



Parker Planning

POSITIVE PLANNING SOLUTIONS

Planning Statement

Proposal: Change of use from offices to class D2 (leisure), martial arts training and fitness area - P/2023/0878.

Location: Unit 6B 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 (P/2023/0878). 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 6B is one unit within a building comprising 5 units (Elm House) and has been vacant for 2 years. Two of the units within the building are occupied with three units, including 6B subject of this application, are vacant. Pandy Business Park 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 3 units vacant within this building and others currently being marketed but remaining empty with no occupants/businesses operating (Unit 1, Unit 5 (subject to planning approval) Units 6D, 8A and 8B).

Image 1: Elm House (Units 6 A - E):



- 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, accessed via Plas Acton Road, adjacent to 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 is a partner and shareholder of Trident Martial Arts, which is a long-established facility operating at Bromborough, Wirral. Members to the martial arts centre travel to Wirral from the North Wales area, including the applicant and their family who live in Wrexham. Given the positive impact that Trident has in Wirral providing martial arts for self-defence, fitness and confidence for both adults and children, the applicant realised the opportunity to develop martial arts in their local community in Wrexham. The applicant recognised a local need and opportunity to develop a martial arts programme to benefit both children and adults in the local area rather than travel to Wirral.
- 2.2 The applicant carried out a site search within Wrexham Town Centre where there were no available units with the required floorspace or provision of parking, elements both suited to the needs of the martial arts facility. Further consultation with commercial estate agents, found a number of vacant units within other business/industrial areas, including the unit subject of this application as well as 4 other vacant units at Pandy Business Park. There were no available units within or on the edge of the town centre.

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 SP13: Health and Wellbeing

- 3.3 This policy seeks to reduce health inequalities and provide opportunities for healthy lifestyles and improving health and well-being, including mental health, by addressing the physical, economic and social determinants of health. The aim of this policy is to promote health and wellbeing by supporting proposals which provide access to amongst other things, community facilities and sports/recreational facilities. The policy accords with the Plan's strategic objective to promote and encourage a healthy, active and safe lifestyle within the County Borough. It reflects the direction in National Planning Policy and Guidance that health is a material consideration in determining planning applications for new developments, and is recognised as an essential element in delivering sustainable development.

Policy SP19: Green Infrastructure

- 3.4 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

- 3.5 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

- 3.6 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

- 3.7 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)

- 3.8 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

- 3.9 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 martial arts training and fitness centre. 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 Trident Martial Arts is an established business in Wirral and is looking to expand its services in Wrexham. The applicant is local to the area of Wrexham and has witnessed the individual and community benefits of the service and wishes to expand within their local area. The characteristics of the martial arts fitness centre is not akin to a 'regular' commercial gym used usually by an individual for strength and conditioning. It specifically focuses on self-defence, fitness and building confidence adopting a team approach in a class setting. The change of use of the vacant unit would support the health and well-being of the local community in accordance with the strategic objective to promote and encourage a healthy, active and safe lifestyle, as set out in policy SP13.
- 4.3 The proposal would support an existing business to expand its services that would be beneficial to Wrexham, not only to provide a bespoke service to improve health and well-being, but by bringing a vacant unit into beneficial use. A business expansion into Wrexham supports the aim of Policy EM1 to assist economic competitiveness, encourage entrepreneurship, promote business growth and attract inward investment, which is critical to the vitality of Pandy Business Park given the high vacancy rate/empty units.
- 4.4 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 the martial arts and fitness centre 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.
- 4.5 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
- 4.5.1 The site is well located for business use and would be applicable for the proposed martial arts and fitness 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

- 4.5.2 The unit has been vacant and marketed for 2 years by Legat Owen, who are also marketing the additional vacant units on Pandy Business Park. Legat Owen have confirmed that despite prioritising employment uses, there has been little interest from industrial operators or office uses, with the only interest from the applicant as a martial art fitness training centre. There have been no expressions of interest made (other than the applicant) and as a result, no realistic prospect of employment use after 2 years 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 as the unit has been vacant with unsuccessful marketing for 2 years.

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

- 4.5.3 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 martial arts fitness centre subject of this application. The other vacant units are being marketed and the use of Unit 6B as a martial arts and fitness centre will not hinder the range and choice available for business, industrial or warehousing uses in Pandy Business Park. Accordingly, this criterion is met.

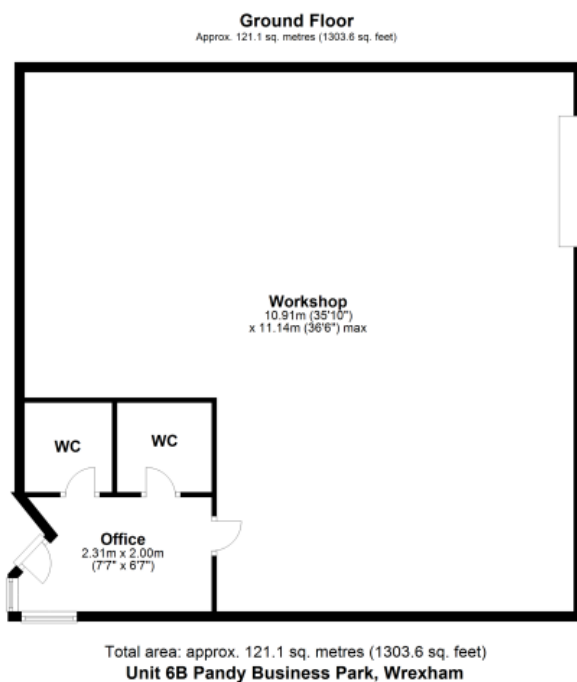
iv. There will be no unacceptable impact on the operating conditions of existing businesses.

- 4.5.4 The existing business on the business park will not be negatively affected by the change of use to the martial arts and fitness centre. There will be no unacceptable impact to the operating conditions of neighbouring units as all the 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 the unit with additional communal spaces located immediately opposite the unit. Criteria iv. is met.

- 4.6 Policy EM3 seeks to address the need to retain a range and choice of well-located sites and premises attractive to business, industry and warehousing but also acknowledges making the best use of redundant land and premises for alternative employment purposes. The policy makes reference to the 'robust evidence' for assessing the need to retain land and premises for business, industrial and warehousing use, which includes factors of whether and for how long land or premises have been vacant and actively marketed and the expressions of interest during this period; and whether the proposed development would retain an element of industrial, office or warehousing floorspace. As stated above, the unit has been vacant and marketed for 2 years with no interest for occupation as business, office or industrial uses. The building comprises 5 units of which Unit 6B is one of two currently vacant, the other is Unit 6D. The remaining units within the building continue to operate as industrial and office uses, therefore retaining such uses in accordance with policy EM3.
- 4.7 The proposed use of the unit as a martial arts and fitness centre 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. The application site is located in a sustainable location and would make beneficial use of an existing building, providing employment opportunities and additional facilities within the key settlement of Wrexham. 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 and expansion of an established business, it would contribute to the economic and viable use of Pandy Business Park.
- 4.8 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). As a new local enterprise, expanding Trident Martial Arts within Wrexham focussed on the existing business model meaning occupying a similar premises to that in Wirral (Wirral International Business Park), in terms of size, useable floorspace with a provision of onsite parking. The service provided by Trident is focussed and targeted for small classes customised for both children and separately for adults.
- 4.9 As part of the site search, there were no available units within Wrexham Town Centre with a retail floorspace that provided a useable space for the use as martial arts and none with parking provision. No units were available at the edge of centre, which narrowed the search with only available and suitable units within existing employment areas. Such units were located on the Vauxhall Industrial Estate in Johnstown, which were taken and no longer available; Rhosdu and Wrexham Industrial Estates where the units were too large on larger industrial estates where there could be a conflict with other industrial units (traffic movement and operations) as opposed to the characteristics of Pandy Business Park, where no such conflict would arise.

- 4.10 Trident Martial Arts require an open room for training with a modest floorspace. As stated above, there were few retail units available that met the requirements within the town centre. 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 or adapting for use as a martial arts and fitness centre within the town centre or edge of centre. The conclusion of the site search found no retail units available that were capable of meeting requirements of the applicant in terms of amount of floorspace provided in one large room. Such premises were not big enough (less than 100sqm) and with no parking provision. Unit 6B provides the right amount of floorspace required in an open room.

Image 2: Layout of Unit 6B



- 4.11 The only available commercial units that met the applicant's requirements were sites identified within industrial estates and employment areas much larger than Pandy Business Park. 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 these industrial estates are located a distance from the town centre and are relatively self-contained away from residential development. The available units were discounted on the basis of size and location and would have also required a change of use planning application. Pandy Business Park is located adjacent to the residential development in Pandy, within close proximity to the residential areas and schools in Gwersyllt, Rhosrobin, Bradley and Wrexham. These residential areas being the catchment area and target client base of Trident Martial Arts Wrexham to provide their service to the local community.

- 4.12 Unit 6B Pandy Business Park would provide 122 sqm of floorspace, with a large open area that can easily be adapted and fitted for use as the martial arts and fitness centre. This was the only unit found to meet the needs and requirements of the applicant in terms of size, with parking and with easy access for service users given the proximity of schools and surrounded by residential areas. The sequential test has been sufficiently demonstrated in accordance with Policy R6, concluding that there are no alternative units suitable or available.
- 4.13 Pandy Business Park comprises relatively smaller units when compared to the larger industrial/employment areas such as Wrexham, Queensway, Vauxhall, Rhosdu 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 6B, which has been vacant for 2 years with no interest (and where other units are vacant).
- 4.14 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, 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.
- 4.15 The site has existing dedicated car parking for staff and visitors at the front of the building, with additional communal areas available for use within the business park. It is noted that there is no objection from the highway officer.

Green Infrastructure Statement

- 4.16 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.
- 4.17 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.

- 4.18 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.
- 4.19 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.
- 4.20 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. There is no opportunity for additional planting given that the site is hard surfaced and operating needs and nature of the units. 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.

Drainage

- 4.21 National Resources Wales provide up to date guidance on the issue of phosphorus sensitive river Special Areas of Conservation (SACs). It states that the following developments can be screened out as not likely to have a significant effect on a river SAC in relation to phosphorus inputs, as there is unlikely to be a source of additional phosphorus or pathway for impacts:
- any development that does not increase the volume and phosphorus concentration of wastewater
 - any development that improves existing water quality discharges by reducing the phosphorus concentration of wastewater without increasing volume or by decreasing the volume of wastewater produced without increasing the concentration of phosphorus
 - developments intended to provide services, facilities, commercial sites, or places of employment (e.g., community buildings, schools etc.) for a local population already served by residential connections to existing public or private sewers discharging within the SAC river catchment
- 4.22 The unit has 2 existing toilets with no plan to increase this number and the drainage will remain as existing. The layout of the unit will remain unchanged as shown above at image 2. It is considered that the proposal is a development that can be screened out as not likely to have a significant effect on a river SAC in relation to phosphorus as set out above.

5.0 Conclusion

- 5.1 The proposed use of Unit 6B Pandy Business Park as a martial arts and fitness centre 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 2 years with no prospect of employment use other than the use as proposed. Trident Martial Arts Wrexham 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 their target catchment area. The benefit to the local community in terms of health and well-being is a material consideration having regard to policy SP13, which supports proposals that provide access to community and sports/recreational facilities. This accords with the Plan's strategic objective to promote and encourage a healthy, active and safe lifestyle within the County Borough and reflects the direction in National Planning Policy and Guidance.
- 5.2 For the reasons set out above, the proposal is considered to be an acceptable development in this area. It supports the expansion of an established business, 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, contribute to the economic and viable use of Pandy Business Park, which in turn 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 drainage or 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, SP13, 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.