

REPORT OF THE CHIEF OFFICER PLANNING AND ECONOMY – 5 FEBRUARY 2024

APPLICATION NO:
P/2021 /0249

LOCATION:
LAND AT THE REAR OF
MCDONALDS HALTON CHIRK
WREXHAM LL14 5AZ

DATE RECEIVED:
09/03/2021

COMMUNITY:
Chirk

DESCRIPTION:
NEWID DEFNYDD TIR I ADEILADU
MAES PARCIO GYDA PHWYNTIAU
GWEFRU CERBYDAU TRYDAN,
MYNEDIAD CYSYLLTIEDIG A
GWAITH TIRLUNIO / CHANGE OF
USE OF LAND TO CONSTRUCT CAR
PARK WITH EV CHARGING POINTS,
ASSOCIATED ACCESS AND
LANDSCAPING WORKS

CASE OFFICER:
SEH

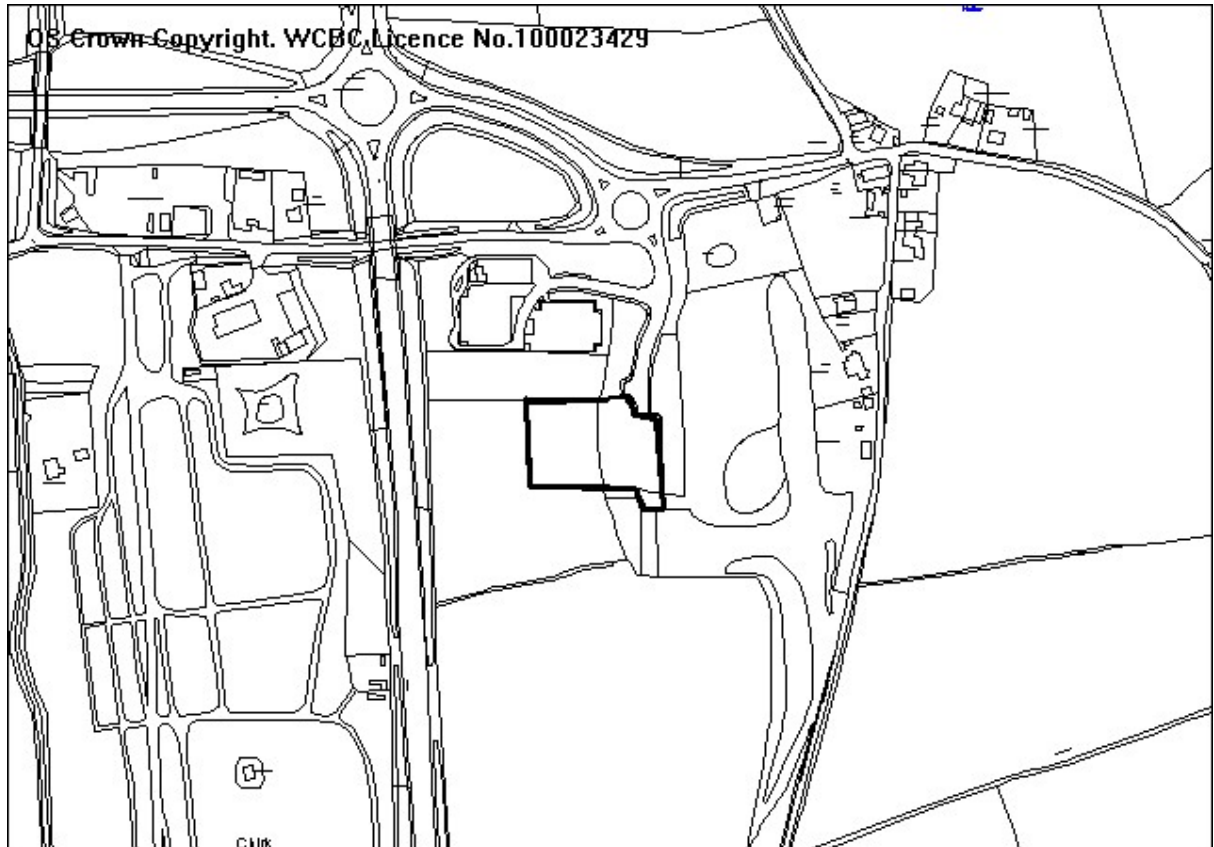
WARD:
Chirk North

AGENT NAME:
ROGER PARRY &
PARTNERS LLP
MR RICHARD CORBETT

APPLICANT(S) NAME:
MR A WOOLHAM

THE SITE

The application site is located approximately approximately 1.8 km north east of the centre of Chirk. The site is bordered to the west by the A5(T) where at the roundabout it joins with the A483(T), to the north by the McDonald's Restaurant and to the east by Green Lane. The site is currently undeveloped, but was previously the site of Black Park Colliery. Restoration works commenced when open cast mining operations ceased in the 1980s. To the north, works were previously carried out at the same time as the erection of the McDonald's Restaurant to provide a primary service road into the site.



PROPOSAL

Planning permission is sought for the change of use of the land to construct a car park with Electric Vehicle (EV) charging points, and associated alterations to vehicular access and landscaping works.

Permission was also initially sought for a drive through coffee shop. However, amended plans have subsequently been submitted omitting this from the application.

HISTORY

Application site and land adjacent

P/2010/5668 Cultural and visitor centre with central feature tower topped with a sculpture of the welsh dragon within landscaped grounds with car and coach parking. Granted 07.02.2011

P/2016/0222 Application for variation of condition no.1 of planning permission P/2010/0568 to allow for an additional five years to commencement of development (cultural and visitor centre with central feature tower topped with a sculpture of the welsh dragon within landscaped grounds with car and coach parking. Granted 03.01.2017. Permission expired on 03.01.2022.

Land adjacent

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- CB02751 Outline application for the erection of travel lodge.
Granted 16.04.1999.
- CB02752 Erection of petrol filling station and fast food restaurant. Granted
16.04.1999.
- P/2000/0985 Outline application for garden centre display area, storage,
parking, landscaping and associated highway. Refused
14.05.2001.
- P/2003/0659 Outline application for the erection of new ambulance station
building together with associated access and parking. Granted
06.10.2003.

DEVELOPMENT PLAN

Outside of a defined the settlement limit in the Local Development Plan. LDP policies SP2, SP14, SP18, T1, NE3 and DM1 apply.

CONSULTATIONS

Community Council

Consulted. No comments received.

Local Member

Councillor Hemmings - I have made no decision on the matter at this stage, but would welcome this facility in my ward to facilitate EV charging facilities on a main route into North Wales, subject to debate at planning committee.

Some points to consider:

1. This Council has declared a climate emergency. A vehicle charging station fits into that agenda and the development of electric vehicles. 2035 sees the end of petrol and diesel cars being produced we need to be prepared in Wrexham.
2. Information published by Welsh Government in 2020 stated that there is a need for between 30000 and 50000 fast chargers and up to 3500 rapid chargers over the next decade, one of the biggest barriers to people not buying electric cars is the lack of charge points, as petrol and diesel cars are phased out this facility is of greater importance.
3. The site is adjacent to 2 major roads into North Wales the A5 and A483 are very busy trunk roads with traffic coming from South Wales and the Midlands, an ideal stopping point for those entering and leaving the County Borough.
4. The site is next to one of the busiest McDonalds restaurants in the UK and an ideal catchment for motorists.

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5. The site has been highlighted as a potential site for a hotel in the past and there is still an agreement to erect a dragon and visitors centre in the facility.

Highway Officer

Raises no objections. Sufficient information has been submitted in relation to visibility at the access, street lighting and trip generation. No planning conditions recommended.

Public Protection Officer

Raises no objection subject to advisory notes in relation to restricting dust, noise and light pollution.

WG Trunk Roads

Does not issue any directions / objections.

Welsh Water

Raises no objection subject to a condition being imposed to require that no surface water and/or land drainage connects directly or indirectly with the public sewerage network and the submission of a drainage scheme.

Natural Resources Wales

Raises no objection. The proposal will not be detrimental to Great Crested Newt or Bat populations. Further, based on the information provided, the proposed development does not have the potential to increase the amount of phosphates entering the River Dee and Bala Lake SAC catchment.

Contaminated Land Officer

Due to the site being located on a former colliery, standard contamination investigation conditions are required.

Ecology Officer

No objections. A condition is required to secure the submission of a landscape and landscape management plan.

Tree Officer

No arboricultural objections. However, the existing tree belt will require appropriate protective measures ahead of development to ensure minimal damage and disturbance occurs during construction. Submission of a landscaping scheme will also need to be subject to planning condition.

Neighbours

The owners/occupiers of 14 nearby properties notified 17.09.2023. No responses received.

SPECIAL CONSIDERATIONS

Principle of Development: In the knowledge that there are concerns in relation to the acceptability of the development in principle, the applicant has been working with specialist Officers and the Highway Authority to overcome

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any technical concerns in relation to the proposed car park and charging points. As set out in the Consultation section above, all technical considerations such as trees, ecology, drainage, highway safety etc. have been satisfactorily addressed and the only objection remains one of principle.

There is no specific policy in the LDP regarding development for EV charging facilities.

Policy SP2 does state that all new development should be located within defined settlement limits. The proposal is contrary to this policy as the site lies outside of the settlement limit, to the south of the Halton McDonalds site, and to the east of the A483.

Further, the proposed development of this restored undeveloped site is contrary to PPW which directs development to previously developed sites.

PPW (para 4.1.40) does encourage EV charging points as part of new development, but is not directly relevant to stand alone facilities, and does not mean that other policy considerations are not relevant.

The North Wales section of the A483 runs from Mile End services (Oswestry) to its end at Chester, and stretches for approximately 24 miles. EV charging points exist at Mile End Services and at intervals along the junctions of the A483 at Halton McDonalds, Costa Ruabon Services and the Ramada Plaza, Ellice Way. EV charging points along this section of the A483 would therefore appear to be catered for.

Whilst it is acknowledged that the existing locations could benefit from an increase in number of charging spaces, there is no evidence within the submission that there is a shortage of spaces in these locations. Officers have made numerous visits to these facilities and there has been an available charging space at each of these visits.

In addition to no deficit in available charging points being demonstrated, the proposed location for the 39 space car park, outside of the settlement limit, has not been fully justified.

There appears to be no reason why the existing nearby McDonald's carpark is not better suited to such an installation or the expansion of the current EV offering within. Other existing parking areas or service stations elsewhere along the A483 would make for suitable options without using greenfield sites. Other land within the settlement of Chirk or nearby industrial and employment sites has not been fully explored and discounted.

The need for this facility has not been established and the proposed unnecessary incursion into the countryside is therefore considered to be unacceptable.



Figure 1 – Proposed Site Layout Plan

Highway safety: The proposed site layout plan demonstrates that the proposed parking spaces are accessible and manoeuvrability within the site has been achieved. Visibility at the access point accords with national guidance.

Vehicular movements are estimated to be a maximum of 468 per day and this is considered to be acceptable by the highway officer and the WG Trunk Road officer raises no concerns.

Having regard to the above, the development would not give rise to highway safety concerns. In such terms it accords with policies T1 and DM1.

Ecology: The application has been accompanied by an Ecological Appraisal which confirms no detrimental impact upon Great Crested Newt or Bat populations.

There is sufficient space within the site to undertake tree and hedgerow planting that would fulfil NBB requirements. This could be secured by a suitably worded condition and the proposal accords with policies SP14 and DM1,

Trees: The WCBC 'Tree & Woodland Strategy' seeks to increase overall tree canopy cover in the county by 20%. This is above any mitigation or compensatory planting for tree losses necessary to facilitate development and is intended to enhance tree canopy cover.

The development of the site results in a loss of 0.14h of establishing woodland. This is mitigated for within the proposed scheme which indicates replacement planting of 0.17h, accounting for the required 20% increase in canopy cover.

There is enough space within the site boundary to accommodate this increase and, subject to the submission of a detailed planting scheme, there are no arboricultural concerns. In such terms the proposal accords with policies SP14, NE3 and DM1,

Other Matters: Planning permission was granted in this location in 2011 and extended in 2017, for a visitor centre (P/2010/5668 and P/2016/0222). This current application site occupies a small section of that application site, and located to the north of it.

The appropriateness of the visitor centre was considered at that time upon its own merits, including sequential tests, against the UDP policies relevant at that time. This permission lapsed in 2022 and, should a similar application be submitted in the future, it could be that this historical proposal would not be considered acceptable when assessed against more recent national and local planning policy.

CONCLUSION

The principle of development is contrary to local and national policy, and the submission fails to provide sufficient justification for the use of this particular piece of land for such a development. No substantive information has been submitted to demonstrate that other existing parking facilities or other sites within settlement could not be used for the purpose of charging electric vehicles.

The need for EV charging facilities is an acknowledged requirement (currently by 2035) and this will increase as the ban on the production and sale of new petrol and diesel vehicles draws closer. However, such infrastructure must be built in appropriate locations and the merits of the scheme do not outweigh the planning policy presumption against such development on this particular location.

RECOMMENDATION: That permission be REFUSED

1. The development is located outside of a settlement limit where there is a presumption against this type of new development. The development is therefore unacceptable in principle and does not accord with PPW or policies SP2 and DM1 of the Wrexham Local Development Plan.
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