Report of the Chief Officer Economy and Planning

Application Reference
P/2024/1293

Applicant
Wrexham Association Football Club

Agent
Portia Banwell

Site Address
DARLAND SCHOOL AND SPORTS CENTRE, CHESTER ROAD, ROSSETT, WREXHAM, LL12 0DL

Description of Development
CODI CYFLEUSTER HYFFORDDI NEWYDD YN CYNNWYS 2 ADEILAD NEWYDD A 2 GYNHWYSYDD LLONGAU / ERECTION OF NEW TRAINING FACILITY COMPRISING OF 2 NEW BUILDINGS AND 2 SHIPPING CONTAINERS

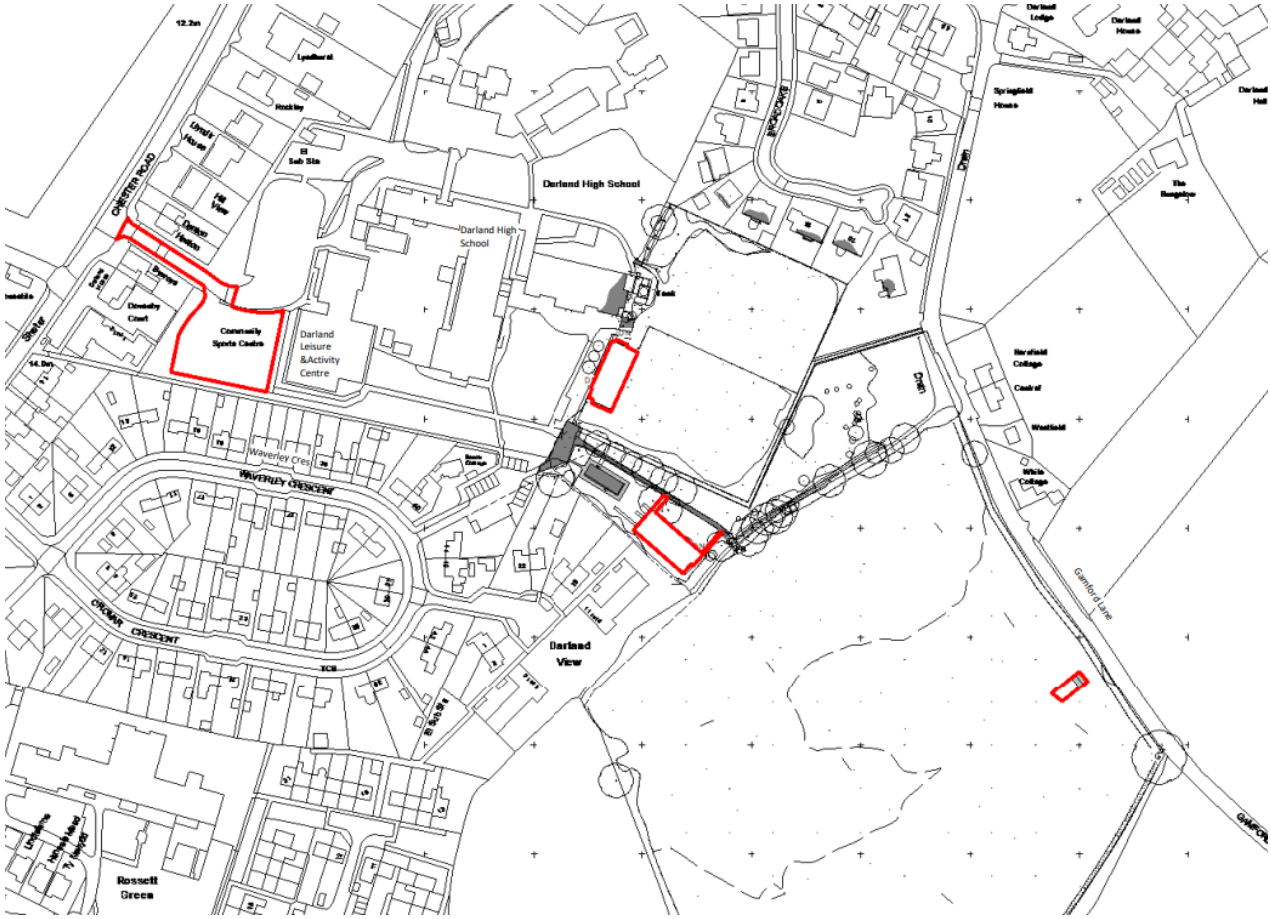
Ward
Rossett/Yr Orsedd

Community
Rossett/Yr Orsedd

Recommendation
The Chief Officer Economy and Planning be given delegated authority to grant planning permission subject to the submission of a suitable scheme of Net Benefit to Biodiversity, the Council's Highway Officer confirming the additional information submitted is acceptable and to the conditions set out below.

Officer Report

Site Description
The site is part of Darland High School, which is located to the east of Chester Road in Rossett. The wider site also includes Darland Leisure and Activity Centre. The development site is located to the east of the school.



Proposal

Planning permission is sought, partly in retrospect, for the erection of new training facilities which includes 2 new buildings and two shipping containers. The application is Wrexham AFC who are proposing to create an academy for children aged under 9 to under 18. The development comprises of the following:

Building 1 (partly constructed), which is located closest to the school and is situated on land north of the scout hut on the existing playground. It is 30m x 13m with a low pitched roof with a maximum height of 3.50m. This building will provide changing rooms, a small ancillary office and a plant / store.

Building 2 (partly constructed) is located further south on the eastern side of the existing scout building. It is 27m x 11.8m with a flat roof of 3.20m. The building will provide staff changing rooms, meeting rooms, a medical room, medical office, gym, a classroom and ancillary office space.

2 Shipping containers (in situ) are located within the playing fields off Gamford Lane and are used by the grounds person for storage in conjunction with the maintenance of the football pitches.

The supporting statement submitted by the applicant outlines that the academy will have 9 age groups from under 9s to Under 18s with a total of

120 players and 35 staff/coaches (full time and part time). Training will take place on all weeknights, with matches played on weekends.

Training start/finish times will be staggered to minimize overlap between age groups. Matches will be alternated home/away and so there will only ever be a maximum of four matches occurring at a time.

Training times will be as follows:

- Under 9's to Under 12's will train 17:30 - 20:30 Monday and Friday;
- Under 13's to Under 16's will train 17:30 - 20:30 Tuesday, Wednesday and Thursday;
- Under 18's will train 09:00- 16:00 Monday, Tuesday, Thursday and Friday.

Match times will be as follows:

- Under 9's to Under 15's play matches on Sunday mornings - 11:00 kick off. Maximum of four matches at any one time; and
- Under 16's and Under 18's play matches on Saturday mornings- 11:00 kick off. home/away fixtures will alternative, so that only one game is played at a time.

Reason for Committee Determination

Individual letters of objection received from the owners/occupiers of 3 or more properties.

Site History

None relevant

Development Plan

The following policies within the Local Development Plan are considered to be relevant:

SP2 – Location of development
SP11 – Transport and Accessibility
SP12 – Design Principles & Masterplanning Framework
SP13 - Health and Wellbeing
SP14 – Natural Environment
SP15 – Historic and Cultural Environment
SP19 – Green Infrastructure
NE1 – International and National Nature Conservation Designations
NE3 – Trees, Woodlands and Hedgerows
NE6 – Waste Water Treatment and River Water Quality
DM1 – Development Management Considerations
CF1 - Protection of Existing Open Space, Sport and Recreation Facilities
T1 – Managing Transport impacts
T2 - Active Travel

The following Wrexham Local Planning Guidance Notes (LPGN**)** are also material considerations and relevant to the determination of this planning application:
LPGN15 – Cycling
LPGN16 - Parking Standards
LPGN17 – Trees and Development
LPGN30 - Design
LPGN32 - Biodiversity and Development

Relevant National Policy

National Policy:
Planning Policy Wales (Edition 12, 2024)
Future Wales: The National Plan 2040
The Planning (Wales) Act 2015

Technical Advice Notes (TAN):
TAN 5 – Nature conservation and planning
TAN12 – Design
TAN 16 – Sport, recreation and open space

Consultation Responses

Rossett Community Council:
Raises no objection but comments that the buildings should be designed in a more aesthetically pleasing way, suggesting green trellis or cladding.

Local Members:
Notified. No comments received at the time of writing this report.

Natural Resources Wales:
Raises no objection subject to conditions to secure reasonable avoidance measures for GCN, the implementation of the PEA, and submission of biosecurity risk assessment.

Notes the site is within catchment of the River Dee and Bala Lake Special Area of Conservation (SAC) and that the application proposes connection of foul water to the main sewer.

Comments that :

- The site lies partially within Zone B
- The flood map for planning identifies the application site to be at risk of flooding and falls partially into Flood Zone 2 Rivers (Building 2 is partially within this flood zone).
- Given the scale and nature of the development the proposal could be acceptable subject to the developer being made aware of the potential flooding risks and advised to install flood proofing measures as part of the design.

- Consideration should be given to the incorporation of flood resistance/resilience measures.

Dwr Cymru Welsh Water:
Raises no objection subject to a condition requiring that no surface water is discharged to the public sewer network.

Comments that:
- Capacity exists within the public sewerage network in order to receive the domestic foul only flows from the proposed development site.
- The site is located within the catchment for Five Fords Wastewater Treatment Works (WwTW) which has a phosphorous consent limit and is currently compliant with 95% quartile for its flow passed forward (FPF) performance.
- The site is crossed by a public sewer
- No part of the buildings should be permitted within 3m either side of the centerline of the 150mm public sewer.

Highway Officer:
Comments that further information is required regarding daily vehicle movements, signage, accesses, parking and clarification on a number of matters pertaining to the development.

The applicant has submitted information in response to the above comments. A further response from the Highway Officer has not been received at the time of writing.

Contaminated Land Officer:
No comments to make.

Public Protection Officer:
Raises no objection. Recommends Advisory Notes in respect of dust management, burning of waste and demolition construction noise.

Arboricultural Officer:
Notified. No comments received at the time of writing.

Ecology Officer:
Notified. No comments received at the time of writing.

Public Rights of Way:
Comments that the site is near Public Right of Way footpath ALLINGTON No: 22 which should not be diverted or blocked by the development, nor during its construction.

Publicity Undertaken:
Site Notice: Expired 31 October 2024.

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Neighbour Notification Letters: Sent out to neighbouring residential dwellings on the 7 October 2024.

Responses to Publicity:

9 letters representation received objecting and raising the following concerns:

Principle of development

- The application is clearly part of a more comprehensive development at the site and all matters should be considered together;
- The application involves a material change of use which does not form part of the description of development; and
- Site is currently a school (D1) but will be mixed use school and football academy so should be sui generis use.

Impact on neighbouring amenity

- Increased noise during the evening and weekends;
- Increased traffic movements; and
- Light pollution from external lighting on pitches.

Visual appearance / design

- Very large buildings. Footprints of over 340sqm;
- Brutal commercial and industrial in appearance; and
- Not in keeping with the proposed location within the Green Wedge.

Green Wedge

- Development goes against PPW advice in regard to Green Wedge.

Loss of school facilities

- School will lose the use of some athletic practice areas as a result of the proposal

Other matters

- Development is retrospective and the Council should have made them stop work until the application was determined.
- Development brings no benefit to the Rossett community
- If granted may result in more development at the site associated with the use
- Original plans submitted showed a number of football pitches which have now been removed – where will the pitches be located.

Principle of Development

The proposed car parking facilities are located within the settlement limits. However, buildings 1 and 2 and the shipping containers are located outside of the settlement limit and a designated Green Wedge.

Policy CF1: Protection of existing open space, sport and recreation facilities states that *proposals which seek to protect; manage and enhance the existing network of diverse, multifunctional open space sport and recreation facilities will be supported.* Although the development is located within existing recreation space for Darland School, it does not significantly reduce the existing recreational provision at the site. Only a small proportion of the existing playground, and the entire long jump area have been given over to the development. The provision of new facilities will improve the overall sporting offer at the site and as such the proposal accords with the aims of policy CF1.

Policy SP6: Green Wedge, outlines that Green wedges are local designations which seeks to preserve the openness of land. PPW12 para 3.64 – 3.78 advise of the importance of Green Wedges and Green Belts. PPW directs that there is a presumption against inappropriate development within Green Wedges and the construction of new buildings are generally considered inappropriate development. However para 3.75 of PPW 12 lists a number of exemptions for development within Green Wedges. One such exemption is the '*essential facilities for outdoor sport and outdoor recreation, cemeteries and other uses of land which maintain the openness of the Green Belt or green wedge and which do not conflict with the purposes of including land within it.'* The development is an essential facility for outdoor sport and recreation and as such meets the exemption criteria.

Buildings 1 and 2 are single storey and located on the boundary of the existing settlement limit close to other built development. Thereby the impact to the openness of the Green Wedge is considered minimal. In the case of the shipping containers, noting their size, there is minimal impact on the openness of the Green Wedge. The proposal therefore accords with Policy SP6 of the LDP and PPW12 and does not undermine the role of the Green Wedge.

Having regard to the above, the principle of development is considered acceptable.

Design

Policy DM1 of the LDP requires development to accord with and enhance the character and appearance of the site in terms of siting, layout, scale, height, design and materials.

In terms of the wider landscape context, the buildings are located relatively discretely to the rear of the school and set away from the public highway with views from Gamford Lane being screened by existing mature boundary vegetation. Views of the application site are largely restricted to being more short ranging and localised from the properties on Waverley Crescent and Darland View to the south and Broadoaks to the north east.

The buildings are relatively small in scale when viewed within the context of Darland school and leisure centre, being smaller in footprint than most buildings on site and being only single storey in height. The buildings are constructed from horizontal grey anthracite cladding. Although the external materials used on the buildings contrasts with the external finishes of the other existing buildings on the wider school site, they do appear discordant features, particularly when considering the functional appearance of existing leisure facilities and their intended use in conjunction with a sporting facility.

The shipping containers located within the field to the south are only be glimpsed at above the hedges along Gamford Lane. The siting and scale of these containers are considered acceptable and suitable for their purpose and do not detract from the character of the locality.

Having regard to the above, the development does not harm the character of the existing school / leisure facilities or the wider surrounding landscape. It therefore accords with policy DM1.

Impact on Neighbouring Amenity

Policy DM1 (ii), requires that all development proposals do not adversely impact upon the amenity of any neighbouring properties or land/businesses so as to ensure that satisfactory standards of amenity are protected.

The siting of the buildings has been carefully considered, being close to the existing school development in order to minimise the impact the development has on the living conditions of the occupiers of nearby properties. Building 1 is located approximately 40m from the boundary of the nearest dwellings on Darland Way to the south and about 65m from the boundary of the nearest dwellings on Broadoaks to the north. Building 2 is located approximately 5m from the boundary of residential properties on Darland Way. However, due to their overall height, the buildings do not unduly harm the living conditions of the occupiers of neighbouring properties in terms of loss of light, over dominance or loss of privacy.

The development does not introduce a new or incongruous use type to the site, although it is acknowledged that when operational, it will result in an increase in visitors/users to the site during the evenings and weekends. However, the frequency of the use of the site and playing fields for use by sports organisations would not constitute a material change of use so could take place without the need for planning permission. Planning permission is only required for the additional built development. The buildings themselves are therefore unlikely to facilitate a significant increase in noise or disturbance.

The shipping containers are a considerable distance from neighbouring properties and therefore result in no harm to residential amenity.

Details of external lighting within the application site have not been provided but could be secured by a suitably worded condition. Should flood lighting of the existing sports pitches be required, this would be require planning permission separately.

Having regard to the above, the development accords with policy DM1.

Highway Considerations

Policy T1 seeks to ensure that all development proposals do not result in prejudicial or harmful highway conditions to the existing network, from either a safety or capacity perspective. In this regard all development proposals must demonstrate that sites can be accessed by sustainable modes of transport; do not compromise the safe, effective and efficient use of the highway network; do not result in adverse highway safety impacts; provide sufficient levels of off street parking and provides mitigation against any adverse impacts that may arise. This is further reinforced by criteria (vi) of Policy DM1 in regards to general development management considerations.

Policy T2 requires that proposed developments must ensure that access through sustainable modes are both available and also actively encouraged - including pedestrian and cycle access but also through appropriate links to public transport.

The primary access to the site is from Chester Road (B5445) with a secondary/minor access gained to the north from the rear of Darland Close, leading to Darland Lane. Access arrangements to the site are to remain as existing. An existing access off Gamford Lane is to be used by the grounds keeper to service the pitches. The site has 5 car parks which visitors are eligible to utilise.

The existing vehicular and pedestrian access to the school site are considered to be appropriate to serve the development. Chester Road is also served by the frequent No.1 Wrexham to Chester bus service. The site is therefore well located to be accessed by a range of modes of transport.

The Council's Highway Officer advised that further information was required in respect of a number of matters, including parking provision and trip generation. The applicant has submitted this information. However, the Highway Officer had not responded at the time of writing this report to confirm whether all of the matters raises have been addressed.

Subject to the Highway Officer confirming the additional information is satisfactory, and in the context of the existing school site it is considered that the development would not give rise to highway safety concerns and therefore accords with the policies referred to above.

Natural Environment

The application is accompanied by a Preliminary Ecological Appraisal (PEA). This advises that there are records of Great Crested Newts (GCN) within 170m

of the site. Although the development has already begun, the PEA concluded that no grassland, habitats, hedgerows, ditches or trees have been permanently adversely impacted by the works. NRW has raised no objection to the development. However, NRW has recommended of the need for a suitably worded condition to require the implementation of reasonable avoidance measures. Given that the building works have already reached an advanced stage, such a condition would not now serve any meaningful purpose and is therefore unnecessary. The PEA concluded that the development at the site represents a lower risk for bats.

Planning Policy Wales (PPW12) requires that a Green Infrastructure Statement (GIS) is required on all developments. PPW explains the GIS should show that development must not only mitigate against any negative impacts of the development, but deliver a net benefit to biodiversity and green infrastructure for the lifetime of the development. A GIS has been submitted and identifies that Building 1 is located on an area of hard standing, with no existing vegetation. Building 2 is located on an area which was previously a long jump area with frequently mown grass. Therefore both of the sites where the buildings are located are considered to have been of low value in terms of green infrastructure. Within the GIS a step wise approach as advocated in PPW12 has been explored. However no Net Biodiversity Benefits (NBB) either on site or off site have been proposed. Instead, the GIS states that they seek to provide compensation by the submission of an appropriate scheme via a condition. Given the uncertainty over the type and extent of the NBB measures, it is considered that these should be submitted prior to determination and their implementation secured by a suitably worded condition.

Having regard to the above and subject to the submission of appropriate NBB measures, the proposed development accords with policies SP14 and NE1 and paragraph 6.4.5 of PPW12.

Drainage

The proposal would connect foul water to the mains sewers which drain to the Lavister Wastewater Treatment Works. DCWW have confirmed that capacity exists to receive foul only flows from the proposed development site. Having regard to this, the proposed development will not have a significant effect on the River Dee and Bala Lake SAC and therefore accords with policies NE1 and NE6.

Conclusion

The proposed development is an acceptable form of development within the green wedge, not resulting in harm to the openness of the countryside. The scale, size and siting of the buildings are considered appropriate and do not unacceptably impact on the living conditions of any nearby residents. There will also be no significant effect on the SAC. Subject to the submission of appropriate NBB measures and confirmation from the Council's Highway Officer that the additional highway related information submitted is acceptable, the development accords with the relevant LDP policies.

Conditions

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

   WYA-AFL-ZZ-ZZ-DR-A-20008 rev P03 - Site plan

   WYA-AFL-ZZ-ZZ-DR-A-20005 rev P03 - Site plan

   WYA-AFL-ZZ-ZZ-DR-A-20004 rev P05 - Site location plan

   WYA-AFL-ZZ-ZZ-DR-A-20003 rev P05 - Plans and elevation Block 2

   WYA-AFL-ZZ-ZZ-DR-A-20001 rev P07 - Plans and elevation Block 1

   WYA-AFL-ZZ-ZZ-DR-A-20007 rev P01 - Shipping container, plans and elevations

2. The external surfaces of the building(s) shall be constructed of the materials specified on

   WYA-AFL-ZZ-ZZ-DR-A-20003 rev P05 - Plans and elevation Block 2

   WYA-AFL-ZZ-ZZ-DR-A-20001 rev P07 - Plans and elevation Block 1

   WYA-AFL-ZZ-ZZ-DR-A-20007 rev P01 - Shipping container, plans and elevations

3. No further works shall take place until measures to deliver net benefit for biodiversity (NBB) have been submitted to and approved by the Local Planning Authority. The measures as approved shall be implemented within an agreed timescale and shall be maintained thereafter for the lifetime of the development.

4. The development shall be carried out in strict accordance with the findings and recommendations contained within Preliminary Ecological Appraisal, Prepared by Tetra tech. The mitigation and compensation measures hereby approved shall be fully implemented within 28 days of the date of this planning permission.

5. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or indirectly, and foul and surface water shall be drained separately from the site.

6. No further development, including site clearance, shall commence until a Biosecurity Risk Assessment, and Method Statement that considers invasive non native species and specific diseases (e.g. Chytrid) has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to prevent the introduction of and where present control, removal or for the long terms management of invasive species both during construction and operation. The risk assessment shall consider landscaping and other related plans. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.

7. No external illumination shall be installed on any part of the development until a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. External lighting shall thereafter only be installed in accordance with the approved scheme.

Reasons

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

2. 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.

3. To ensure the development delivers net biodiversity benefit in accordance with Policy 9 of Future Wales and Paragraph 6.4.5 of Planning Policy Wales (Edition 12).

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

5. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment in accordance with Policy DM1 of the Wrexham Local Development Plan.

6. To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to prevent or control the spread and effective management of any invasive non native species and listed diseases at the site and to ensure compliance with Policy DM1, NE1 and NE2 of the Wrexham Local Development Plan.

7. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.

Notes

All works in relation to the implementation of this permission, including deliveries to and /or leaving the site, should be undertaken only between the hours of 07.30 to 18.00 Monday to Friday, 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60 Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution.

The applicant is further advised that any complaints received relating to noise of any type from the development may also be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints. This is done under the Statutory Nuisance provisions provided within the Environmental Protection Act 1990, and legal action may be taken where appropriate.

The applicant must adhere to the times given above wherever possible. If, however, there are urgent or unavoidable circumstances requiring work outside of the specified times, permission to proceed may be sought by contacting Environmental Health & Housing Standards at healthandhousing@wrexham.gov.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

Notes
Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;

- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;

- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

Notes
The Applicant is advised that under the dust from construction and / or demolition activities can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that any dust nuisance is abated, and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

Notes
Welsh water informative

The proposed development may be subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore may require approval of Sustainable Drainage Systems (SuDS) feature, in accordance with national standards, and is strongly recommended that the developer engage in pre application consultation with the Local Authority, as the relevant SuDS Approval Body (SAB), in relation to their proposals for SuDS feature. Please note Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to and SuDS proposal by response to SAB consultation.

The applicant is advised that some public sewers and lateral drains may not be recorded on our maps; some sewers 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 us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The applicant may also need to apply to Dwr Cymru/Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is not a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication “Sewers for Adoption”- 7th Edition. Further information can be obtained via the Development Services pages of www.dwrcymru.com

In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposal, including utilising approaches that improve water efficiency and reduce water consumption. Dwr Cymru/Welsh Water would recommend that the applicant liaises with the relevant Local Authority building Control department