

Appeal Number:	6820101219450/285NV23/1
Appellant:	Wynnstay Group Plc
Appeal Property:	Ideal Unit 2, Glanyrafon Industrial Estate, Llanbadarn Fawr, Aberystwyth, SY23 3JQ
Matter Appealed Against:	2023 Non-Domestic Rating List
Hearing Date:	13 November 2025
Appearances:	Mr A Sharkie of Ryan (Appellant) and Mr S Meadowcroft on behalf of the Valuation Officer (VO)
Decision and its date:	Appeal Dismissed – 3 December 2025
Tribunal Members:	Mr M Roberts (Chairperson) Mr R G Harris Mr D G J Ryan
Tribunal Clerks:	Mr S Kember and Mrs S Gwilliam

Introduction - Issues in Dispute

1. The appeal property appears in the 2023 Rating List with a Rateable Value (RV) of £31,750, effective from 1 April 2023. The ratepayer's representative challenged and appealed this valuation and in doing so proposed an alternative valuation of £16,750 RV with an unadjusted rate price of £20/m².
2. The following was a summary of the cases presented and was not intended to be an exhaustive record of the proceedings. However, the parties can be assured that all evidence, both written and oral, was fully considered by the Tribunal when it arrived at its decision. Consequently, the absence of reference to any statement, or evidence, should not be construed as being overlooked.

Legislation and Case

- Local Government Finance Act 1988
- The Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2023
- The Non-domestic Rating (Material Day for List Alterations) Regulation 1992, as amended
- Bunyan (VO) v Acenden Ltd (2023)
- Fir Mill Ltd v Royston UDC (1960)
- Williams (VO) v Scottish Newcastle Retail Ltd (2001)

- Lotus and Delta v Culverwell (VO) & Leicester City Council (1976)
- Lamb (VO) v Go Outdoors Limited RA/66/2013
- Telereal Trillium v Hewitt (VO) (2019)
- Barnard & Barnard v Walker (VO) (1975)
- Lamb v Minards (VO) (1974)
- Specialeyes Plc v Felgate (VO) (1992)
- Vines Ltd v de Mauny (VO)
- Stena Line Limited v VO (2024) (VTW)
- Barclays Bank PLC Poundland Limited v Jo Moore (VO) (2024) (VTE)

Evidence and Submissions

3. Following the agreed facts at Challenge stage, the appellant reported the issue that remained outstanding was the unadjusted rate/m² for the appeal property, and the weight of evidence in relation to the cited comparables.
4. In support of his case and in addition to his oral presentation, the appellant provided a written Supporting Evidence Statement, which contained the proposal, a summary of the comparable assessments and rental evidence, location plans and maps and relevant case law and legislation.
5. The appeal property was described as a warehouse with a retail element and had an area of 693.56m².
6. The appellant had initially proposed an unadjusted rate of £20/m² (£16,750 RV) based on two leases, for three units within the locality. It was stated the leases commenced six months post the antecedent valuation date (AVD) of 1 April 2021 and had a 12-month rent-free period with a break option after 5 years.
7. During discussions at the Challenge stage, the parties agreed that the lease agreements for the comparable units should be treated as one analysed rent, in accordance with the Upper Tribunal (Lands Chamber) decision in *Specialeyes Plc v Felgate*. It was stated the lease agreements were between the same landlord and tenant.
8. The cited comparable units were, Corby Tyres Ltd, Glanyrafon Industrial Est. SY23 3JQ, which comprised an area of 348.90m² and Glanyrafon Café, Glanyrafon Industrial Est. SY23 3JQ, which comprised an area of 123.78m². The total area in terms of main space (ITMS) taken as one unit, was stated as 539.27m² with a rent passing of £20,000 per annum. In addition, Unit 5.1 Glanyrafon Industrial Est, SY23 3JQ was also cited which comprised of an area of 210.80m², ITMS 224.70m², with a rent passing of £10,000 per annum.
9. In support of his contention, the appellant argued the comparable units provided by the VO were significantly smaller than his comparables and a majority were subject to Small Business Rates Relief, which he said distorted the rental bid. He argued it was difficult to place weight to rents that were highly distorted in this manner.
10. The appellant stated, in his experience, the VO had typically not allowed extrapolation of smaller property rents to be made proportionately to larger properties. On the assumption there was a rent for a smaller property, he argued

it could not be assumed that it would extrapolate proportionately to a larger property, and vice versa.

11. The appellant believed the only reasonable evidence available for rent for a property of a similar size was the combined cited comparable properties. He requested the Tribunal confirms an analysed rent of £30/m² and a revised RV of £24,250 effective from 1 April 2023.
12. In providing a background to the appeal, the VO stated the submitted Challenge Decision Notice had been prepared by another officer of the VOA. In addition to the submitted evidence, the VO also provided an oral submission and statement of truth.
13. The VO confirmed he inspected the appeal property and comparable units on 7 November 2025. He stated, the appeal property was located on a principal industrial estate, 3km from Aberystwyth town centre. The estate comprised a wide range of industrial premises of different sizes and ages.
14. In his submitted evidence, the VO cited the following properties located at Glanyrafon Industrial Estate, SY23 3JQ:
 - Unit 46 - (RV £8,900) – with a Total Significant Area (TSA) 141.14m²
 - Unit 47 - (RV £8,900) – TSA 141.14m²
 - Unit 5K - (RV £20,750) – TSA 360.63m²
 - Unit 5N (A) – (RV £9,500) – TSA 139.99m²
 - Unit 5N (B) – (RV £12,000) – TSA 192.11m²
15. The appeal property comprised a fully fenced, secure storage yard, on which there were two interconnecting single-storey industrial buildings, supported by a two-storey office building and was in a reasonable condition. The present occupier operated a wholesale retail business with showroom, stores, warehouse, and ancillary accommodation.
16. The VO explained the appeal property was part of the Valuation Scheme 60597 for the 2023 valuation list and was applicable to industrial premises on Glanyrafon Industrial Estate of less than 3000m².
17. The VO stated the revaluation exercise for the 2023 list determined that the base rent was increased by 10% and was in line with market evidence found in similar locations in Mid and West Wales. He explained properties in this scheme had a base rate price range of between £30/m² and £75/m² and was towards the lower end of the range of values applied to industrial units in Wales.
18. The appeal property was assessed from a base rent towards the lower end of the scheme, and the same rate had been applied to several other units at the site.
19. The VO provided information for several hereditaments located at the site. He stated that Unit 21A measured 898m² with the same base rate as the appeal property. The Royal Mail Sorting Office measured 1045m² and had a base rate of £38.24/m². Booker Cash and Carry measured 2200m² with a base rate of

£31.77/m² and three other units measuring between 1300m² and 1400m² had a base rate of £35/m². He acknowledged that these properties were significantly larger than the appeal property, as such a level of quantum would be applied for their size.

20. With regard to the comparable evidence cited by the appellant, the VO contended that these properties were significantly different in size and type. Whilst he accepted the Upper Tribunal case *Specialeyes Plc v Felgate* permitted consideration can be given where multiple properties were negotiated as a single entity, he stated caution should be exercised when looking at this evidence.
21. The VO argued that the weight of this evidence was reduced as the rent had been negotiated for multiple properties of mixed type, size, and age, and because these properties were physically separate from one another
22. The VO stated the burden of proof rested with the appellant to prove the valuation of the hereditament was not reasonable and that the decision made as summarised in the decision notice was fair and correct.
23. During cross-questioning the appellant sought clarity regarding the admission as evidence of hereditaments which were not contained within the Challenge Notice documentation or negotiations.
24. The VO explained he produced a commentary on the scheme, which he stated was public information. The appellant acknowledged that whilst he did not have sight of this evidence prior to the hearing, he accepted this information was publicly available to him and felt it was not pertinent due to the hereditaments being of a larger size than the appeal property.
25. In turning to the VO's decision notice, the appellant sought clarity on the weight of evidence applied to an analysed rent in circumstances where there was no available evidence akin in size to assist in determining RV. The VO explained that evidence for smaller units required a considerable adjustment before considering a larger property. He stated the appellant's evidence also required a significant amount of adjustment due to the agreement that was in place.

Decision and Reasons

26. In arriving at its decision, the Tribunal had regard to legislation contained within The Local Government Finance Act 1988 and The Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2023, which stipulates that the appeal hereditament must be valued having regard to values achieved as at the Antecedent Valuation Date, the 1 April 2021, whilst looking at the physical circumstances of the assessment as at the Material Day, the Compiled List entry date of the 1 April 2023.
27. It was also aware that the cases referred to by the parties provided judicial precedent or case law with regard to Rating.
28. The Tribunal was also mindful that the best evidence available would be that of an open market value rent passing on the appeal hereditament as at the 1 April 2021.

29. In accordance with the principles outlined in *Lotus and Delta v Culverwell (VO) & Leicester City Council*, the passing rent on the appeal hereditament should ordinarily serve as the starting point for determining the rateable value. However, in this case, the rent that exists for the appeal hereditament was too far removed from the AVD. Consequently, and in line with the *Culverwell* decision, the appropriate approach is to rely on comparison with similar properties as a valid method of valuation.
30. The Tribunal acknowledged the difficulties both parties had in terms of comparable hereditaments of a similar type, size and character.
31. The appellant challenged the current rateable value by comparing the appeal hereditament to three other properties within the local rating scheme, taken as a single assessment. However, the VO explained that due to fragmentation and the analysis that was required to compare this to the appeal hereditament, less weight would be applied to the comparable hereditament to establish its base rate.
32. The Tribunal also acknowledged the appellant's view that a level of analysis would also be required to be applied to the VO's comparable hereditaments.
33. In considering all the evidence presented, the Tribunal found that less weight could be applied to the evidence brought by the appellant, the properties were of a different type to each other and to that of the appeal property. The Tribunal felt that the three units taken as one hereditament would require significantly more adjustment to calculate a reasonable base rate than a single smaller unit within the locality.
34. The Tribunal was also aware it was for the appellant to demonstrate that the appeal hereditament's existing assessment was incorrect and not for the Valuation Officer to prove otherwise. However, it was also aware the Valuation Officer was required to provide comprehensive, impartial evidence to achieve a correct assessment.
35. In arriving at its decision and having regard to the full range of evidence presented, the Tribunal was persuaded that the current unit rate of £40/m² adopted by the Valuation Officer in respect of the appeal hereditament was fair and reasonable. It did not accept the appellant's contention that the appeal hereditament's unit rate should be lowered to £30.00/m² in line with the combined comparable assessments
36. Accordingly, the Tribunal confirms the existing assessment of the appeal hereditament at RV £31,750 in the 2023 Rating List.
37. Appeal dismissed.