JMS PLANNING & DEVELOPMENT

SEQUENTIAL TEST APPROACH STATEMENT

IN SUPPORT OF AN APPLICATION FOR THE CHANGE OF USE TO A MIXED A1/A3 USE, INSTALLATION OF PLANT, DISPLAY OF SIGNAGE, AND ASSOCIATED WORKS

AT

UNIT 1A
DOLYDD ROAD
WREXHAM
LL13 7TF

August 2026

Document: Sequential Test Approach Statement

Client: Greggs PLC

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SECTION 1: INTRODUCTION

1.1 This Sequential Test Approach Statement has been prepared on behalf of Greggs PLC (the *"Applicant"*) and is submitted in support of a planning application for the change of use to a mixed A1/A3 use, erection of plant, display of advertisement and associated works at Unit 1A, Dolydd Road, Wrexham.

1.2 Greggs PLC are proposed as the occupier of the unit. With over 2,000 shops, nine centres of excellence and some 20,000 employees who serve millions of customers each week, Greggs is the UK's leading bakery food-on-the-go retailer. The company started over 80 years ago when John Gregg started out with the goal to deliver, by bicycle, fresh eggs and yeast to families in Newcastle. 10 years later he opened Greggs of Gosforth on Gosforth High Street, which remains a Greggs to this day.

1.3 Of the 2,000 shops noted above, five of the retail units are located within the Local Authority area of Wrexham, with two of the units already located within Wrexham Town Centre.

1.4 This Statement provides an overview and justification for the proposed location and outlines the sequential test approach. In accordance with Planning Policy Wales, the extent of a sequential test should be agreed by pre-application discussion between the planning authority and the developer. Whilst discussing the planning application during the course of the determination, the Planning Officer requested a brief statement to address the sequential approach, although the sustainable location was noted.

SECTION 2: THE SEQUENTIAL APPROACH

2.1 Paragraph 4.3.18 of Planning Policy Wales (PPW) states that planning authorities should adopt a sequential approach to determining applications for retail uses.

2.2 PPW highlights that if a suitable site or building is not available within a retail or commercial centre, consideration should be given to edge-of-centre sites, and should no such suitable sites be available, only then should sustainable out-of-centre sites be considered.

2.3 Paragraph 4.3.20 highlights that edge-of-centre sites should be accessible by a choice of public and private modes of travel. Chapter 4.3 includes retail and commercial properties, in addition to potential complementary uses as those which a sequential test approach should be applied.

2.4 PPW advises Local Authorities should be flexible in their approach where it is necessary, acknowledging that planning authorities should take account of factors such as floorspace, quality, convenience, traffic generation and attractiveness of the site.

2.5 The Welsh Government, via Future Wales, adopts a 'Town Centre First' approach. The principle of 'Town Centre First' is well established in planning policy in relation to retail developments. However, good planning can help us re-think the future of town and city centres, which are moving away from their traditional retail roles. Future Wales acknowledges that town centres are the most accessible parts of our towns and should be the focus of growth and regeneration.

2.6 Future Wales notes that commercial, retail, education, health, leisure and public service facilities should be located within town and city centres, however, this policy applies to developments of a significant scale, which can broadly be defined as where the facility will serve a town, city or region-wide catchment. The proposal is considered a small-scale redevelopment of part of a site, and therefore not considered of a significant scale.

2.7 Nevertheless, Future Wales highlights that a plan-led approach is the best way to identify the location for these facilities. However, in the absence of a development plan allocation, a sequential approach must be used to determine planning applications.

2.8 The application site occupies an edge-of-centre location, and the proposal therefore needs to satisfy the requirements of the sequential test. The order of preference for the sequential approach follows that of PPW and TAN4.

2.9 Technical Advice Note 4 – November 2016 – Retail and Commercial Development confirms that in reviewing alternative sites careful regard should be given to suitability and availability. These are defined as follows:

- Suitability – refers to a site or building's attributes and whether these are sufficient to meet the development requirements of a particular proposal. It is necessary to provide evidence to explain why potential sites or buildings within the centre are unable to accommodate the format, scale and design of the proposed development.

- Availability – whether sites are available now or likely to become available for a development within a reasonable period of time.

2.10 Whilst *"Viability"* is not expressly referenced by the TAN in relation to planning applications, it's argued that viability remains relevant to the consideration of whether sites are *'suitable'* (and therefore for completeness we would include viability within our consideration of sequentially preferable sites).

2.11 When undertaking the sequential assessment, PPW requires flexibility and realism from local planning authorities and developers. This approach also takes account of the Tesco Stores Limited v Dundee City Council Supreme Court Judgement which discussed the issue of suitability. Of relevance, the Dundee decision stated that the specific requirements of a proposed operator need to be accounted for.

2.12 The above parameters provide a robust and policy compliant basis for any assessment. In considering the relevant sites, we have also applied the *'Dundee'* principle to our assessment and would emphasise the importance of the meaning of *'suitable'* from the perspective of the applicant, as clearly underlined by this judgement.

2.13 This case is material to the operation of the sequential approach. This is a decision from the Supreme Court (21 March 2012) and as such has currency in England and Wales, although it relates to an appeal by Tesco Stores Limited in Scotland. This appeal was lodged in relation to a planning permission granted to ASDA and MacDonald Estates in Dundee.

2.14 The Supreme Court held in Tesco Stores Ltd v Dundee City Council [2012] UKSC13, that the specific construction of a planning policy is a matter in law. This important case clarifies that the sequential test should apply to the specific proposal for which the applicant seeks permission. Therefore, the relevant question is not whether there is a site suitable for meeting identified deficiencies in retail provision in the area but whether there is a site suitable for the development proposed by the applicant. Further, the question is '*not whether*

the proposed development can be altered or reduced so that it can be made to fit an alternative site'.

2.15 Consequently, the legally correct approach to the sequential test, as set out in the NPPF and summarised by Lord Hope in the Dundee case, would be as follows:-

> *"It is the proposals for which the developer seeks permission that has to be considered when the questions are asked whether no suitable site is available within or on the edge of the town centre"*

2.16 The Dundee position has been reiterated in various key Secretary of State decisions in England most notably, in respect to land adjacent to Skew Bridge Ski Slope, Northampton Road, Rushden (Rushden Lakes) (PINS ref: AAP/G2815/V/12/2190175). This confirms the Sequential Test seeks to see whether the application i.e. what is proposed, can be accommodated on the town centre site. Within the decision, the Inspector states: *"There is no suggestion here that the Sequential Test means to refer to anything other than the application proposal"*. The decision also states that the Dundee decision *"Expressly rejected the notion that 'suitable' means that one should alter or reduce the proposal so as to fit onto an alternative site*." (Inspector's Report, paragraph 8.44). The decision also confirms that *"if a site is not suitable for the commercial requirements of the developer in question then it is not a suitable site for the purposes of the sequential approach."* and that "*The question is whether the alternative site is suitable for the proposed development, not whether the proposed development could be altered or reduced so that it can be made to fit the alternative site*." (Inspector's Report, paragraph 8.45). This appeal decision is dated 11 June 2014 but remains the key decision confirming the operation of the sequential test.

2.17 Accordingly, the sequential test seeks to see if the application, i.e. what is proposed, can be accommodated on a sequentially preferable site. This includes the requirement to demonstrate flexibility on issues such as format and scale, but does not require the applicant to disaggregate the scheme. '*Suitable*' and '*available*' means *'suitable*' and '*available*' for the broad type of development that is proposed.

2.18 The application proposal thus requires a site with the following attributes:

- Sufficient space for five car parking spaces.
- A prominent frontage affording good visibility;
- Gross floorspace for a sales and back of house between 130-160sqm to allow room for both 'front of house' and 'back of house'.
- Single or two storey for ease of accessibility for customers and operations.
- Access and manoeuvrability for HGV's and servicing vehicles;
- Secure external (or internal) refuse and recycling storage.

2.19 The above parameters provide a robust and policy compliant basis for assessment. Based on the above 'Dundee' approach our assessment of potentially sequentially preferable sites has sought sites which could accommodate the whole of the development, which can be delivered within a realistic timescale.

The Catchment Area

2.20 As noted previously, Greggs PLC successfully operate 2 stores within the Town Centre boundary of Wrexham with additional stores throughout the County.

2.21 In determining the appropriate areas of search for an application, including whether it is appropriate to consider sites within or on the edge of established centres, it is relevant to consider the scale and form of development proposed. For example, some proposals will serve a purely localised need, whereas others are likely to serve a materially wider catchment area. In these instances, it would be relevant to consider whether the proposal is of an appropriate scale to the location proposed.

2.22 The proposal is considered small-scale and deemed to target a localised demographic outside of the town centre, whereby numerous businesses and health care facilities are located, which may benefit from provision of a convenient retail store nearby.

2.23 The preferred catchment area was therefore determined to be to the West of the Town Centre, however, a location which was in close proximity to the town centre, yet close enough to the proposed target demographic was proposed.

2.24 Figure 1, below, identifies 15no properties for let/lease within the Wrexham Town Centre.

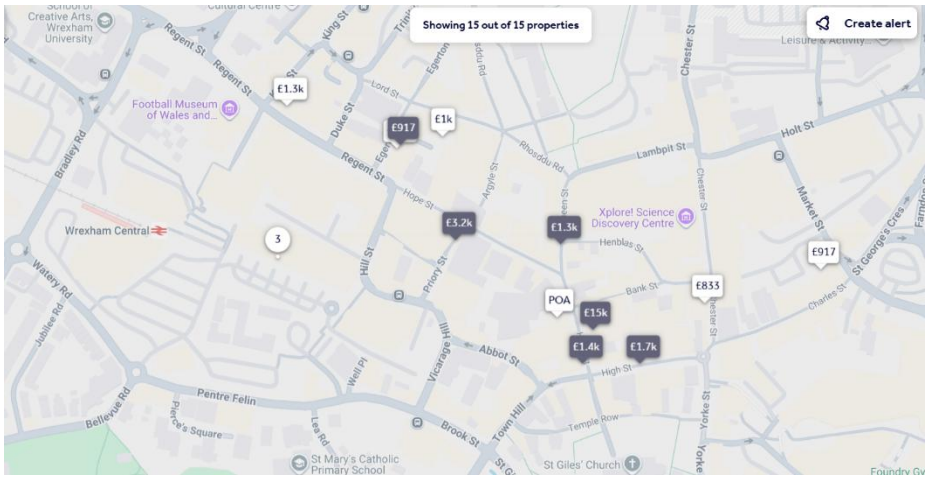


Figure 1 – Properties identified for let in Wrexham Town Centre.

2.25 However, when assessing the properties available, none were considered suitable by the developer as they were either too small, too big, did not benefit car parking, or did not incorporate secure refuse and recycling storage.

2.26 In addition, given that Greggs currently occupied two retail stores within Wrexham Town centre (Hope Street and Regent Street), on this occasion, a third store within close proximity was considered to be a proliferation of similar units.

2.27 For example, Figure 2 below, identifies number 59 Hope Street in Wrexham Town Centre, however, it was deemed unsuitable given that the property only measures approximately 55 square meters (588 sqft), has no designated car parking or space for refuse. Additionally, Greggs occupy a unit less than 40 meters from this site, and considered inappropriate to have two separate units within such close proximity.

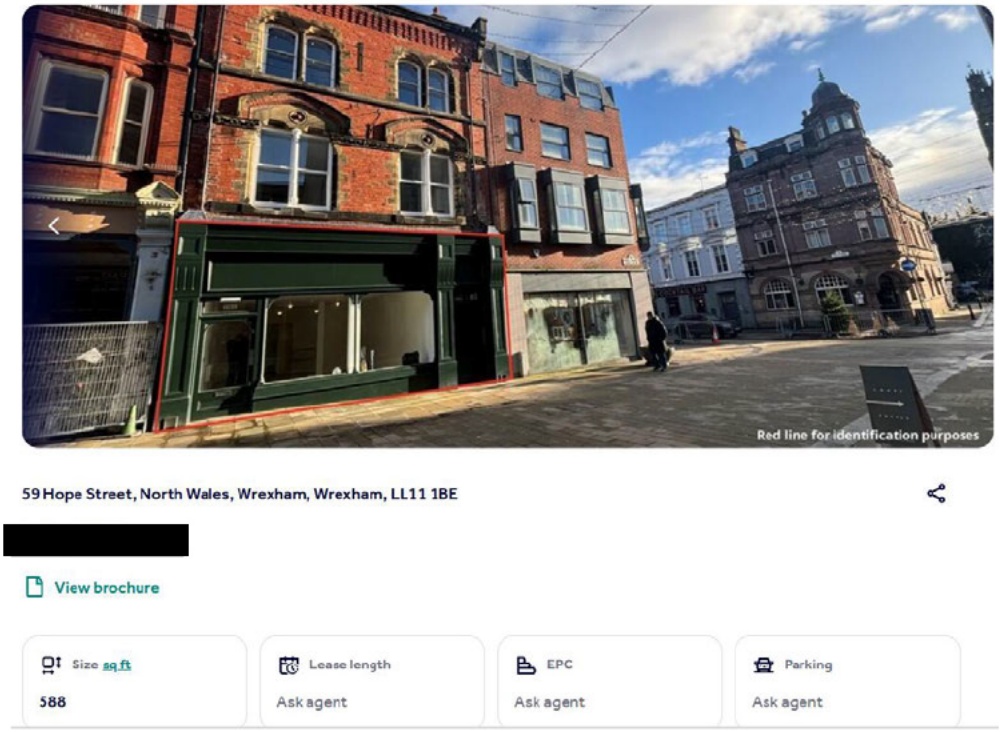


Figure 2 - 59 Hope Street identified for lease/let.

2.28 Whilst the proposed application site is located at an edge-of-centre location, the site is less than 300 meters to the Western edge of the Town Centre. No other suitable locations are identified as close to the Town Centre than that proposed.

SECTION 3: CONCLUSION

3.1 This Sequential Test Approach Statement has been prepared on behalf of Greggs PLC (the "Applicant") and is submitted in support of a planning application for the change of use to a mixed A1/A3 use, erection of plant, display of advertisement and associated works at Unit 1A, Dolydd Road, Wrexham.

3.2 The Sequential Test Approach has followed the best guidance provided within Future Wales, Planning Policy Wales and TAN4.

3.3 The document is considered commensurate with the size and scale of the proposal and is considered appropriate to comply with the Planning Officers requests.

3.4 The sequential assessment has demonstrated that there are no alternative sites that are available and suitable for the proposed development, given its scale and intention, even with due flexibility on behalf of the Applicant.

3.5 The application site is an edge-of-centre location, with no other suitable units closer to the Town Centre than that proposed.

3.6 The application represents an additional significant inward investment by the applicants, Greggs PLC, and nature of the development, the application proposal will not have any unacceptable impact on existing retail provision. It is therefore considered that any impacts are wholly positive.