

Ref: CAP/5578/(8Sept2023)AppSub

Wrexham County Borough Council
Planning Service
16 Lord Street
Wrexham
LL11 1LG



8 September 2023

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
SUBMISSION OF PLANNING APPLICATION AND ADVERTISEMENT CONSENT FOR THE
ERECTION OF A WE BUY ANY CAR POD WITHIN CAR PARK
MORRISONS, RUTHIN ROAD, WREXHAM, LL13 7UA**

Introduction and Context

Peacock + Smith have been instructed by our client, WM Morrison Supermarkets (Morrison's), to prepare and submit applications for planning permission and advertisement consent to Wrexham County Borough Council, under Section 62 of the Town and Country Planning Act 1990 (as amended).

Consent is sought for a WeBuyAnyCar pod with associated advertisements within the existing Morrison's foodstore car park at Ruthin Road, Wrexham. The WeBuyAnyCar pod would be ancillary to our client's existing retail convenience offering at the site.

In addition to this planning covering letter, the following documents and plans are submitted with the application:

- 417_PL_01 Location Plan
- 417_PL_02 Proposed Site Plan
- WBACSOgV1 Rev 01 Off Grid POD
- Design and Access Statement, prepared by Whittam Cox Architects

The relevant planning application fee has been paid via the Planning Portal.

Site and Surroundings

The application relates to part of the car park associated with the adjacent Morrison's foodstore. The Pod would be sited on 2 existing standard car parking bays, however it is anticipated that the 10 adjacent car parking bays would also be used in association with the WeBuyAnyCar operation. The proposal would be accessed using the existing road infrastructure from Ruthin Road.

The overall Morrisons site is bound by Wrexham Maelor Hospital to the north, a railway line to the east, Ruthin Road to the south and an Aldi supermarket and car park to the west. The Morrisons car park is accessed via Ruthin Road, with pedestrian links also provided via Ruthin Road. There are bus stops located on Ruthin Road and Centenary Road providing further accessibility to the site.

The wider area is in mixed-use with a number of residential/educational/community/commercial uses and sites within the vicinity. There are no Conservation Areas within the vicinity of the site. The site does not contain any listed buildings or Scheduled Ancient Monuments. The nearest listed building is approximately 280m away in a north-easterly direction (Grade II Former Crossing Keeper's Cottage). There are no known Tree Preservation Orders at the site. According to Natural Resource Wales' Development Advice Map, it appears that part of the application site (defined by the red edge on the submitted Proposed Site Plan) is situated on the edge of Zone C2 (without significant flood defence infrastructure), but it is believed the pod location itself is just outside of this and therefore within Zone A (considered to be at little or no risk of fluvial or coastal/tidal flooding). Natural Resource Wales' Flood Map for Planning shows part of the overall application site as being in Flood Zone 2 (largely following the Zone C2 area as above), but again it is believed that the actual pod location is within Flood Zone 1.

Planning History

The Council's Public Access portal reveals the following recent applications that are considered relevant to the current application (in chronological order):

P/2012/0338 - Display of 9 no. Non-illuminated signs (partly in retrospect). Approved 2 July 2012.

2012P/2012/0339 - Erection of steel mesh timber framed fencing to part of existing store canopy to use as external garden centre (in retrospect). Approved 2 July 2012.

P/2016/0885 - Display of 3 no. Internally illuminated fascia signs, 1 no. Internally illuminated totem sign and 14 no. Illuminated and non-illuminated other signs. Approved 25 October 2016.

P/2020/0500 - New vehicular parking canopy to facilitate home shopping offer. Approved 8 December 2020.

The Proposal

Our client seeks planning permission for the placement of a WeBuyAnyCar pod within the car park and associated advertisement consent for signage on the pod. The offering would be a pocket showroom, with cars for trade sitting in adjacent car parking spaces. WeBuyAnyCar would offer people the opportunity to have their vehicles valued and/or the ability to sell their vehicles. No cars are sold from

the site. Cars would be purchased only and then taken off site and sold at auction. WeBuyAnyCar.com's online service allows for the agreement of a mutually convenient collection time at the site where inspection of the vehicle and agreement of the sale will occur. There would be a maximum of 10 cars parked at the site at any one time, however this is more likely to be 4-6 on a normal day. The sold vehicles will remain in a space until collection. The regular collection of vehicles would mean no overspill onto adjoining areas of the car park. The cars would stay on site for a maximum of 72 hours, but this period is normally shorter. The cars would be removed from site by a plate driver, rather than a vehicle transporter, as there is a WeBuyAnyCar.com auction house located within the locality. The plate driver would collect and move the vehicles from the site to the auction house on an almost daily basis.

The WeBuyAnyCar pod would sit on top of the existing car park (over 2 standard spaces) on legs and require no major excavation or ground disturbance. The pod would be secure, with no keys left on site overnight. Therefore, no security alarms would be fitted, however there would be a fire safety alarm in the pod. The pod would be manned by a single person but occasionally it may include two employees on site. The employee's regional manager may also visit the pod occasionally, or staff may receive on the job training whilst working. The highest number of WeBuyAnyCar employees on site at any one time would be three. The pod is proposed to be open on Monday-Friday (09:00-19:00), Saturday (09:00-18:00) and Sunday (10:00-17:00).

An example image of the pod is shown below:



Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan comprises Wrexham Unitary Development Plan (UDP), adopted in February 2005. Within the policies map, the site is not allocated for any purpose/use.

The UDP policies considered relevant to this application are:

Policy GDP1 General Development Principles – States that all new development should satisfy a number of requirements, including ensuring that built development in its scale, design and layout, and in its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the nearby locality. New development should also ensure safe and convenient pedestrian and vehicular access to and from the development site, ensure the safety and amenity of the public, safeguard the environment from the adverse effects of pollution of water, land or air, hazards from industry and quarrying, and associated noise, odour or vibration arising from development, and ensure that development does not result in, or is subject to, flooding, soil erosion, landslides or contamination, either on or off the site.

Policy EC13 Surface Water Runoff – States that development which would result in an unacceptable adverse impact on the water environment due to additional surface water run-off will not be permitted.

Planning Policy Wales (PPW), Future Wales: The National Plan 2040 and the associated Technical Advice Notes (TANs) are material planning considerations that must be taken into account where it is relevant to a planning application.

Planning Considerations

Principle of Development

The site is within an established urban area within Wrexham, close to the town centre, so would provide an accessible key service within an existing built up area. The proposal is ancillary to the Morrisons foodstore and not considered a destination in its own right. Customers are highly likely to use the proposed facility as and when they are visiting the foodstore. The proposal is limited in scale and proportion, and would function as an ancillary facility to the existing Morrisons foodstore. Therefore, the overall retail character of the site would not be affected.

The on-site WeBuyAnyCar concept follows many supermarkets around the country that have provided small, ancillary uses as part of their overall offering. In addition, the choice of location for the proposal is not only complementary to the existing use of the site but also purposefully promotes economic activity within an existing retail location.

On this basis, we consider that the proposed development would accord with the requirements of PPW and Policy GDP1 of the UDP.

Design

The pod is proposed to be sited in the existing Morrisons car park. It would measure 3.2 x 4.8m and be 2.8m high. The proposal is small enough to be considered inconspicuous in the context of the wider site and would not adversely affect the setting of the nearest listed building due to the small scale nature of the proposal and the intervening distance.

The prefabricated modular single storey pod is constructed using high quality, environmentally efficient, factory-controlled construction techniques. The pod is sited to the rear of the existing parking bays to allow space to the front for customers / staff to exit the pod without entering directly into oncoming traffic. The pod proposed is the 'off grid' model, which generates electricity from PV solar located on the roof, with heating generated by combustion of HVO fuel. In this respect, despite the extremely small-scale nature of the proposal, regard has been paid to maximise the sustainability of the design.

The pod would be placed on Jack Pads to level it on the existing car park surface. The elevations are formed from composite panels which will also display vinyl signage. The signage proposed is sufficient to advertise the use of the pod, without representing proliferation of signage. For further information please see the additional drawings submitted as part of the application.

Based on the proposed design and the details provided within the Design & Access Statement and proposed plans, the WeBuyAnyCar pod is considered to accord with the requirements of Policy GDP1 of the UDP and the policy contained within PPW.

Parking Provision and Highways Impacts

In terms of impact to the highway network, as set out, the proposal is of a limited scale. It is likely that people using the WeBuyAnyCar pod may use it in conjunction with a visit to the supermarket itself. Access to the pod is via the existing Morrisons car park access and through the existing retail car park. Careful consideration has been given to the positioning of the pod to ensure that there is no disruption to vehicular and pedestrian circulation and that the site will continue to operate as existing. The pod

would be positioned on 2 existing car parking bays. Existing white lines will be burnt off and the new area will be de-marked to provide safe access into the new pod. The proposal would have very little impact on the site as it will make use of spaces out of the way from where Morrisons customers normally park.

With these aspects considered, the proposal would not have any adverse impact on overall parking provision, highways impacts and highway safety and would be consistent with Policy GDP1 of the UDP.

Flood Risk

Paragraph 6.6.16 of PPW states that surface water flooding can arise as a result of run-off from built surfaces. Paragraphs 6.6.25/26 state that development should reduce, not increase, flood risk arising from river and/or coastal flooding on and off the development site itself and that the undeveloped or unobstructed floodplain should be protected from development. In areas of flood plain currently unobstructed, where water flows in times of flood, built development should be wholly exceptional.

In terms of the risk to the development itself from flooding, as above part of the overall red edge application site is on the very edge of Flood Zone 2 (when consulting Natural Resource Wales' Flood Risk for Planning) meaning that it is at medium probability of flooding from rivers and/or the sea. It is believed that the pod site lies within Flood Zone 1 which notes a low probability of flooding, although it is acknowledged that some of the car parking spaces adjacent are just within Flood Zone 2. However, even if the entire development site were within Flood Zone 2, the use proposed is a less vulnerable use, as confirmed by Technical Advice Note 15 (TAN15). Less vulnerable development describes development where the ability of occupants to decide on whether they wish to accept such risks is greater than that in the highly vulnerable category. As the proposed use is a less vulnerable one and is a commercial use that will be used during the day time only, it is considered that the use and location of the proposal is suitable for the site in this instance. In addition, the pod would be built with legs so would be slightly elevated from the car park surface, meaning that any shallow flood water (should the site experience flooding), should be able to pass underneath the pod.

In terms of potential flood risk from the development, should it be implemented, the proposed pod is very small, taking up only 2 car parking bays. The surface area for rainwater run-off from the roof of the pod would be the same as that from the existing car park surface. Therefore, no local flooding or detrimental conditions are envisaged and there are no direct risks from flooding as a result of the development. It therefore must be stated that the proposed modular pod will not have a detrimental effect on the flood risk to the existing area or businesses on site. The placement of the pod on top of an already hard, impermeable surface within the car park will not increase flood risk in the area or change

the way in which surface water drains from the existing car park surface. The proposal will not be creating any new hard surfacing.

In light of the above, the proposal would be consistent with Policies GDP1 and EC13 of the UDP. In addition, TAN15 states that for less vulnerable development, developments are acceptable on the basis that occupiers are aware of the flood risk and the development does not result in an increase in flooding elsewhere. This would be true of the proposed development being applied for.

Conclusion

This planning application seeks approval for the placement of a WeBuyAnyCar pod, and associated advertisements, at the Morrisons Foodstore, Ruthin Road, Wrexham.

In light of the above, we respectfully request that planning permission and advertisement consent be granted for the proposed development.

Should you have any questions in relation to the proposed development or it would be helpful to discuss any aspect of the application in more detail, please do not hesitate to contact Carolyn Attwood-Parry by email: carolyn.attwood-parry@peacockandsmith.co.uk

Yours faithfully,



PEACOCK AND SMITH