

**REPORT OF THE CHIEF PLANNING OFFICER – 4 DECEMBER 2023**

**APPLICATION NO:**  
P/2023 /0482

**LOCATION:**  
LAND AT ASH ROAD NORTH  
WREXHAM INDUSTRIAL ESTATE  
WREXHAM  
LL13 9JT

**DATE RECEIVED:**  
17/07/2023

**COMMUNITY:**  
Abenbury

**CASE OFFICER:**  
JP

**WARD:**  
Holt

**DESCRIPTION:**  
ADEILADU CYFLEUSTER  
GWEITHFYNNHYRCHU A MAES  
PARCIO A GWAITH TIRLUNIO  
CYSYLLTIEDIG/CONSTRUCTION OF  
MANUFACTURING FACILITY AND  
ASSOCIATED CAR PARKING AND  
LANDSCAPING.

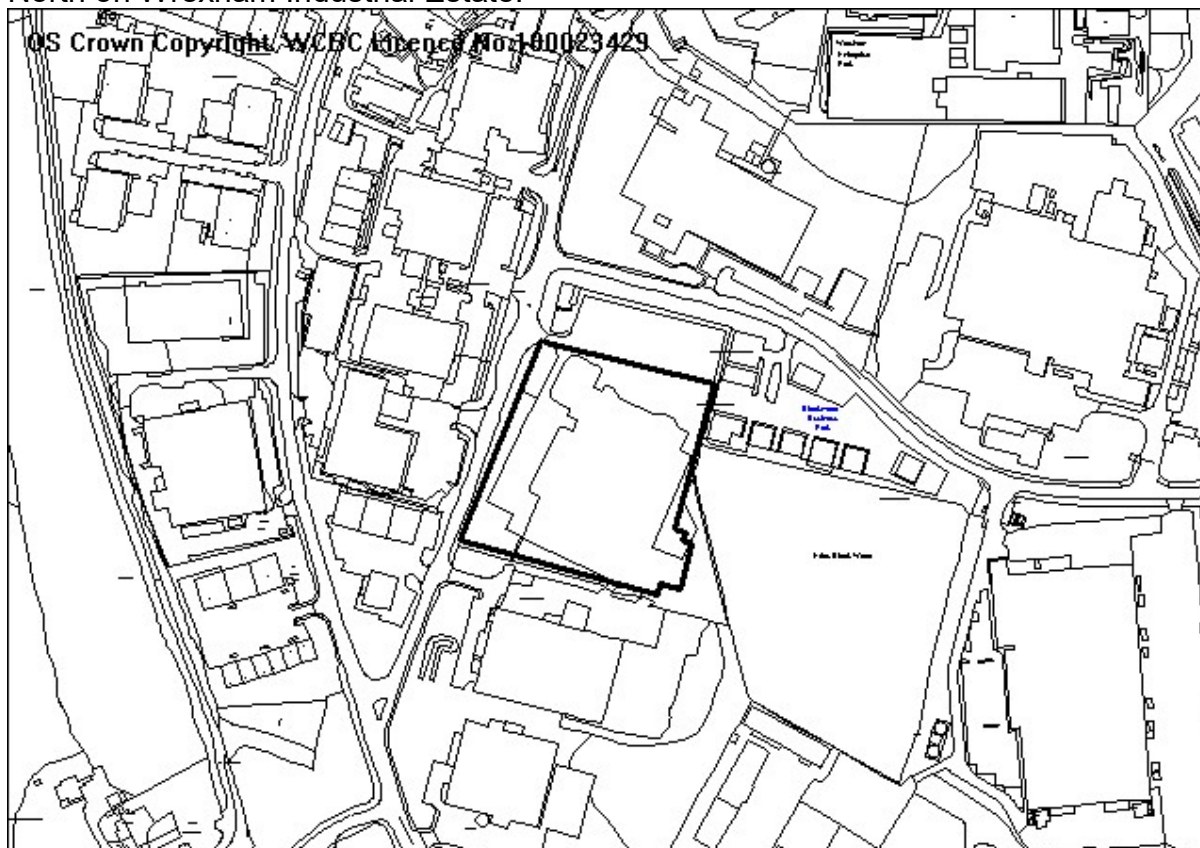
**AGENT NAME:**  
LOVELOCK MITCHELL  
ARCHITECTS  
EION RYAN

**APPLICANT(S) NAME:**  
TIM ROBERTS  
IPSEN BIOPHARM

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## THE SITE

The application site is a 1.56ha area of previously developed land Ash Road North on Wrexham Industrial Estate.



## **PROPOSAL**

The application proposes an 11,200 sq.m industrial building together with associated parking and serving areas.

## **HISTORY**

P/2018/0410 APPLICATION FOR PRIOR NOTIFICATION OF PROPOSED DEMOLITION OF PROSERVE LTD WAREHOUSE AND OFFICES. Approved 21/05/2018.

P/2023/0113 ADEILAD SWYDDFEYDD DAU LAWR MODWLAR / MODULAR TWO STOREY OFFICE BUILDING. Granted 23/03/23

## **DEVELOPMENT PLAN**

### Unitary Development Plan

Within the settlement limit of Wrexham Industrial Estate. Policies PS1, PS2, PS3, PS4, GDP1, EC4, EC6, EC13, EC14, E4 and T8 are relevant.

### Draft Local Development Plan

With a designated employment area (Wrexham Industrial Estate) and bordering a Wrexham Industrial Estate Strategic Ecology Network designation. Policies SP2, SP9, SP14, SP18, DM1, NE1, NE6, EM1, RE1 and T1 apply.

## **CONSULTATIONS**

### Community Council

Consulted 10/08/23. No response to date.

### Local Member

Consulted 10/08/23. No response to date.

### Highway Officer

Raises no objection.

Observes that the proposed development will be staffed by up to 48 people, with 24 people on site at any one time and 25% being drawn from the existing workforce. Considers that traffic generation would be spread evenly throughout the day. Also comments that HGV movements would be low, comprising of no more than 4 per day; of which 2 would be between the proposed development and the applicant's existing site on the opposite side of Ash Road North. Advises that the development would not have an adverse impact on the local highway network.

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Advises that the submitted swept path analysis indicates the site access is not wide enough to allow HGV's to pass in opposite directions through the site access but the risk of this occurring is low due to the low numbers of HGV to/from the proposed development.

Advises that the applicants have 264 parking spaces at present for staff/visitors and that there would be a net gain of 24 parking spaces as a result of the proposed development. Whilst the proposed 24 spaces would be significantly below the maximum parking provision set out in LPGN16, the development would employ 48 people working in shifts. The proposed parking provision is therefore considered adequate for the likely demand.

### **Public Protection Officer**

Raises no objection subject to a condition limiting noise to existing background levels and Advisory Notes in relation to noise, dust management, burning of waste and lighting levels during construction.

### **Contaminated Land**

Raises no objection and accepts the findings of the submitted Ground Investigation Report. Recommends a condition requiring a scheme of remediation in the event of any unexpected land contamination being found during construction.

### **Ecology Officer**

Expresses concerns that the additional parking provision in the south-east corner of the site does not accord with the Step Wise approach outlined in the updated Chapter 6 of Planning Policy Wales 11.

### **Arboricultural Officer**

Raises no objection. Suggests the provision of tree planting within the hard surfaced areas to help reduce urban heat island effects.

### **Natural Resources Wales**

Express concerns regarding contaminated land and foul drainage and advises that additional information should be submitted.

Recommends that in the event of planning permission be granted, conditions should be imposed to require the site to be investigated for contamination and subsequent implementation of remediation if necessary, the implementation of Reasonable Avoidance Measures and mitigation measures in respect of Great Crested Newts and a Biosecurity Risk Assessment.

### **Welsh Water**

Raises no objection subject to a condition regarding the discharge of trade effluent and confirms that:

- There is capacity to treat additional wastewater from the proposed development within revised Five Fords WwTW Environmental Permit limits; and

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- 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.

### **Press Notice**

Expired 13.9.2023

### **Site Notice**

Expired 12.09.23.

## **SPECIAL CONSIDERATIONS**

**Principle of Development:** The site is not allocated for any specific use in the UDP. Policy E4 allows for employment on unallocated sites within settlement limits subject to compliance with policy GDP1.

The site falls within the Wrexham Industrial Estate designated employment area in the draft LDP and is protected for employment uses (Class B1, B2 or B8) by policy EM1.

Having regard to the above the principle of employment development on this site is therefore acceptable.

**Design:** The building would be 22 high, which is comparable to other buildings in the vicinity. The layout, scale and appearance of the development would also be broadly reflective of industrial units in the locality and therefore in keeping with the character of the area.

Having regard to the above, the development accords with policy GDP1 of the UDP and policy DM1 of the draft LDP.

**Ecology and Biodiversity:** The lies outside of but borders Eiras Black Wood which forms part of the Wrexham Industrial Estate Strategic Ecology Network. Policy SP9 of the draft LDP designates corridors within the Industrial Estate as ecological corridors for statutory protected species, notably Great Crested Newts (GCN).

The Wrexham Industrial Estate is of national importance for a variety of flora and fauna, in particular Great Crested Newts. However the application is accompanied by a Preliminary Ecological Assessment (PEA) and a GCN Survey which demonstrates the likelihood of protected species being present on the site to be low. Nevertheless it is considered necessary to impose a suitably worded condition to require Reasonable Avoidance Measures (RAMs) to be implemented for the duration of construction works.

The application is accompanied by a Preliminary Ecological Assessment which recommends the retention of the trees and grassland on the northern and western boundaries of the site, which the proposed site layout takes account of. The submitted plans also propose the creation of GCN habitat

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adjacent to the eastern boundary of the site, which deliver a net benefit to biodiversity.

The eastern boundary of the site was occupied by habitat that was lost when the demolition of the building that previously occupied the site was demolished. The new Chapter 6 of PPW11 advises where a site has been cleared prior to development, its biodiversity value should be deemed what it was before clearance took place. On this basis, net benefit to biodiversity should be delivered from the pre-clearance condition on the land rather than its current condition. The Council's Ecology Officer has expressed concerns that the provision of additional parking in the south-eastern corner of the site does not accord with the new Chapter 6 of PPW11 and in turn the Step Wise approach it also recommends.

The site layout plan has been amended in response to the comments from the Ecology Officer and in light of Chapter 6 of PPW11. The Ecology Officer and NRW have both been re-consulted and their comments are awaited.

Subject to the Council's Ecology Officer and NRW confirming no objection to the amended plans, the development accords with policy EC6 of the UDP and NE1 of the draft LDP and the Step Wise approach outlined in Chapter 6 of Planning Policy Wales.

**Trees:** The Arboricultural Impact Assessment and Arboricultural Method Statement identifies a total of 3 Category C/low quality trees to be removed within the development site. The trees are of limited amenity value to the site and surrounding area and would not compromise the ecological value of the landscaped area along the western boundary of the site (see below). The submitted Arboricultural Method Statement (AMS) details a scheme of tree protection measures for the trees to be retained. Replacement tree planting would also be required at a ratio of 3:1 to accord with Chapter 6 of Planning Policy Wales. This could be secured by an appropriately worded condition.

The Council's Tree Officer raises no objection but recommends tree planting within the parking area to reduce the Urban Heat Island effect. There is no UDP policy requiring such measures and whilst policies SP14 and SP18 require developments to mitigate against the effects of climate change, there is also no specific requirements of for tree planting within car parks. Furthermore, the majority of the existing site is hard surfaced, having previously been occupied. Taking these factors into account, the absence of tree planting within the parking areas would not be a sustainable reason for refusing the planning application.

Subject to the implementation of the measures outlined in the AMS, the development accords with policy EC4 of the UDP and policies SP14, SP18 and NE3 of the draft LDP.

**Highway Safety:** The application is accompanied by a Transport Statement. Traffic generation from the proposed development would be up to 4 HGV movements and 96 movements associated with staff per day.

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The development would utilise an existing site access off Ash Road North which has adequate visibility in both directions. The access is not wide enough to permit vehicles to use the access at the same time as a HGV entering or leaving the site. However, given the limited number of HGV movements per day, the risk of conflicting vehicular movements relatively low. Furthermore, the side access is onto a relatively straight section of highway, therefore the driver of a vehicle approaching the site would be able to see a vehicle waiting to exit the site and wait until the access was clear. Any vehicle waiting to enter the site would be stationary in the carriageway for a relatively short length of time and would be readily visible to drivers of other traffic using Ash Road North.

The application site and land immediately to the north are currently used as parking areas by the applicants to serve their existing site on the west side of Ash Road North, cumulatively providing 264 spaces. The proposed on-site parking provision and the parking spaces provided on the adjoining land to the north the development would provide 288 spaces in total, an increase of 24.

The proposed 24 spaces would be around 10% of the maximum parking provision recommended in LPGN16 maximum. However, the development would employ 48 staff with 24 on site at any one time. The TA indicates that when shift patterns are accounted for, parking provision for the proposed development would be adequate.

Having regard to the above, the development would not give rise to highway safety concerns. In such terms it accords with UDP policies GDP1, T8 and policy DM1 of the draft LDP.

**Contaminated Land:** The application is accompanied by a Ground Investigation Report. NRW has advised that further assessment of two locations within the site is required before planning permission is granted. However, NRW have also recommended a condition be imposed to require the site to be investigated for contamination before development commences and for a scheme of remediation to be implemented if necessary. Subject to the conditions recommended by NRW, the development would not pose a significant risk of pollution or to the future users of the site. In such terms it accords with UDP policies GDP1 and EC14 and policy DM1 of the draft LDP

**Surface Water Drainage:** The surface water drainage arrangements for the site will need approval separately from the Council as Sustainable Drainage Systems Approval Body (SAB) before development commences on site. This is a statutory requirement. There is no requirement for SAB approval be obtained before planning permission can be granted. The need to obtain SAB approval means that there are adequate controls in place to ensure surface water is properly managed.

**Foul Drainage:** In accordance with NRW's advice for proposed developments within river Special Areas of Conservation, the proposed development has

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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 Five Fords Waste Water Treatment Works (WwTW). The Environmental Permit for the WwTW has recently been reviewed. Welsh Water have confirm 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.

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.

**Renewable Energy:** Policy RE1 of the draft LDP requires major developments to incorporate schemes to generate energy from renewable and low carbon technologies. The Design and Access Statement outlines measures that could contribute to reducing energy use and carbon emissions. These include:

- The use of materials in the fabric of the building that minimise heat loss and reduce energy demand; and
- The installation of photovoltaic panels

Subject to a suitability worded condition which would require the implementation of a low and zero carbon technology scheme, the development complies with draft LDP policy RE1.

## **CONCLUSION**

The proposal amounts to an appropriate form of development on a site within the Wrexham Industrial Estate. The development would be in keeping with the prevailing character of the area and would not give rise to unacceptable impacts to highway safety impact or the River Dee SAC. Subject to the Council's Ecology Officer and NRW raising no objections to the amended plans, the proposed development would also not give rise to ecology concerns.

## **RECOMMENDATION**

That the Chief Officer Economy and Planning be given delegated authority to grant planning permission subject to the Council's Ecology Officer and NRW confirming no objection to the amended plans and to finalise the form and content of appropriately worded conditions to secure the following:

- The development to be carried out in accordance with the submitted plans and AMS;

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- Site investigations for contamination and, if necessary, a scheme of remediation;
  - Ecology mitigation measures, to include RAMs for GCN, ecology mitigation, net benefit to biodiversity and a biosecurity risk assessment;
  - Tree protection measures;
  - Landscaping, including tree planting;
  - The implementation of scheme of low and zero carbon technology;
  - Visibility splays; and
  - On-site parking provision.
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