MEMORANDUM

From:	Chief Officer, Environment & Technical	**To:**	Chief Officer Economy & Planning
		FAO::	Jenni Perkins
Our Ref:	ET/DC/MZ/P/2025/0300	**Your Ref:**	P/2025/0300
Date:	22/05/2025		

TOWN AND COUNTRY PLANNING ACT 1990

CHANGE OF USE OF LAND FOR USE AS CHRISTMAS TREE FARM AND OUTDOOR RECREATION CENTRE TO INCLUDE REINDEER CENTRE, PADDLE BOARDING, WATER RELATED ACTIVITIES AND EXTENSION OF EXISTING LAKE, CREATION OF BARK FOOTPATH, ERECTION OF BUILDING TO PROVIDE OFFICE, MACHINE AND EQUIPMENT STORE, HAY/STRAW STORAGE AND SICK BAY/MATERNITY BAY SPACE FOR REINDEER, AND CREATION OF CAR PARK, ACCESS AND SITE LANDSCAPING

CHRISTMAS FARM, LLAY ROAD, CEFN Y BEDD, WREXHAM, LL12 9UG

I refer to your consultation / email dated 02/04/2025 in respect of the above.

Access

The proposed development site is located on the B5102 Llay Road which is a rural, classified road subject to a 40mph speed limit.

A traffic count / speed survey was carried out along this section of the B5102 between 20/07/21 – 26/07/21. This survey determined 85th percentile speeds of 52.6mph for vehicles travelling eastbound and 50.0mph for vehicles travelling westbound (stated in Highway Technical Note 2). Based on speeds of 52.6mph and 50.0mph, any proposed / existing access would normally require visibility splays of 2.4 x 158m and 2.4 x 147m respectively measured to the nearside edge of the adjoining highway.

The submitted plans indicate a proposed splay of 2.4 x 147m in the easterly direction and 2.4 x 158m in the westerly direction measured to the nearside edge. Achieving the required visibility splay in the westerly direction is reliant on the removal / setting back of a significant section of existing hedgerow. The submitted Highway Technical Note states that this will be removed and replaced by an area of grass verge.

Any proposed / existing access in this location would normally need to provide adequate forward visibility in respect of vehicles approaching from the west to vehicles waiting to turn right into the site and forward visibility between vehicles waiting to turn right and those vehicles approaching from the east. The LHA would recommend that this detail is indicated on a revised layout plan.

The revised *'Site Access Arrangement and Visibility Splays'* drawing (Drawing No. 3034-01-D02A) illustrates the revised site access arrangement on Llay Road, which includes the incorporation of

the existing adjacent layby into the site access. It is noted that there is a highway interactive sign currently located within the existing layby. This sign will need to be relocated to a suitable location at the applicants cost. The new location of the sign will need to be agreed with WCBC Highways.

Since there will be an increase in vehicles slowing and turning into the proposed development site, new site access road signs on the approach to development in either direction will be required (detail and location to be agreed with WCBC Highways).

A planning condition in relation to a Section 278 agreement is required to introduce the proposed site access on Llay Road.

The existing access is approximately 3.6m wide and is gated at around 12m behind the adjoining highway. The proposed access indicated on the proposed site access arrangements and visibility splays drawing indicates an 8.52m wide access width with 10m radius kerbs.

The LHA would recommend that any gates are set back 15m from the site access and that the access is hard surfaced for a minimum distance of 15m to ensure a refuse vehicle can be accommodated and does not block back onto the public highway and to ensure that loose bound gravel does not pass onto the public highway.

There would appear to be an access point located off Park Road to the south of the site. This access point has not been shown on the submitted drawings, however there is a reference to an access that will provide access to agricultural vehicles but will not provide access to the application site or be used by visitors.

Parking and Turning Provision

Adequate parking and turning provision would need to be provided within the curtilage of the site in accordance with LPGN 16 requirements. The submitted layout plan indicates the provision of 100 spaces. However, it is not clear from the submitted information as to the justification for this number of spaces. This detail requires clarification. If the application is supported, it may be considered appropriate to include a condition for a Car Parking Management Plan to ensure that the facility is managed / controlled so as not to have any negative impact on the existing highway. As stated by the applicant in their Highway Technical Note a number of days operation has already taken place and there was evidence of parking on grass verges within the vicinity of the site, as a result the applicant had installed warning tape within the verge to discourage drivers from parking on the verges.

Whilst 100 car parking spaces is significant, there is concern that since it is not known how many actual trips will take place during the busiest periods that demand could be greater. The applicant is required to demonstrate how parking will be managed during busy periods to ensure that all parking takes place within the site and not on Llay Road, since any parking on Llay Road would present a road safety risk for all road users. Should the LPA be minded to grant the application, a Car Parking Management Plan would be required to ensure parking is managed / controlled so as not to have any negative impact on the existing highway and safety of road users. The LHA would recommend that a booking system is put in place for visitors during the busiest periods. A planning condition in relation to the CPMP would be required.

The proposed car park is stated to be of a gravel and hardcore finish and whilst it appears that there is a different type of surfacing proposed for the site access, clarification is required in regards to the materials proposed. The drawing submitted shows different colour shades for the surfacing but does not detail where hard surfacing will be located.

10 accessible bay sized spaces are proposed and the spaces are to be delineated by timber post markers. The proposed accessible spaces meet the requirements set out in LPGN16 which requires 10% of the parking spaces to be accessible, however, these spaces will be required to be hard surfaced and marked out formally in order to be useable by those in a wheelchair and it is recommended that there is a hard surfaced pedestrian route to the ticket office / payment point also.

The plan indicates a couple of bins within the site and is detailed within a secure covered area. The applicant has detailed that a private waste collection will be implemented and has demonstrated that an 11.2m refuse vehicle can circulate around the car park acceptably with the removal of two car parking spaces at the western end of the car park. The applicant states that these spaces will be coned out and removed from use at the time of servicing and it is considered that details of this should be included within a servicing management strategy for the site.

Traffic Generation

The submitted Highway Technical Note indicates that during the peak season, the proposed development will generate in the region of 100 visitors per day, equating to approximately 200 two-way daily car trips. This equates to around 29 two way trips per hour (based on a 7 hour working day).

It is not clear where the anticipated traffic generation has been derived from. The figures quoted also assume that the traffic movements will be distributed evenly throughout the day which may well not be the case.

It is difficult to anticipate the likely traffic generation from such a facility. The previous application made reference to a survey undertaken at Tarvin Sands Reindeer Centre and Fishery, but no such data has been submitted within the Technical Note 2. It was questioned during the previous application if the sites were comparable as the watersports element of the proposed development is different to the fishery use at the Tarvin Sands centre. Furthermore, the seasonal fluctuations in the uses may not be comparable.

Accident Records

A review of the online Crashmap website has been carried out to view the application site for the most recently available reported incidents over a 3 year period (2021-2023). The data indicates that there has been only one reported “slight severity accident” along the B5102 Llay Road, approximately 210m to the west of the site access.

Public Right Of Way

Public Footpath No.12 - Llay passes through the development site and should not be interfered with. The applicant has detailed that a new fence has already been constructed at an offset distance of circa 1m to the west of the existing footpath.

Active Travel

The development site is located on a relatively remote, rural, classified road along which there is limited footway and lighting provision leading to / from Llay and Cefn Y Bedd. It may be considered that the proposed development site is in an unsustainable location and does not support the opportunity for residents / visitors to walk safely to the development site.

It is approximately 11 minutes’ walk from Llay to the proposed development and approximately 15 minutes’ walk from Cefn-y-bedd to the proposed development therefore, it is possible that some visitors to the development will be attracted to walk. Sustainable travel to the proposed development is encouraged however, it is noted that the existing footway is only located on the northern side of Llay Road, on the opposite side of the road to the proposed development and the footway is narrow and below the width recommended within ‘Inclusive Mobility’ at just approximately 800mm wide. Furthermore, there are currently no appropriate pedestrian crossing points along this section of Llay Road.

Although there is an aspiration to introduce Active Travel infrastructure on the northern side of Llay Road there are currently no designs drawn up. Timescales for the delivery of improvements to the footway on Llay Road should be clarified as if the development site becomes popular and visitors choose to walk to the site, the current arrangements are not adequate.

The revised 'Site Access Arrangement and Visibility Splays' drawing illustrates the site access has been amended to include a 3m shared foot / cycleway leading into the site and an uncontrolled crossing point with tactile paving proposed across Llay Road from the south to the north to connect to the existing footway. Whilst a crossing point is welcomed, there is concern that the visibility on the northern side of Llay Road adjacent to the crossing point is impeded by the bend in the road. Site visits from the LHA and the Inspector have confirmed this to be the case. In the appeal the inspector noted in regard to pedestrian safety:

"However, due to the road's alignment, I saw, when standing at the front edge of the footway at the intended crossing point, that vehicles, visible at a distance when approaching uphill from around a curve from the direction of Cefn y Bedd to the west, become obscured by the hedge and a dip in the road when reaching another curve near a tree on the northern side of the carriageway, before abruptly coming back into view very near the crossing point. Owing to this alignment, pedestrians would be out of the close eyeline of motorists approaching from the west in this area until moments before reaching the crossing point. Whilst the appellant points out that the Highway Authority has a duty, and requisite powers, to ensure that roadside vegetation does not compromise highway safety, the northern roadside hedge and verge vegetation were well-trimmed at the time of my site visit. Given the rising nature of the agricultural field behind the hedge, I am not persuaded that it could be reliably and regularly maintained at a suitable height and width to ensure a secure agricultural boundary whilst also allowing necessary visibility at the intended pedestrian crossing. I have no details before me of any alternative boundary treatment which could achieve both requirements.

I acknowledge that there are public rights of way (PROW) locally which the appellant suggests would also be appropriate alternative pedestrian routes. I saw that the PROW on the edge of the appeal site is wide and generally level but the routes onwards from Park Road to Cefn y Bedd are steep and uneven in parts and so would tend to be less attractive for use by families with young children for example. Part of the PROW to the east of the site, running across farmland towards Llay, was impassable in part at the time of my visit due to deep mud near a cattle feeding station, with such feeding activity likely to coincide in season with the autumn and winter events expected to draw increased visitor numbers.

I conclude that it has not been demonstrated that the proposal would not harm pedestrian safety. The proposal is therefore contrary to LDP Policy T1 which supports new development, amongst other things, where they do not have an adverse impact on highway safety."

The LHA has reviewed the submitted drawings and information in Highways Note 2 and has found no amendments to the proposed crossing point previously proposed and reviewed by both the LHA and the Inspector. The applicant's transport consultant shows two photos within their note which do not appear to be taken at the point of the proposed pedestrian crossing which is located at the eastern edge of the layby, and details a narrative that the inspector is mistaken in their assessment of the location of the crossing and the visibility afforded. The LHA would contest this statement as a site visit to the location of the proposed crossing clearly indicates the restricted visibility as described by the inspector which remains a concern for the LHA on pedestrian safety grounds. The LHA would also question why the applicant has not procured a Road Safety Audit by an impartial third party to review visibility constraints along this stretch of Llay Road and to consider an alternative solution. Furthermore, the LHA would question whether an uncontrolled crossing point would be fit for purpose on a road of this nature.

The restricted visibility along the northern stretch of Llay Road is also further complicated as the proposed pedestrian visibility splay falls short of the required standards and also passes through land that is not under the control of WCBC or the applicant which means the applicant is unable to control the height of the fencing or vegetation at this point.

LPG16 states that cycle parking is required at the site to comply with the standards set out. No detail or provision has been made.

Surface Water Drainage

A suitable scheme for the disposal of surface water will need to be submitted. The WCBC Flood Management Section will be required to approve any proposed scheme.
There is an existing watercourse running alongside the existing access. The applicant will need to liaise with NRW on this matter along with any measures to make safe in respect of pedestrians / visitors.

Construction Traffic Management Plan (including details of contractor parking)

If the application is supported, the LHA would recommend that the applicant submits a Construction Traffic Management Plan including details of contractor parking for further approval. This could be included as a planning condition.

Conclusion

At present the proposals are not acceptable on highways grounds, further information and clarification is required in regards to visibility, accessible parking spaces and access, cycle parking, traffic generation, gating and surfacing.

Further to this, the issues around pedestrians crossing Llay Road and the limited visibility available from the proposed uncontrolled pedestrian crossing point remain, the proposals appear unchanged from the previous application and appeal decision that upheld the pedestrian safety issues raised by the LHA. Therefore the LHA maintains its view that this does not constitute a safe arrangement for pedestrians to cross and therefore the proposals are not acceptable on pedestrian safety grounds.



On behalf of Chief Officer, Environment & Technical