

MEMORANDUM

From:	Chief Officer, Environment & Technical	To:	Chief Officer Planning & Regulatory
		FAO::	Sarah Hill
Our Ref:	ET/DC/DB/P/2023/0611 rev B	Your Ref:	P/2023/0611
Date:	20 th Dec 2024		

TOWN AND COUNTRY PLANNING ACT 1990

ADEILADU 3 ANNEDD / ERECTION OF 3 DWELLINGS. LAND AT RAILWAY TAVERN RAILWAY ROAD BRYMBO WREXHAM

Grid Ref: E 329627.3 N 353856.11

I refer to your consultation / email dated 15/09/2023 in respect of the above, the applicant's email 28th November 2023, our response 29th January 2024, the applicants updated site plan RT/PD/02 Rev C, and confirmation email 26th November 2024.

The Local Highway Authority's updated response is as follows, using the same numbering as previous for ease of reference:

- 1) The amended plan shows bins to the rear, and references collection on the front footpath, as requested.
- 2) Visibility splays have been added.
- 3) Railings to the front of the footpath have been removed. Works to the front will be subject to a S278/38 agreement and should the planning application be successful the applicant must coordinate with the local highway authority to complete the works. Contact details and outline guidance notes are enclosed below. No work on or immediately adjacent to the highway should commence prior to agreement with the Highway department, and the necessary permits in place.
- 4) The path has been extended eastwards, providing improved pedestrian access.
- 5) **Provision for parking for individuals with mobility difficulties and dedicated secure cycle parking should be included within the proposed site plan in accordance with LPG16.** Bin access between cars and a safe, accessible pedestrian route for residents from the rear gates to the site frontage should be provided. The parking shown should provide 6m reversing space. However, we remain concerned about the number of parking spaces. As a local pub, we are less concerned at an underprovision of parking spaces in a sustainable location. **Nonetheless, we understand that the pub could start serving food under the existing use category, which would increase pressure on parking and the number of vehicles passing the rear of the houses.**
- 6) An Aco drain demarcation has been provided, which will remain in private ownership and must be maintained by the landlord of the shared private access road. Construction drawings should be provided within the appropriate sectional agreement application prior to commencement of construction works. The Aco drain location should be agreed on site with the highway authority and SAB officer as part of the S278/38 & SAB surface water drainage works

- 7) The applicant has confirmed a management company can be set up to maintain the shared private access road and landscaping. If not, the maintenance responsibility will remain with the landlord.
- 8) **As noted in point 5, our primary concern relates to parking provision for the Public House, should it ever serve food either on or off the premises.** We understand it could be used as a restaurant or takeaway under the existing A3 use, and that a restriction on it's use cannot be applied limiting it to a "non food pub". Therefore the provision of 10nr parking spaces, that can only be accessed by passing the proposed new dwellings' parking and pedestrian access is concerning. The agent correctly noted that there would be a maximum of 42 car park spaces for a floor area of 170m2 when referring to LPGN16. The LHA acknowledges that would be excessive given the sustainable village centre location and precedence set by similar pubs within the county. For staff/resident landlord use and a small number of customer parking spaces, the 10 spaces proposed may be considered adequate for a non-food public house in this location. However, should the premises ever be considered as a restaurant or takeaway use, we have reservations about the rear yard-style parking provision, which contradicts the wording of LPG16 (Ref: Fig A Section: A3 Pubs, restaurants and hot food takeaways as shown below). The use of this building as a restaurant or takeaway also within A3 use necessitates increased short stay parking requirements, especially with the growing use of online home delivery services. **The applicant would need to provide a robust traffic management plan and service delivery management plan demonstrating how deliveries and collections can be managed without impacting upon the public highway and local residents.** Provision should be made for delivery vehicles to turn and park near to the pub without obstructing either the highway or residents. Additionally, space for mopeds and cars collecting food for online deliveries should be included.

Ideally, another 3 or 4 spaces should be provided close to the pub together with on-site turning and parking for vans to deliver. It is appreciated this puts perhaps one of the dwellings under pressure due to space requirements.

It is possible that the LHA will seek implementation of waiting restrictions in the form of double yellow lines at the applicant's expense given the concerns over deliveries and parking under-provision.

A3 Pubs, restaurants and cafes and hot food takeaways	1 car space per 4m ² public floor space	1 cycle space per 40m ² public floor space
For hot food takeaways and restaurants offering takeaway services, there will need to be short stay parking on site or a short distance of the premises. Rear services yards are unlikely to be suitable to meet the parking requirements for this type of business.		

Summary

The LPA has advised that a restriction on the use of the pub for food (both on- and off-premises) cannot be conditioned. Therefore, the under provision of parking spaces is a concern, and the layout, which requires guests and staff to drive or walk past the residential rear access and parking, is not ideal. Additionally, there will be a greater number of deliveries for pubs serving food, raising further concerns given the reduced access and removal of turning facilities on-site.

There is currently no provision for mobility access and parking, nor is there lockable cycle storage shown for both the houses and pub use. This should be indicated on the drawing in accordance with LPGN16.

We have no objections to the principles of this development but believe that the parking and delivery provisions are inadequate, in the absence of applying a condition restricting the serving of food on the premises.

For comparison, the LHA considered this application alongside the Red Lion in Marford, where a Coop store was built in the previous pub car park. This setup provides a dedicated entrance and exit, eliminating the need for delivery vans to reverse. Furthermore, mopeds or cars collecting orders can park close to the pub/restaurant, avoiding the back of residential dwellings in Marford.

Should the LPA be inclined to grant permission, we enclose our Standard Guidance Notes below, providing contacts and guidance on carrying out works on or immediately adjacent to the adopted highway.



On behalf of The Chief Officer, Environment & Technical

Appendix:

Highways Development Control Standard Advisory Note

In the interests of maintaining highway safety, and to avoid obstruction of the public highway (in contravention of the Highways Act), The Applicant is advised to coordinate with the highway authority at highwayroadworks@wrexham.gov.uk in advance of commencement of the development/works with respect to:

1. Skip, scaffolding, hoarding or A frame/signage (Permit required for these items, if on the public highway);
2. Use of a parking space for a set down/delivery area;
3. Record a dilapidation survey of the adjacent carriageway prior to commencement (to avoid being asked to repair damage by the Applicant whilst carrying out their works);
4. If any lane closure or obstruction of the highway is required for a crane or similar;
5. Protection against dust and debris blowing onto the public highway
6. Construction traffic parking locally avoiding nuisance to others;
7. If the Applicant's scope of work includes new apparatus in the highway, such as new mains services then a Section 50 licence will be required. *Insurances and demonstration of competency to carry out works in the public highway will be required.*
8. Lowering of kerbs or minor pavement alterations require Section 184 agreement. *Insurances and demonstration of competency to carry out works in the public highway will be required.*
9. A section 278 agreement works agreement is required for more significant alterations to the existing highway
10. Any temporary works affecting traffic lights, [pedestrian/cycle road crossings, or bus stops require pre-planning and permits;
11. For applications with a private driveway (either existing or proposed) connecting onto the public highway, the following conditions of approval apply:
 - No surface water from the applicants site should be allowed to drain onto the public highway,
 - The first 5m* minimum (for residential property) should be hard paved, avoiding gravel or loose chippings from spreading.
 - No gate should be built in a location where it would result in a car obstructing the highway whilst being unlocked, and it should not swing out and over a pavement or any other part of the highway.

*The hard paved length and set back if required is subject to the applicants proposed vehicular length

The applicants should allow a minimum of 4 weeks' notice for any of the above standard requirements, and 6-8 weeks for lane closures & road closures (lead times may change without notice subject to workload and complexity). Any works involving Trunk roads should be coordinated

separately and directly with the North & Mid Wales trunk Road Agency. For larger sites with a significant impact upon the highway, a Construction Traffic Management Plan will be required.