable settlement patterns which meet the needs of the economy, environment and health. The settlement hierarchy identifies a framework for the location of new development based on an understanding of each settlements existing facilities / services and their capacity, infrastructure, employment opportunity, planning constraints, viability and opportunities for new development.

Policy SP8: Economic Growth Employment and Enterprise

- 3.2 Policy SP8 ensures the continued role of the County Borough as a key economic driver in North Wales and the wider region and serves to diversify the local economy and widen the economic base. The policy reflects one of the objectives of the Plan 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'. It recognises that the use of employment land should accommodate projected growth while allowing choice and flexibility to meet the varying nature of future employment needs and demands. The policy makes reference to the need to secure land and buildings to attract employment opportunities in sustainable and accessible locations.

Policy SP19: Green Infrastructure

- 3.3 This policy seeks to protect, conserve and enhance natural heritage networks and states development will be required to maintain the extent, quality and connectivity of multifunctional green infrastructure on or near a site.

Policy EM1: Protection of Existing Employment Land

- 3.4 Policy EM1 states that the County Borough's existing employment areas as shown on the Proposals Map will be protected for B Use Class employment generating uses together with appropriate complementary uses and activities as referred to in Policy EM2. The purpose of this policy is to ensure that the existing employment areas within the County Borough are protected from non-employment related land uses. The policy responds to the Spatial Strategy of the Plan to ensure a range and choice of employment land and premises are available across the County Borough to assist economic competitiveness, encourage entrepreneurship, promote the growth of indigenous businesses of all types and size and attract inward investment.

EM2: Provision of Supporting Facilities for Employees in Business, Industrial and Warehousing Developments

- 3.5 This policy applies to those employment areas defined on the proposals map and intends to enable the provision of appropriate complementary and subordinate uses in those areas to help deliver the Plan's objectives.

Policy EM3: Alternative Use of Employment Land and Premises

- 3.6 Development of business, industrial and warehousing land and premises for other uses will only be permitted if:
- i. The land or premises are no longer well located for business, industrial and warehousing use; or
 - ii. There is no realistic prospect of employment use on the site and/or the property is physically unsuitable for employment use, even after adaption/refurbishment or redevelopment; or
 - iii. There is no need to retain the land or premises for business, industrial or warehousing use, having regard to the demand for such land and premises and the requirement to provide for a range and choice of sites available for such use; and
 - iv. There will be no unacceptable impact on the operating conditions of existing businesses.

Policy R6: Retail, Leisure and Commercial Development (Edge and Out of Centre)

- 3.7 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 sites be considered.

Policy DM1 - Development Management Considerations

- 3.8 This policy addresses the more detailed; site specific issues related to individual planning applications and will be applicable, where relevant to all new development proposals within the County Borough. It needs to be applied in conjunction with other relevant policies and proposals contained within the LDP and seeks to ensure satisfactory standards in new developments, including the implementation of high quality, sustainable design, accessibility and compatibility of land use amongst other key material planning considerations.

4.0 Assessment

- 4.1 The proposal is for the change of use of a vacant business unit to a gym. The site is located within Pandy Business Park defined as an employment area as set out in Policy SP2. In line with Policy SP8, the proposal would support a vibrant, diverse and competitive local economy that provides an element of employment to enable an existing business to continue to operate. The use of the unit as proposed supports the role of Wrexham as a key economic driver in North Wales as it will serve to diversify the local economy and widen the economic base. The landowner of the Pandy Business Park, Lloyd Morris Properties Ltd, is negatively, financially affected by the high number of vacant units, not only because of loss of rental income but the ongoing responsibility to pay business rates to the Council. As such, the proposal will support the local economy by bringing an empty unit into use whilst sustaining job opportunities to enable the existing business to operate in Wrexham in line with Policy SP8.
- 4.2 The applicant RPM Fitness is an established business that needs to relocate for reasons beyond their control: the eviction from the Wrexham Tennis Centre as it is being redeveloped. Only 3 months' notice of the eviction was given, which left an unreasonable amount of time to find alternative premises. RPM Fitness is owned and operated by two business partners, who also facilitate personal trainers within their gym. The change of use of the vacant unit would support the existing business as well as the personal trainers who would work from the facility. This element of employment provision supports the spatial strategy of Policy EM1 to assist economic competitiveness, encourage entrepreneurship, promote the growth of indigenous businesses and attract inward investment, which is critical to the vitality of Pandy Business Park given the high vacancy rate/empty units.
- 4.3 Policy EM2 considers the provision of supporting facilities in business, industrial and warehouse development. The policy focuses on such facilities to provide complimentary and subordinate uses in such areas. The provision of a gym within the business park could provide a supporting facility whilst bringing a vacant unit into a beneficial use supporting and enhancing the viability of Pandy Business Park. The proposal does not negatively impact on the status and character of the employment area for B1, B2 or B8 uses in accordance with Policy EM2.
- 4.4 Policy EM3 considers alternative uses and focuses on the need for well-located sites and premises to be attractive to business, industry and warehousing. The policy sets out 4 criteria (see para 3.6 above), where a proposal should meet either i. or ii. or iii. and should meet criteria iv. Each criterion is considered as follows:
- i. The land or premises are no longer well located for business, industrial and warehousing use
- 4.4.1 The site is well located for business use and would be applicable for the proposed gym use.
- ii. There is no realistic prospect of employment use on the site and/or the property is physically unsuitable for employment use, even after adaption/refurbishment or redevelopment
- 4.4.2 The unit has been vacant and marketed for 18 months. Legat Owen, commercial estate agent, states that marketing for Unit 5 began in October 2022 when it became vacant – see letter dated 18 April from Legat Owen attached as Appendix 1. Legat Owen have confirmed that the only interested parties for a business/industrial use during this

time have been from 10 industrial operators, including trade counter operator and the applicant for the gym use. Priority was given to the industrial uses though they did express any interest as the floorspace and amount of office space did not meet their needs. The only interest with an offer, has been from the applicant for use as the gym due to the need to relocate to suitable accommodation. As there have been on expressions of interest made and as a result, no realistic prospect of employment use after 18 months of actively marketing, which is illustrated by the fact that Legat Owen are currently marketing all of the vacant units on Pandy Business Park, including Unit 1, Unit 5, Unit 6B, Unit 6D, Unit 8A and Unit 8B, see link:

<https://www.legatowen.co.uk/properties/search/81d990593a650678a0523d54138d1f1a/>

It is considered that criteria ii. is met.

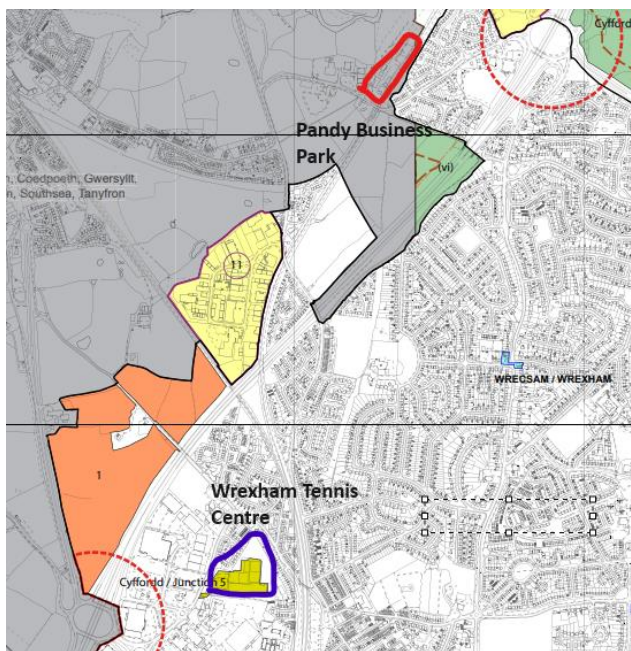
iii. There is no need to retain the land or premises for business, industrial or warehousing use, having regard to the demand for such land and premises and the requirement to provide for a range and choice of sites available for such use

- 4.4.3 The landowner, Lloyd Morris Properties Ltd have owned Pandy Business Park since 1974 and have noticed a marked change in uptake of the units due to changes in industry and the decline in manufacturing. Although investment into the maintenance of all the units in the business park has occurred, the units are no longer attracting tenants for industrial/offices or related uses. This lack of demand is apparent given the number of units currently vacant and being actively marketed with no uptake for such uses. The landowners have stated that they need to adapt and 'move with the times' to meet current demand and interest for such units, which includes uses such as the gym subject of this application. The other vacant units are being marketed and the use of Unit 5 as a gym will not hinder the range and choice available for business, industrial or warehousing uses. Accordingly, this criterion is met.

iv. There will be no unacceptable impact on the operating conditions of existing businesses.

- 4.4.4 The existing business on the business park will not be negatively affected by the change of use to a gym. There will be no unacceptable impact to the operating conditions of neighbouring units as all the gym activity will take place within the building. Visitors to the unit can access the building without any conflict with existing uses in terms of obstructing/crossing any delivery areas. There would be no undue noise or disturbance as a result of the proposed use. There are allocated parking spaces for Unit 5 with additional communal spaces located immediately adjacent to the unit. Criteria iv. is met.
- 4.5 The proposed use of the unit as a gym will bring a long-standing vacant unit into a beneficial economic use, supporting the local economy and employment opportunities providing commercial benefits and choice that will make an important contribution to local economic diversification. This is in accordance Policy EM3 of the Wrexham Local Development Plan, as it is noted that the development would not only support the sustainability of an existing business, it would contribute to the economic and viable use of Pandy Business Park.

- 4.6 Policy R6 states a preference for proposals to be located within a retail, leisure and commercial centre, and if no suitable available sites, then edge of centre and then out of centre. A sequential approach is required in order to demonstrate if there are available and suitable sites firstly within a retail, leisure and commercial centre, taken to be Wrexham City Centre, secondly within an edge of centre, which is usually taken to be 200 – 300 metres from a main centre (Technical Advice Note 4 – November 2016 – Retail and Commercial Development). RPM Fitness located within the Wrexham Tennis Centre, is defined as Regional Sports Stadia on the Proposals Map of the LDP. The extract below shows Pandy Business Park edged in red and the Wrexham Tennis Centre outlined in blue. Importantly, RPM Fitness occupied floorspace within the Tennis Centre, which is edge of the main town centre, but have been evicted with no comparable, available space either within or at the edge of centre.



- 4.7 RPM Fitness Ltd were faced with the challenge to relocate, a factor that was beyond their control due to the redevelopment (in partnership with Wrexham Council) of Wrexham Tennis Centre. The requirements for alternative premises for the applicant include: comparable floorspace, the existing floorspace at the Tennis Centre is 130sqm in an open plan room; site location close to former premises to meet client needs within a reasonable catchment area; and provision of car parking.
- 4.8 Legat Owen have confirmed that they have no premises listed a D2 leisure use. A site identification exercise with other estate agents found no available premises either with a leisure use or capable of changing to a gym within the town centre or edge of centre. In addition, there were no retail units available that were capable of meeting requirements of the applicant in terms of amount of floorspace provided in one large room (for the layout of the gym equipment and useable space), premises were not big enough (less than 100sqm) and with no parking provision. The only available commercial units were sites identified within industrial estates and employment areas similar to Pandy Business Park. However, such units were much larger offering between 1,780sqm and 40,000sqm and located at Wrexham Industrial Estate, Llay Industrial Estate and Queensway Industrial Estate (amongst others), all outside the catchment area required to retain the existing client base and all that would also require a change of use application.

- 4.9 Unit 5 Pandy Business Park would provide 202sqm of gym space, which is comparable to that utilised at the Wrexham Tennis Centre. Unit 5 comprises a floorspace with a large open area that can easily be adapted and fitted for the use as the gym. This was the only unit found to meet the needs of the gym in terms of size, with parking and within the catchment area of the existing clients as it is only 2 miles from the former premises within Wrexham Tennis Centre. The sequential test has been sufficiently demonstrated in accordance with Policy R6, concluding that there are no alternative units suitable or available.
- 4.10 Pandy Business Park comprises relatively smaller units when compared to the larger industrial/employment areas such as Wrexham, Queensway and Llay Industrial Estates, which have much larger premises available for occupation. This has a negative impact on Pandy Business Park due to competition with other larger employment areas that offer larger floorspace. This difficulty could be a reason for high vacancy rates and such poor demand is negatively affecting the operation of the business park. This highlights the need to consider alternative uses to remain viable and demonstrates that there is no realistic prospect of employment use on the site, in particular Unit 5 that has been vacant for 18 months with little interest (and where other units are vacant).
- 4.11 There would be no external alterations to the building and the unit would be utilised for the use of the gym to support the existing operation of the business. The proposal is considered to be appropriate in the area and would not have a detrimental impact on the adjacent units in terms of noise, disturbance or their operations. There are no houses in the immediate area to result in any loss of amenity. There would be no highway safety implications that would arise as a result of the change of use to a gym, access arrangements remain the same as existing. As such, the proposal accords with the character of the site making a positive contribution to the locality with no detrimental impact on the character or amenity of the area in line with Policy DM1 of LDP.
- 4.12 The site has existing dedicated car parking for staff and visitors immediately at the front of the building (x10), with additional communal areas available for use for Unit 5. 24 spaces are provided adjacent to Unit 5 to the north and 27 spaces to the south close to the entrance to the business park:



Green Infrastructure Statement

- 4.13 The Minister for Climate Change, in their letter to Chief Planning Officers dated 11th October 2023 highlighted the essential role that the planning system must play in meeting the challenges laid down by the Global Biodiversity Framework agreed at COP15, the Biodiversity Deep Dive recommendations developed in response to this and in continuing to fulfil the Section 6 duty to maintain and enhance biodiversity and the resilience of ecosystems in Wales. Planning Policy Wales (PPW) Chapter 6, February 2024, has been amended with regards to green infrastructure, net benefit for biodiversity (NBB), the protection afforded to Sites of Special Scientific Interest and trees and woodlands.
- 4.14 Chapter 6 states that it is important that biodiversity and resilience considerations are taken into account when proposing or considering development proposals. All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities.
- 4.15 One key change of Chapter 6, states the requirement for all planning applications to be submitted with a 'Green Infrastructure Statement', which should describe how green infrastructure has been incorporated into the proposal. The revised Chapter 6 advises that the Statement and net benefit for biodiversity should be proportionate to the extent and impact of development, having regard to the scale and nature of the proposed development.
- 4.16 The site is not within any protected areas in terms of nature conservation or SSSI. There is some landscaping and trees along the rear boundary outside the application site, that will not be affected by the proposal. The majority of the site is hard surfaced and unvegetated, with only a row of shrubs adjacent to the highway, where contributions to the landowner are made by the occupiers of the units for their maintenance and management :



- 4.17 However, it is proposed to provide enhancement measures that will result in a net benefit for biodiversity (NBB) serving to improve the green infrastructure network. Given the tree cover to the rear of the site, bird boxes could be installed on the rear of the building 3 metres above ground, which faces southeast to avoid prevailing winds and direct sunlight. There is no opportunity for additional planting given that the site is hard surfaced and operating needs and nature of the units.

- 4.18 Having regard to the net benefit for biodiversity and the green infrastructure network, it is considered that enhancements to the site by the provision of bird boxes, proportionally meets the identified requirements of ecological and biodiversity issues. The proposal is considered to be in accordance with Chapter 6 of Planning Policy Wales and LDP policy SP19.

5.0 Conclusion

- 5.1 The proposed use of Unit 5 Pandy Business Park as a gym will bring a vacant unit into a beneficial economic use, supporting the local economy, employment opportunities, providing commercial benefits and choice that will make an important contribution to local economic diversification. The unit has been vacant and marketed for 18 months with no prospect of employment use other than the gym as proposed. RPM Fitness Ltd have carried out site searches in accordance with the approach to the sequential test, with units discounted as either unsuitable or unavailable within the town centre or edge of centre. The only available units are within existing employment areas located further away from the town centre and not within the catchment area of their client base. A material factor is the applicants' need for relocation forced by the redevelopment at their former premises at the Wrexham Tennis Centre, which is ideally located at the edge of the town centre. The proposal would not only support the continued successful operation of the established business, it would contribute to the economic and viable use of Pandy Business Park.
- 5.2 For the reasons set out above, the proposal is considered to be an acceptable development in this area. It supports an existing, established business to relocate, therefore encouraging entrepreneurship whilst promoting growth at the existing business park, by attracting inward investment with increased employment opportunities in the area. The proposal is considered to be an appropriate development in this area that will support the local economy, which is a positive contribution beneficial for Wrexham. The proposed reuse of the site reflects sustainable development and is compatible with the site location and surroundings. The proposal promotes the efficient use of land with no detrimental impact on the character or amenity of the area. There are no highway implications and no harm to nature conservation, wildlife or would result in a loss of trees or vegetation. Accordingly, there is no conflict with adopted policies SP2, SP8, SP19, EM1, EM2, EM3, R6 and DM1. Therefore, taking into account the provisions of the development plan and all other material planning considerations, it is recommended that planning permission be granted.