Report of the Chief Officer Economy and Planning

Application Reference
P/2024/1063

Applicant
WREXHAM COUNTY BOROUGH COUNCIL

Agent

Site Address
LAND EAST OF ST GILES SCHOOL, MADEIRA HILL, WREXHAM, LL13 7HD

Description of Development
NEWID DEFNYDD TIR I'W DDEFNYDDIO FEL YSGOL GOEDWIG A CHODI FFENSYS / CHANGE OF USE OF LAND FOR USE AS A FOREST SCHOOL AND ERECTION OF FENCING

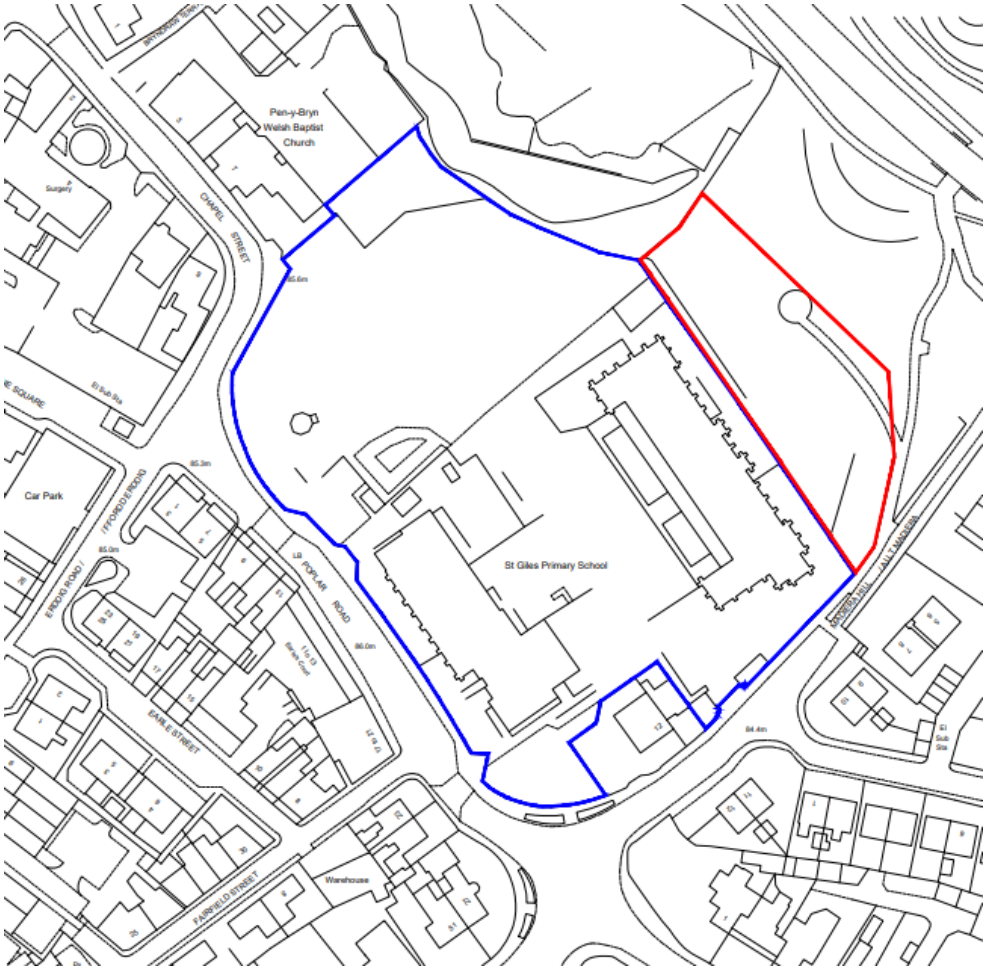
Ward
Offa/Offa

Community
Offa/Offa

Recommendation
Grant

Officer Report

Site Description
The application site comprises an area of public open space, located off Madeira Hill. The site is situated within the Town Centre settlement and sits just outside of the Salisbury Road Conservation Area. The land is immediately to the rear of St Giles Primary School and is partially tree covered, with an open plateau until the land slopes away down to the ring road (St Giles Way) below.



Proposal
Permission is sought to extend the school boundary to incorporate the land to the rear to use as a 'Forest School' and enclose the land with 3 metre high green profile mesh fencing.

Reason for Committee Determination
The Community Council objects to the proposed development.

Site History
None relevant.

Development Plan
Within a defined settlement limit. The following Local Development Plan (LDP) policies are relevant:

Policy SP2: Location of Development
Policy SP13: Health and Wellbeing
Policy SP14: Natural Environment
Policy SP15: Historic and Cultural Environment
Policy SP19: Green Infrastructure
Policy R2: Development within the Wrexham City Centre Masterplan Area

Policy NE3: Trees, Woodlands and Hedgerows
Policy CF1: Protection of Existing Open Space, Sport and Recreation Facilities
Policy DM1: Development Management Considerations

Relevant National Policy
Planning Policy Wales (PPW) 12
Future Wales (FW)

Consultation Responses

Community Council:
Objects to the loss of the public open space and established viewing area. Requests that the fencing is repositioned to the south west of the public foot path and viewing area.

Local Member:
No response received.

Natural Resources Wales:
No comments to make. Standard advised note recommended.

Dwr Cymru Welsh Water:
No objection. Standard advised note recommended.

Contaminated Land Officer
No comments.

Highway Officer:
Raises no objection.

Public Protection Officer:
Raises no objection.

Arboricultural Officer:
Raises no objection.

Ecology Officer:
Raises no objection. Recommends a condition be imposed to require there is no removal or trimming of trees or shrubs within the bird nesting season.

North Wales Police - Community Beat Manager
Supports the application in order to limit any future problems with anti-social Behaviour (ASB) and criminality in the surrounding areas. Comments that if only half the land is used for the project, the problems recently experienced and those in the past will continue and spoil the use of the land. Advises that this area of land has always been problematic due to its isolated location, inadequate street lighting and absence of CCTV coverage.

Publicity Undertaken:

The application was publicised by way of letters sent to 11 adjacent occupiers.

Responses to Publicity:
1 letter of support received commenting:

- This a fantastic change of use;
- It will be nice to see it being used for education purposes;
- The school will benefit from having their own Forest School; and
- It will be a great improvement, because the site is used by people selling/buying to the taking of substances.

Background

Planning Policy Wales recognises the fundamental role that green infrastructure plays in shaping places, well-being, climate change mitigation etc. It stipulates that the planning system must maximise its contribution to the protection and provision of green infrastructure. As the proposed forest school would help to facilitate education about the natural environment and enable students and staff, via the interaction with nature, to experience the range of well-being benefits associated, the proposed is closely aligned with the aims and objectives of PPW, Chapter 6.

The Community Council has objected to the loss of this area and has requested that the extent of the change of use is reduced to leave more of the land and paved area open to public use.

The applicant wishes to change the use of the land to facilitate the Forest School and to address the issues relating to anti-social behaviour which impact negatively upon the school and the area as a whole. The change of use will incorporate the screened area of mature trees and approximately half of the open plateau, leaving the rest of area still useable to the public.

Principle of Development

The site is within the defined Town Centre settlement limit. Policy SP2 directs new development to within established settlement limits, and in this respect, the principle of the development is acceptable.

The site is located outside of Wrexham City Centre on the Proposal Map (in terms of the area identified by Policy R1), and located within the Wrexham City Centre masterplan Area. Policy R2 would therefore be applicable.
Policy R2 stipulates that *development proposals within the defined Wrexham City Centre Masterplan area should;*

i. Support the regeneration, renewal and enhancement of Wrexham City centre; and

ii. Be compatible with the Wrexham City Centre Masterplan vision, objectives and aims.

Due to the nature of the proposal, it is likely to have a neutral effect in terms of enhancing Wrexham City Centre and, be broadly compatible with the vision,

aims and objectives of the Wrexham City centre Masterplan, as the potential impact of a new facility, and the related learning opportunities are clear.
The applicant proposes a change of use of land and the erection of fencing on unannotated land that is located within settlement limits. The Adopted LDP does not include a policy relating to unannotated land.

Design

The site would be enclosed by green coloured profile mesh fencing. The site is significantly set back from St Giles Way and is part of an area of open grassed space, where existing trees would remain present between the proposed site and St Giles Way. The use of green colour mesh is considered to be appropriate and would offer some mitigation by softening the visual impact of the fencing and enabling it to harmonise with its surroundings. Due to the height and mass of the mature trees present within the site and the type of fence proposed, existing green infrastructure would remain the predominantly visible component when viewed from Madeira Hill.

Having regard to the above, the proposed development would not detract from the character and appearance of the area and therefore would not conflict with Policy DM1.

Impact on Neighbouring Amenity

The proposed use would have no impact upon local residential amenity due to its nature and due to the generous separation distances that exist between the site and the nearest neighbouring dwellings. Having regard to this, there is no conflict with Policy DM1.

Highway Considerations

There would be no alteration to existing access arrangements to the school, no loss of off-street parking provision and no increase in vehicle movements associated with the development. The proposed development therefore not give rise to highway safety concerns and accords with policies T1 and DM1.

Historic Environment

The school abuts the boundary of the Salisbury Park Conservation Area (that St Giles School lies within). There are also a number of listed buildings within fairly close proximity to the proposed site; the closest being Poplar House, that is situated in open ground adjoining St Giles School.

The impact upon the setting of the Conservation Area would be limited, as the plants and trees would remain visible through the fence at it is of a mesh type. Also, the vast majority of the views from within the Conservation Area are not likely to be affected by the proposed fence owing to the position of the forest school to the rear of the one of the main school buildings. Similarly, the relative position of the proposed development to nearby listed buildings means there would be no harm to their setting.

Having regard to the above, the proposed development would accord with policy SP15.

Natural Environment

The proposed development would not have an impact upon any green infrastructure within the proposed development site, nor within the surrounding area. PPW12 requires development to provide a net benefit for biodiversity (NBB). No detailed proposals to deliver NBB accompany the application, but there is ample scope within the application site and wider school grounds for appropriate measures to be implemented. These could be secured by a suitably worded condition.

Having regard to the above the proposed development accords with policies SP14, SP19 and NE3 and PPW12 chapter 6.

Other Considerations

The primary concern raised by the Community Council relates to the loss of public open space. Whilst there would a reduction in such provision, the applicant has demonstrated that the entirety of this land would not be lost, and as such, access to the remainder of the land by the public would still be possible.

Policy CF1 aims to protect, manage and enhance open space and sport and recreation facilities that have significant functional, conservation, environmental or amenity value. The existing site is presently a small area of amenity greenspace. The most recent Open Space Audit and Assessment of Need, 2016 (OSAAN) indicates there is not a deficit of amenity green space within Wrexham. The incorporation of this area into the curtilage of St Giles School would therefore not result in an unacceptable loss of amenity green space.

North Wales Police (NWP) confirm that the application site is frequently subject to anti-social behaviour and acts of crime, which brings into question public safety matters arising from the use of this land and also the true recreational value that it offers. NWP support the application on the basis of reducing the risk of anti-social behaviour and crime. Having regard to this and evidence within the OSSAAN, it is considered that the loss of the small area of this land for use in association with an educational facility is an appropriate form of development that has wider public benefits for the local community.

Having regard to the above, the proposed development accords with policy CF1.

Conclusion

The proposed development would accord with the relevant LDP policies.

Conditions

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.

2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):

- Site Plan - Julie M Francis, 26/716/1,
- Application Form.

3. In accordance with the details confirmed on the application form, the boundary mesh fencing shall only be coloured green.

4. There shall be no removal or trimming of trees or shrubs on site during the bird nesting season between the months of March to August inclusively in any calendar year.

5. Notwithstanding the provisions of Schedule 2, Part 32, Classes A and B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking and re-enacting that Order with or without modification), no extensions, new buildings or refuse or cycle stores shall be erected within the red line application site.

6. Prior to the first use of the land for the purpose hereby permitted, a scheme of measures to provide net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped, shall be implemented in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be maintained for the lifetime of the development.

Reasons

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

2. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DM1, SP12 and SP14 of the Wrexham Local Development Plan.

4. In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.

5. In the interests of protecting the visual amenities of the area in accordance with policy DM1 or the Wrexham Local Development Plan.

6. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.

Notes

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Notes

Some public sewers and lateral drains may not be recorded on Dwr Cymru Welsh Water's maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist Dwr Cymru Welsh Water, the applicant is advised to contact the Operations Contact Centre at Dwr Cymru on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Notes

Detailed advice has been issued by Natural Resources Wales which is available on the Council's planning applications website.