

APPLICATION NO:
P/2022 /0151

LOCATION:
PENDINE PARK NURSING HOME
SUMMERHILL ROAD STANSTY
WREXHAM
LL11 4YE

DATE RECEIVED:
14/02/2022

COMMUNITY:
Gwersyllt

CASE OFFICER:
MP

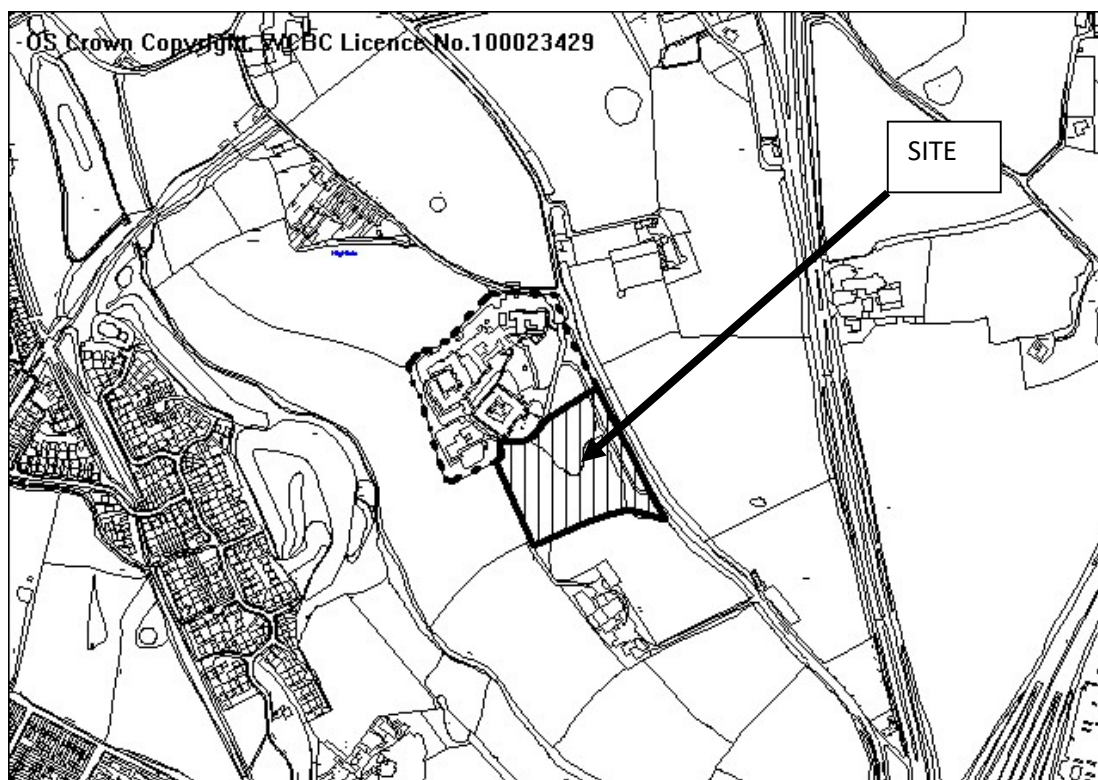
WARD:
Gwersyllt West

DESCRIPTION:
ADEILADU ADEILAD CYFLEUSTER
ARBENIGOL A GOFAL
YCHWANEGOL / ERECTION OF
SPECIALIST AND EXTRA CARE
FACILITY BUILDING

AGENT NAME:
MR MARK ROBERTS

APPLICANT(S) NAME:
MR MARIO KREFT

THE SITE



PROPOSAL

The proposed development is a specialist and extra care building. It would be located in the grounds of the existing care home to the south of existing buildings.

HISTORY

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CB 1197	New brain injury and nursing home. Granted 1/1/1997
CB 1788	Extension to Cae Bryn. Granted 9/2/1998
CB 2494	Extension to nursing home. Granted 12/10/1998
CB 2519	Laundry facilities. Granted 9/10/1998
CB 2812	Surgery and base for out of hours service. Refused 16/1/1999
CB 2848	Special care unit. Granted 12/4/1999
CB 3210	Office accommodation. Granted 14/6/1999
P/2002/0025	Nursing home. Withdrawn
P/2003/0143	Nursing home. Granted 12/5/2003
P/2007/0203	Link extension. Granted 23/3/2007
P/2007/1026	Erection of 64 bedroom dementia care unit. Granted 18/02/2008
P/2010/0821	Link extension between Pen y Bryn, Bryn Cella, Cae Bryn and Highfield Nursing Homes. Granted 27/10/2010
P/2011/0368	Kitchen extension. Granted 08/07/2011
P/2017/0152	External alterations to Highfield and Cae Bryn to facilitate use of kitchen and laundry as additional 6 no. bedrooms and dayroom. Granted 19/04/2017
P/2017/0832	Conversion of former offices together with link extension to provide 2 no. bedrooms. Granted 30/11/2017
P/2018/0651	Proposed first floor extension within courtyard to provide 1 no bedroom and extension to ground floor servery. Granted 03/10/2018
P/2019/0126	Outline application for provision of new specialist and extra care facility to expand and complement existing services and facilities. Granted 3/6/2019

PLANNING POLICY

Unitary Development Plan

The site is located outside any defined settlement limit, within a Green Barrier and mineral resources protection area. The site is also subject to a woodland Tree Preservation Order (TPO). Policies PS1, PS2, PS3, PS4, GDP1, EC1, EC4, EC6, H11 and T8 are relevant.

Draft Local Development Plan

The site is located outside any defined settlement limit, within a Green Wedge and Sand and Gravel Safeguarding Area. Policies SP2, SP6, SP14, SP18, SP19, DM1, NE1, NE3, NE6, RE1, MW1 and T1 are relevant.

CONSULTATIONS

Community Council

Expresses the following concerns:

- Speeding vehicles along Summerhill Road pose a risk to motorists and to the nursing home's staff who walk to and from work. Footpath provision along Summerhill Road is intermittent. The Community

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Council is concerned that the development would increase in traffic volumes and pose an even bigger risk to pedestrian safety;

- The site is also served by a second entrance/exit. The Community Council seek assurance there is no intention to use both entrances/exits;
- The Community Council considers some of the supporting information provided by the applicant to be inaccurate, misleading and out of date. The Traffic Assessment suggests that traffic generation in Summerhill Road, arising from the new housing development in Griffiths Road (i.e. the former Boozey Fields site), is negligible. The Community Council contends that this assertion is misleading given that car users from the new estate tend to use the Old Mold Road instead of Summerhill Road for reasons of safety and convenience.
- Supporting information about local bus services out of date. The Community Council is concerned that this and other misleading information may be taken into account by the Local Planning Authority when it comes to determining the application.

Local Member

Councillor Annette Davies notified 23 June 2023. No response received.

Highway Officer

Raises no objection to the proposed development.

The Highway Officer notes that as the staff travel survey shows 87% of employees work shifts that do not start at 9am and end at 5pm, most vehicle trips take place outside of peak times and will therefore not have a significant impact on the highway network.

The Highway Officer has advised that the internal roads provide appropriate access to the development and allow vehicles to turn within the site. The Highway Officer also notes that there is an existing semi-permanently closed access which there is no proposal to re-open.

The Highway Officer has commented that there are no proposals to improve active travel provision to the site.

In respect of parking, the Highway Officer notes that 17 additional parking spaces would be provided with space for another 6, which is well below the LPGN16 maximum.

Tree Officer

Raises no objection subject to conditions being imposed to require the proposed tree protection measures to be implemented.

The Tree Officer recommends amendments to the landscaping scheme to provide for tree species that provide greater canopy cover and biodiversity.

Ecology Officer

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Raises no objection subject to a condition being imposed to secure the implementation of the proposed ecology mitigation measures.

Public Protection Officer

No comments to make.

Contaminated Land Officer

No comments to make.

Welsh Water

Raises no objection. Welsh Water has confirmed that foul water from the development would discharge to Gresford Wastewater Treatment Works (WwTW), that;

- there is capacity to treat additional wastewater from the proposed development within revised environmental permit limits; and
- that the sewer network and WwTW has the hydraulic capacity to accommodate additional wastewater without contributing to an increase in frequency or duration of storm overflows.

NRW

Raises no objection provided that a planning condition is imposed to secure pre-commencement site surveys to check for the presence of Great Crested Newts and bats.

NRW advise that the phosphorus impacts of new connections should be considered on a case-by-case basis. However it is likely there would be no significant effects for developments connecting to the public sewer where:

- the environmental permit the associated wastewater treatment works has been reviewed against revised conservation objectives for water quality.
- there is capacity to accommodate the additional wastewater in compliance with revised permit limits.
- 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.

Press Notice

Expired 23.3.2022

Site Notice

Expired 23.3.2022

Neighbours

The owners/occupiers of 5 nearby properties notified 28.2.2022

1 representation raising no objection to the principle of the development but making the following observations:

- The amount of vehicular and pedestrian traffic, which has increased as the facility has grown;
- use of adjoining land as an unofficial bus stop and associated litter; and

- vehicles missing the turning for the use and using the objector's drive to turn;
- lack of footway provision on Summerhill Road.

SPECIAL CONSIDERATIONS

Principle of Development: The site is located outside of any settlement limit in both the UDP and Draft LDP. It also lies within a UDP Green Barrier and LDP Green Wedge.

Policy H11 of the UDP deals specifically with proposals for care homes and specialist healthcare where:

- a) the development accords with policy GDP1; and*
- b) adequate garden area for amenity of residents can be provided;*
- c) in the case of change of use, the existing building is of an adequate size for the use proposed without substantial extension; and*
- d) the facility is accessible to community facilities.*

There is no equivalent policy in the draft LDP.

The proposed development complies with parts b), c) and d) of policy H11. Whilst there are no local facilities within a walking distance of the site, there is a bus stop adjacent to the main site access served by regular buses between Gwersyllt and Wrexham. Compliance with GDP1 is considered separately below.

Paragraph 3.75 of Planning Policy Wales advises that the erection of new buildings is inappropriate development within Green Wedge unless it is for the limited extension or alteration of existing buildings. The proposed development represents a significant addition to the existing site thus constituting inappropriate development within a Green Wedge. In accordance with the requirements of PPW, it is therefore necessary to consider whether any material planning considerations exist of sufficient significance to clearly outweigh the harm by reason of inappropriateness and justify the development on the basis of very exceptional circumstances.

The proposed development would be an addition to a well-established care facility which currently provides accommodation for approximately 250 residents. These residents are provided with nursing, medication and treatment services for matters such as dementia care, critical injury and rehabilitation. The existing facility has developed over time and comprises a number of substantial buildings. Together, these provide for a significant level of care provision within the County Borough for a number of service providers such as the NHS and other local authorities. The facility is also a significant local employer.

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Given the growth in the retirement age population, there is and will continue to be an increasing need for facilities like the proposed development. The applicant has also provided supporting information citing the loss of capacity in the care sector in North Wales in recent years with the closure of a number of care homes, notably Trwythen Care Home, Gresford and Gwastad Care Home near Cefn Y Bedd. There are also relatively few similar facilities of this type with the County Borough.

Locating the new development within the curtilage of an established facility ensures its impact upon the countryside and Green Barrier/Wedge is minimised. The building would be viewed in the context of existing buildings. The entire existing facility is situated within extensive and well maintained grounds enclosed by mature trees and hedges. It is seen within its own setting with limited views of the grounds from outside of the site. The site is approximately 600m from the edge of the built up area of Wrexham and around 400m from the built up edge of Gwersyllt. The proposed development would therefore not result in harmful encroachment of development into the countryside, the coalescence of existing settlements or adversely impact upon the setting of those settlements. In such terms, there is no conflict with the purpose of a Green Wedge, as set out in para 3.67 of PPW11.

Finally, outline planning permission was granted in June 2019 (reference P/2019/0126) for similar development. All detailed matters were reserved. The proposed development differs from the previous proposal only in so far as proposed floor area; 3795 sq.m with 76 beds compared to 3000 sq.m with up to 50 beds. There have been no material changes in local or national policy since 2019, other than the draft LDP has passed through public examination and has been found to be sound.

Having regard to the above, the need for additional capacity in the care sector and the location of the proposed development within a large and established care facility are factors which constitute very exceptional circumstances. The Green Wedge location of the site would therefore not warrant refusal of the proposed development.

Design: The building would be similar in both scale and appearance to existing buildings within the site.

The development would result in some limited tree loss within the site. However the Council's Arboricultural Officer has raised no objection subject to the implementation measures to protect trees being retained and replacement tree planting as part of a landscaping scheme. These can be secured by appropriately worded conditions.

Having regard to the above, the development would not conflict with policies GDP1 and EC3 of the UDP and policies DM1 and NE3 of the Draft LDP.

Ecology: The application is accompanied by an Ecological Mitigation and Management Plan (EMMP). However NRW the ecology surveys undertaken are now out of date and that a suitably worded condition should require

additional protected species surveys to be undertaken and details of any additional mitigation measures.

Subject to the above, the development would not have an adverse impact upon statutory protected species. The implementation and long term management of the mitigation measures could be secured by a suitably worded condition. In such terms the development accords with policy EC6 of the UDP and NE1 of the draft LDP.

Highways: The site is accessed from off Summerhill Road. Visibility at the main access is adequate in both directions. The Highway Officer raises no objection to the proposed development.

In addition to the main access, there is a second access close to the south-east corner of the site. The applicants have confirmed that it would not be used to serve the proposed development and serves only as an emergency access to the site.

The Traffic Report (TR) submitted with the application is dated 2018 and accompanied the previous application. As already noted above, the current application differs from the extant scheme in terms of the total floor area and more specifically the number of beds proposed. However, the number of additional staff would remain at 15-20. Staff work shifts of 8 hours, meaning there would be an additional 5-7 arrivals and departures when each shift ends/behind, which shift changes avoiding peak times. The existing site employs in the region of 500 staff and therefore the increase in vehicle movements by staff would be negligible.

The applicants have suggested that this type of facility does not generate the same level of visitors as a general hospital or care home. Visitor numbers are also controlled and monitored on an arranged basis. Peak visiting times are between 11:00 and 15:00 thus avoiding peak times.

The LPGN16 maximum parking provision for the proposed development is 38 parking spaces. The development proposes 17 additional parking spaces, with space available for a further 6. There are around 160 parking spaces on site at present. Details submitted by the applicant suggest that parking demand is typically far less than the existing provision, although this does represent only snapshots in time. The Pendine site has extensive grounds that could be utilised for parking if necessary. However this would be at the expense of the extensive landscaped grounds. There are opportunities for both staff and visitors to travel to the site by non-car modes. In the absence of evidence to demonstrate that existing demand for parking spaces routinely exceeds supply, and having regard to the fact that only a proportion of care staff would be on site at any one time, the proposed parking provision is considered sufficient.

The Community Council has raised concern regarding the suitability of Summerhill Road and pedestrian access for staff members that travel to site on foot. There is limited pedestrian access to the site along Summerhill Road

but there is a continuous footway from Wrexham. There are also bus services which pass the site with a stop close to the site access. Buses connect the site with Gwersyllt and Wrexham and run at approximately half hourly intervals Monday to Saturday and hourly on a Sunday. The development therefore does provide safe non-car means of access to the site.

Having regard to the above, the proposed development would not materially increase the number of traffic movements to/from the site compared to either the existing situation or when assessed against the 2019 application. The development would therefore not have an adverse impact on highway capacity, highway or pedestrian safety. In such terms, it accords with policies GDP1 and T8 of the Wrexham UDP and policies DM1 and T1 of the draft LDP.

Minerals: The site is situated in an area where both UDP and LDP policies seek to protect potentially workable sand and gravel resources. However, given that the proposed development would take place within the limited curtilage of an established care home, prior mineral extraction would be likely to cause serious amenity issues and therefore would not be appropriate. The proposed development would not prejudice the extract of minerals from the surrounding land given that any such development would need to make adequate provision to protect the existing care home from the impacts of noise and dust. As such, the proposed development does not unduly sterilise mineral resources. In such terms there is no conflict with UDP policy MW9 or draft LDP policy MW1.

Renewable Energy: Policy RE1 of the draft LDP requires major developments to incorporate schemes to generate energy from renewable and low carbon technologies. The application is accompanied by an Energy Statement which proposes that the facility would be served by air source heat pumps and solar PV panels. Subject to the implementation of these measures, which could be secured by a suitably worded condition, the proposed development accords with policy RE1.

Phosphorous: In light of the above and in accordance with NRW's advice for proposed developments within river Special Areas of Conservation, the proposed development has been assessed to determine whether it is likely to have a significant effect on the River Dee and Bala Lake SAC.

The site would connect to the main foul water sewer network. Foul water from the site would drain to Gresford Waste Water Treatment Works (WWTW). The Environmental Permit for the WWTW has recently been reviewed. Welsh Water have confirm that:

- The WWTWs has the capacity to accommodate the additional wastewater in compliance with revised Permit limits; and
- 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 policy EC6 of the UDP and policies NE1 and NE6 of the draft LDP.

CONCLUSION

Whilst the location of Pendine Park is with the open countryside and a Green Wedge, significant material planning considerations exist which clearly outweigh the harm by reason of inappropriateness and amount to the very exceptional circumstances necessary to justify departure from UDP policy EC1 and draft LDP policy SP6.

The development would not undermine the purpose of the Green Wedge nor give rise to visual amenity, residential amenity, highway safety or ecology concerns. It therefore accords with all other relevant UDP and draft LDP policies.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

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 plans, drawings and documents:
A(050)06 Revision A;
A(200)03 Revision D: PROPOSED SITE PLAN;
A(200)04 Revision B: PROPOSED ENLARGED PART SITE PLAN;
A(200)05 Revision A: ENLARGED PARKING & ROADS;
A(200)06 Revision B: PROPOSED TREE REMOVAL PLAN;
A(200)07 Revision D: PROPOSED LANDSCAPING PLAN;
Drawing no.1b: GROUND FLOOR PLAN;
Drawing no. 2b: FIRST FLOOR PLAN;
Drawing no. 3: ELEVATIONS;
Drawing no. 4: ELEVATIONS rear and side;
Drawing no. 5: ELEVATIONS courtyard;
PERMACRI 1.5m-2.0m High Permacrib 1050 model;
PERMACRI 4.5 High Permacrib 1650 model;
Greenface 4m High Greenface Slope; and
McCormick Architecture Full Planning Application Hard & Soft Landscaping Guide Revision B dated 21 July 21 July.
3. No external lighting shall be installed on the development other lighting specified in the following:
External lighting details shown in: 538915 - Pendine Care New Care Home;
and
Drawing no. 538915-00 PROPOSED LIGHTING LAYOUT.
4. Development shall not commence until a pre-construction protected species survey has been carried out and the results of the survey together with a scheme of mitigation, Net Benefit to Biodiversity and timetable for

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implementation has been submitted to and approved in writing by the Local Planning Authority. The scheme of mitigation and Net Benefit to Biodiversity shall be implemented in accordance with the approved details.

5. The development shall be carried out in strict accordance with the Arboricultural Method Statement ref no 15/AMS/WXM/175 - Tree Solutions Ltd.
6. Soft landscaping shall be carried out in accordance with the details shown on drawing no. A(200)07 Revision D in the first planting season (November to March) or seeding season (April to September) following the first use of the development hereby permitted.
7. Within three months of the commencement of development a Landscape and Habitat Management scheme shall be submitted for the written approval of the Local Planning Authority. Landscape and Habitat Management shall thereafter be carried out in strict accordance with the approved scheme.
8. The vehicular parking and turning areas as shown on approved drawing no. A(200)03 Revision D: PROPOSED SITE PLAN shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.
9. The development shall not be occupied until:
 - i. The solar PV Panels shown on drawing no. 3: ELEVATIONS have been installed; and
 - ii. Air Source Heat Pumps have been installed in accordance with details first submitted to and approved in writing by the Local Planning Authority. The approved details shall be retained thereafter.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
3. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
4. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan and to ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 11.
5. To protect trees which are of significant amenity value to the area in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to protect wildlife interests,

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which are afforded special protection in accordance with Policies PS2, GDP1 and EC6 of the Wrexham Unitary Development Plan

8. To provide for the 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 GDP1 and T8 of the Wrexham Unitary Development Plan

9. To maximise the use of low carbon and renewable engorge in accordance with policies SP18 and RE1 of the draft Wrexham Local Development Plan.

NOTE(S) TO APPLICANT

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority
