Elis Roberts

From: planning
Sent: 14 April 2025 08:24
To: Elis Roberts
Subject: FW: Planning application P/2024/1695 (LAND AT NATIONAL TRUST AND SOUTH OF, WREXHAM ROAD, RHOST

From: Paul Bevan | Cycling UK <paul.bevan@cyclinguk.goassemble.com>
Sent: 11 April 2025 15:14
To: planning <planning@wrexham.gov.uk>
Subject: Planning application P/2024/1695 (LAND AT NATIONAL TRUST AND SOUTH OF, WREXHAM ROAD, RHOST

Planning application P/2024/1695 (LAND AT NATIONAL TRUST AND SOUTH OF, WREXHAM ROAD, RHOST

Dear Ms Perkins,

I write in reference to planning application P/2024/1695 (LAND AT NATIONAL TRUST AND SOUTH OF, WREXHAM ROAD, RHOSTYLLEN, WREXHAM, LL14 4DH).

It is highly positive to see new connectivity provided in response to significant housing development, making best use of non-public sector funding to achieve benefits for the community. This combined footpath and cycleway will link the SG Estates development in Wrexham Road, Rhostyllen, with Hafod Road in Erddig and in doing so will provide connectivity both for residents of Rhostyllen but also improve connectivity from Erddig to Wrexham, including via the proposed Active Travel Route WX-RHS-C003 along Wrexham Road, Rhostyllen.

From this perspective, the proposed development is highly beneficial however the quality and standard of the proposed design is significantly lacking. The Welsh Government's Active Travel Act Guidance provides clear standards for the provision of Active Travel routes which are accessible to all and suitable for use into the long term. In this case, the design put forward is not only sub-standard but also discriminatory. There are two particular concerns which should be highlighted:

The use of gates to control access to the path is incompatible with the stated purpose. This is particularly evident towards the Hafod Road end of the path where 3 Kissing Gates are proposed, however it is not clear whether similar access controls will be in place at the Rhostyllen end of the path.

Kissing gates are not appropriate for a new route such as this and in fact no access barriers at all should be installed. Kissing gates are impassable by many cycles, including accessible cycles, and by many people using mobility aids. Livestock control is already achieved in the design through fencing and hedging.

The surface proposed for the path is identified in the application as "Golden Amber Breedon Gravel (or similar) on MOT Type 1 stone (and on 6F2 stone capping material" this is not appropriate for access by walking, wheeling, and cycling and will quickly degrade. Instead the design should again follow the Welsh Government's Active Travel Act Guidance and provide a hard sealed surface suitable for wheeling and cycling. The Wheels for Wellbeing guide to Accessible Surfaces provides significant detail on this issue - https://wheelsforwellbeing.org.uk/inclusive-cycle-infrastructure-guide-accessible-surfaces/

Whilst there may be arguments put forward for existing gates and stiles, or inaccessible surfaces, this is a newly designed route which must be designed in such a way as to allow people with mobility issues, including those using mobility aids, to make full use of the path whether walking, wheeling or cycling.

As currently designed, it falls foul of the Equality Act 2010 by indirectly discriminating against those who may need to access the path by wheelchair, powered mobility aid, or using an adapted cycle or indeed those who might want to use a pram.

It also fails to comply with specific Wrexham, Natural Resources Wales, and Welsh Government Active Travel Guidance, as well as the National Trust's policies on access for all:

"When considering the replacement or installation of new stiles and gates the Council will seek the least restrictive option following the priority principle of gap, gate stile." (WCBC Public Rights of Way Maintenance and Enforcement Policy)

"Least Restrictive Access should be the benchmark at each stage of the Access Chain" (NRW Guidance on Least Restrictive Access - "By all Reasonable Means")

"The selection of a gap, gate or stile, which permits people to use a path crossing a boundary such as a hedge fence or stone wall, shall meet the needs of the land manager and shall cause as little restriction as possible for all lawful users.]" (BS5709: British Standard for Gaps Gates and Styles, 4.1)

"Designers should start with a presumption against the use of any form of access control, installing only in response to evidence of actual problems of abuse of cycle and pedestrian facilities, and never simply in response to perceived problems." (Welsh Government Active Travel Act Guidance 15.3.2)

It is important to note that this route is not simply a leisure route (although, even as such it should be made accessible to all) but will provide important connectivity between Rhostyllen and the Erddig Estate as well as into Wrexham, potentially for employment or education.

As noted above, the improvement of an existing right of way to provide high quality walking, wheeling, and cycling is to be commended however as currently designed, the route would discriminate against those using mobility aids and likely be unusable for even highly mobile users with many cycles. The developer and landowner also remain at risk of a challenge under the Equality Act 2010 for the decision making around this indirect discrimination.

As such I object to the proposed development, and would encourage a dialogue with the developers - particularly involving representation from those with lived experience of disability and users of adapted cycles.

Finally, I would highlight that the right of way over the new route should reflect the intent to provide pedestrian and cycling access and therefore suggest that the route should be formally registered as a Cycle Track to reflect and protect this.

Many thanks,

Paul Bevan

Local Representative of Cycling UK in the Cycle Advocacy Network

This email was sent on behalf of Cycling UK via Assemble.