

Report of the Chief Officer Economy and Planning

Application Reference

P/2024/0231

Applicant

MR NICHOLAS WHITCOMBE

Agent

BODYTECH MR NICHOLAS WHITCOMBE UNIT 1

Site Address

UNITS 27 - 29 ABENBURY WAY WREXHAM INDUSTRIAL ESTATE WREXHAM LL13 9UZ

Description of Development

NEWID DEFNYDD ADEILAD O UNEDAU DIWYDIANNOL I GAMPFA / CHANGE OF USE OF BUILDING FROM INDUSTRIAL UNITS TO GYM

Ward

Holt/Holt

Community

Abenbury/Abenbury

Recommendation

Grant

Officer Report

Site Description

The site is located on the Wrexham Industrial Estate and shares its access road with a number of other businesses including a windows and doors showroom, engineering operator, car and van hire business, and food wholesaler with associated sales counter and hot food van.

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Proposal

Proposed is the change of use of the Units from industrial to a Gym.

The applicant has advised that the location on Wrexham Industrial Estate has been selected in order to take advantage of the substantial footfall which is characteristic of the location. Their overarching aim is to enhance the well-being, both physical and mental, of the local workforce.

Both a Highway Impact Assessment and a Parking Survey have been submitted in support of this proposal.

Reason for Committee Determination

Objection received from the Community Council;

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

Site History

None relevant.

Local Planning Policy

DM1 - Development Management Considerations

EM1 - Protection of Existing Employment Land

EM2 - Provision of Supporting Facilities for Employees in Business, Industrial and Warehousing Developments

NE1 - International and National Nature Conservation Designations

NE2 - Local Designations for Nature Conservation and Geological Importance

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NE6 - Waste Water Treatment and River Water Quality
SP2 - Location of Development
SP9 - Wrexham Industrial Estate
SP11 - Transport and Accessibility
SP12 - Design Principles & Masterplanning Framework
SP14 - Natural Environment
SP19 - Green Infrastructure
T1 - Managing Transport Impacts

Consultation Responses

Community Council:

Objects and expresses concerns about the volume of traffic this proposal may generate for an already crowded cul-de-sac and that this may lead to hazards on the main road if clients of the gym have to use the roadway for parking.

Local Member:

Expresses concerns given the cramped nature of the site and adjoining units. Notes that the owners of the units proposed for the gym have blocked their car parks off with concrete blocks, but it is the wider context that is of concern. There are other highly intensive units operating on the same site.

Natural Resources Wales:

Comments that the application proposes connection of foul water to the mains sewer and that the development may serve a population from outside of an SAC catchment who are not already served by residential connections to existing public or private sewers discharging within the SAC river catchment. Advises that DCWW will need to confirm if it can accept the foul flows from the proposed development.

Dwr Cymru Welsh Water:

Confirms capacity exists within the public sewerage network in order to receive the foul flows from the proposed development site and that Five Fords WwTW has a phosphate permit.

Highway Officer:

Raises no objections on highway safety grounds, subject to conditions.
Comments that:

Car Parking

The maximum car parking provision set out in LPGN 16 is 83 car spaces. The submitted Transport Assessment details that 32 car parking spaces are proposed and the applicant has confirmed that all of the proposed spaces are under the control of the landowner / landlord.

A parking survey demonstrates that there would likely be sufficient parking for the proposed use.

Cycle Parking

LPGN 16 requires 8 cycle spaces and 10 spaces are provided.

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Motorcycle parking

There is an area marked out for motorcycles but no secure locking points are detailed. This could be secured by condition.

Access

In terms of visibility from the car parking aisles, it is considered that vehicles will be travelling relatively slowly along the access road due to its nature. However, the active frontages and any parking on-street could restrict visibility, therefore maintaining a footway along the site frontage would ensure adequate visibility is maintained. The proposed 1.5 metre wide footway along the frontage of the building is considered acceptable and the applicant proposes to maintain the footways at the front of the site clear of any obstruction, to protect visibility. This could be secured by planning conditions.

Contaminated Land Officer:

No comments.

Public Protection Officer:

No comments.

Publicity Undertaken:

The owners/occupiers of 9 properties have been notified on 17/04/2024.

Responses to Publicity:

4 representations have been received expressing the following concerns:

- insufficient parking provision; and
- lack of parking will push cars out onto the main highway to park, causing congestion.

13 representations received in support making the following observations:

- accessible ground floor facilities;
- beneficial to the local workforce;
- improve mental and physical fitness
- more gyms are needed as existing ones are oversubscribed;
- job creation; and
- tackle obesity.

Principle of Development

LDP Policy SP9 advises that the Wrexham Industrial Estate will be the primary focus for new employment development for Use class B1, B2 and B8 employment.

LDP Policy EM1 goes on to state "The County Borough's existing employment areas as shown on the Proposals Map will be protected for B Use Class employment generating uses (together with appropriate complementary uses and activities as referred to in Policy EM2 and waste management uses on sites/areas referred to in Policy MW6)".

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Policy EM1 identifies the majority of the employment land and how this contributes to the overall supply. The intention is for such areas to be protected for traditional B uses in order to offer an appropriate range, quantity and quality of employment land and premises to meet the needs of the County Borough. However, policies EM2 recognises that B uses cannot be protected at all costs and does allow some appropriate flexibility.

As Wrexham Industrial Estate is included within the list of protected employment areas and given that the proposed use does not fall within the category B use class, it must be therefore be considered under policy EM2.

Policy EM2 provides advice on the appropriate complementary / supporting facilities mentioned in Policy EM1, which includes the provision of fitness facilities.

The proposed fitness gym is by definition a complementary / supporting facility and in such terms accords with the policy in principle.

The policy goes on to say that the gym will be considered to accord with this policy provided that the following is met;

- i. it is of appropriate size and scale, subordinate to the needs of workers in the vicinity and does not lead to an over concentration of such facilities in one area;
- ii. The proposal does not impact on the status and character of the employment area for B1, B2 or B8 uses;
- iii. The operations of other industrial and employment uses in the vicinity of the site would not be adversely affected; and
- iv. The proposal would not result in significant levels of visitor traffic into the area, or exacerbate existing traffic conditions.

It is accepted that the proposal could offer a useful complementary facility for nearby workers within the employment area, and indeed the nearby residential areas of Pentre Maelor and Cross Lanes. Given that it is proposed to change only 3 units from industrial to leisure use, the proposed use would not materially change the status and character of this part of the Industrial Estate.

The premises is of an appropriate size and would be subordinate in scale to the needs of the workers on the industrial estate. There are currently four other gyms on the Industrial Estate. The proposed use would not lead to an over concentration of such facilities in one area. The proposed use is unlikely to adversely affect the operations of the existing B uses or generate a significant increase in traffic, and the proposal meets with criteria i, ii and iii. of policy EM2.

Though highway matters will be considered in more detail later in this report, adequate onsite parking is proposed and the submitted traffic and parking survey has demonstrated that users of the gym can visit the site without exacerbating any existing parking or manoeuvrability issues on the highway. Trip generation is not likely to be significant and the proposal meets with criteria iv of Policy EM2.

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In consideration of the above, the proposal meets with Policy EM2 and is acceptable in principle.

Design

As mentioned above, there would be no changes to the external elevations of the building and the land fronting the development would be laid out to parking and footway. The proposed development would not have a detrimental impact upon the character and appearance of the area and accords with LDP policy DM1 in this regard.

Highway Considerations

The proposed 32 on-site parking spaces would be comfortably below the 83 space maximum set out in LPGN 16 and the proposal therefore promotes more sustainable modes of transport, such as on foot or bicycle. The application is accompanied by a Transport Report which includes an assessment of parking demand and trip generation associated with another gym elsewhere in the County Borough also located within an employment area, as well as on-street parking within the vicinity of the application. These demonstrate that the proposed 32 car spaces would be sufficient to cater for the customers of the gym without exacerbating any existing parking or manoeuvrability issues on the highway.

The proposed cycle parking and access arrangements, including footways for the safety of pedestrians, would avoid conflict with the traffic associated with the existing and proposed businesses, and safeguard against any detriment to highway safety.

The Council's Highway Officer has raised no objections to the proposed change of use, subject to planning conditions, including a parking management plan for the site. Taking into consideration all of the above factors, the proposed development accords with LDP policies DM1 and T1.

Natural Environment

Planning Policy Wales (PPW12) requires a Green Infrastructure Statement (GIS) to support all development proposals. The submitted GIS shows that the green infrastructure has been properly assessed. The site is capable of supporting NBB that would not only mitigate any negative impacts of the development, but also have a positive benefit for biodiversity which would be in place for the lifetime of the development, proportional to the size of development. A condition can be used to secure submission of these details. In such terms the development accords with policies SP14 and SP19 of the LDP.

The site would connect to the main foul water sewer network. Foul water from the site would drain to Five Fords Waste Water Treatment Works (WwTW). The Environmental Permit for the WwTW has recently been reviewed. Welsh Water has confirmed that:

- The Five Fords WwTW has the capacity to accommodate the additional wastewater in compliance with revised Permit limits; and

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- The sewer network and associated WwTW has the hydraulic capacity for new connections without leading to an increase in the environmental impact of storm overflows.

Having regard to the above, the proposed development is unlikely to have a significant effect on the River Dee and Bala Lake SAC. In such terms it accords with policies NE1 and NE6 of the LDP.

Conclusion

It is considered that the proposed development would have no unacceptable impact in respect of visual amenity or highway safety. It is considered that the proposal would not have a significant adverse impact on health or quality of life, having particular regard to residential amenity. Subject to the conditions set out below and taking into account the provisions of the development plan and all other material planning considerations, it is recommended that planning permission be granted.

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:
 - Car Park Arrangement Ref: P24052-001C Rev C
3. No part of the development shall commence until a plan to provide net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped has been submitted to, and approved in writing by, the Local Planning Authority. The measures shall be implemented in full, prior to first occupation / use of the development, and thereafter maintained for the lifetime of the development.
4. No development shall commence, including any works of demolition, until a Construction Traffic Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period.

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5. Prior to first use of the development on-site bicycle and motorbike parking facilities shall be provided in strict accordance with a scheme that shall have first been submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of bicycles and motorbikes.
6. Prior to first beneficial use of the premises, a Car Parking Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The approved plan shall thereafter be adhered to for the life of the development.
7. Prior to first use of the development the footways, parking and turning facilities shown on plan ref: Car Park Arrangement Ref: P24052-001C Rev C shall be fully laid out, surfaced and drained. The facilities as approved shall thereafter be permanently retained and kept free of any obstruction, and made available solely for these purposes only.
9. 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.

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 the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.
4. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.

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5. To assist occupiers/users of the development to make sustainable transport choices in accordance with Policy DM1 of the Wrexham Local Development Plan.
6. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
7. To provide for pedestrian movement and parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety in accordance with Policies DM1 and T1 of the Wrexham Local Development Plan
9. 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.

Notes

In line with the Welsh Government's decarbonisation targets, Welsh Government published the Electric Vehicle Charging Strategy, setting out its plans for charging electric cars and vans in Wales. In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, and to comply with the aims and objectives of the Electric Vehicle Charging Strategy, we encourage the provision of electric vehicle charge points and recommend the following minimum standard for numbers and power output:

- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of parking spaces;

- A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof;

- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity;

- The installation must comply with all applicable electrical requirements in force at the time of installation.

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Notes

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

Notes

You are advised that building work which involves work on an existing wall shared with another property, building on the boundary with a neighbouring property or excavating near a neighbouring building may require the separate consent of the neighbour under the provisions of the Party Wall Act. If you require further information or advice please contact the Building Control Section on 01978 298884.

Notes

The permission hereby granted does not authorise encroachment upon, or interference with, the adjoining property.