

Design & Access Statement

**Application under Section 73a of the Town and Country Planning Act 1990 for
Change of use of land from Agricultural to Commercial**

Park Farm
Bowling Bank
Isycoed
Wrexham
LL13 9RU



On behalf of
JCS Transport Ltd.

May 2023

Contents

1.0	Introduction
2.0	Site Location and Description
3.0	Principle of the Development
3.1	Description
3.2	Use
3.3	Scale/Amount
3.4	Layout
3.5	Appearance
3.6	Residential Amenity
3.7	Community Safety
4.0	Potential impacts
4.1	Transport and Highways impact
4.2	Noise impacts
4.3	Contamination risks
5.0	Drainage
6.0	Environment
7.0	Planning Policy
8.0	Conclusions

1.0 Introduction

- 1.1 The land subject of this retrospective application for a material change of use is part of the land at Park Farm, Bowling Bank; and has been produced as an explanatory supplement to the following submitted drawings:

SHA174/00 Site Location Plan
SHA174/01 Existing and Proposed Site Plan

- 1.2 This application seeks retrospective planning permission for the parking of three heavy goods vehicles for commercial use on part of the existing former farm yard.
- 1.3 Therefore, the proposal is for a change of use of land from an agricultural use to a commercial use.

2.0 Site Location and Description

- 2.1 Park Farm and its associated buildings are located in Bowling Bank, to the east of Wrexham, OS Grid Reference SJ 406 512.
- 2.2 It is indicated by the pointer on the map below.



3.0 Principle of the Development

3.1 Description

- 3.1.1 The land which is the subject of this application forms part of the existing former farm complex which has an implemented Planning Permission under reference ISY P/2007/0840 for the conversion of the agricultural units into 6 dwellings.
- 3.1.2 Mr Sherlock has purchased the land with this extant permission and intends apply to convert these units into a single dwelling for himself and his family.
- 3.1.3 Mr Sherlock is also the owner of JCS Transport Ltd, an HGV business.
- 3.1.4 Mr Sherlock has parked his vehicles here having been granted a Heavy Goods Vehicle Operator's Licence dated 20/02/2023 where Park Farm is the address cited as the operating centre.
- 3.1.5 The site is local to the applicant's catchment area for his business and he recovers and recycles materials in a responsible way which contributes to the objectives of sustainable waste management.
- 3.1.6 This solution also minimises the number of unnecessary HGV vehicle movements, HGV road miles, fuel consumption and carbon emissions.

Operating centre(s)

Operating Centre:	Address:	Heavy goods vehicles	3
	PARK FARM BOWING BANK WREXHAM LL15 9RU	Trailers	3
Conditions Underwritten	or		

GOODS VEHICLE OPERATOR'S LICENCE

THIS LICENCE MUST NOT BE ALTERED OR DEFACED IN ANY WAY

Issued to: **Jamie Sherlock**
JCS TRANSPORT LIMITED
6 BECK STREET
SUMMERHILL
WREXHAM
LL11 4UF

Office of the Traffic Commissioner
Wales
Swyddfa Perfform Pwera
Ffordde Paffell
Caernarfon
Gwynedd
LL55 1BN
0300 123 9000

Licence number: GD2062400
NOT TRANSFERABLE

Goods Vehicle Standard International

2002/00293

This licence is in force from: 2002/00293

This licence will continue for as long as you continue to meet the terms. However, it will come to an end if you do not pay the continuing fee by the date required. The licence may also be revoked if you do not pay the fee by the date required. You have paid for the fee for a period of five years, which starts on the date the licence was issued. The continuing fee must be paid before the end of the five year period commencing on the date the licence was issued. Please see note 1 for further details.

This document is an operator's licence issued under the Goods Vehicles (Licensing of Operators) Act 1995 (the Act). The undertakings recorded on the licence have been given by the licence holder and are considered to be material to the grant of the licence. In the case of a licence first issued before 1 January 1996, the recorded undertakings include statements of misconduct by the operator.

The maximum number of motor vehicles and trailers authorised in accordance with section 6 of the Act is:

Motor vehicles: 3 Heavy goods vehicles
0 Light goods vehicles

These are vehicles of over 2.5 tonnes and up to and including 3.5 tonnes, excluding either as an individual vehicle or when combined with a trailer

Trailers (no semi-trailers): 3

Traffic Commissioner

Date of issue or re-issue: 2004/02/03

Notes:

1. The continuation fee is payable before the end of the month which precedes the date of expiry of a period of five years, beginning with the date of either the issuing of the licence or the most recent 5 year anniversary of that date, whichever is the later. There is no legal obligation for the traffic commissioner to send a reminder that the continuation fee is due on the day for fee. If you have received no contact two weeks before the continuation fee is due, you must immediately contact the Central Licensing Office.

UNDER SECTION 22 OF THE GOODS VEHICLES ACT 1988 - STANDARD INTERNATIONAL LICENCES

8 days of their occurrence, inform the Traffic Commissioner.

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3.2 Use

- 3.2.1 The land in question is already laid to hardstanding due to its former agricultural use.
- 3.2.2 Therefore, retrospective Planning Permission is sought for a material change of use to allow for Commercial use.

3.3 Scale/Amount

- 3.3.1 The existing space comprises a large open plan area of approximately 1038m² of hardstanding previously used by large farm vehicles/machinery.

3.4 Layout

- 3.4.1 The site layout can be seen on drawing SHA174/01 - Existing and Proposed Site Plan, and it remains physically unchanged by the new category of use.

3.5 Appearance

- 3.5.1 The existing agricultural yard is itself very utilitarian and is not visually attractive.
- 3.5.2 Materially, the area is a concrete hardstanding which is already suitable for the parking and turning of HGVs and no changes to the physical terrain are taking place.
- 3.5.3 Externally, the proposals do not affect the view from the road other than in the vehicle type.

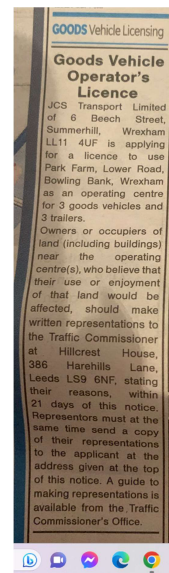
3.6 Residential Amenity

- 3.6.1 These new arrangements will not result in any significant implications for the residential amenity of the neighbouring properties and the only dwelling within sight of the address is sideways on to the parking area and with no overlooking windows.



- 3.6.2 When applying for the Operator's Licence, Mr Sherlock paid to advertise the application in the Wrexham Leader (dated Wednesday January 11th 2023).

Owners or occupiers of nearby land (and buildings) were invited to make written representations if they believed the use or enjoyment of their land would be affected by the use of Park Farm as an operating centre.



3.7 Community Safety

- 3.7.1 The site will not have an impact on safety issues as it is situated on privately owned land with no public rights of way over it.

4.0 Potential Impacts

In line with the Town and Country Planning General Permitted Development Order 1995 (As Amended), this document has assessed the potential transport/highway, noise and contamination impacts associated with the change of use.

4.1 Transport and Highways Impact

- 4.1.1 The access is as existing access previously used by farm vehicles.
- 4.1.2 As noted in the planning approval to convert the barns, the existing southern access will achieve a visibility splay of 2.4 x 45m in both directions.
- 4.1.3 The applicant has 3 vehicles kept at the site when not in transit.
- 4.1.4 Vehicles leave between 5 am and 7 am and return between 5 pm and 7 pm on a weekday; and no traffic movements usually take place at weekends or on Bank Holidays unlike with farming movements.
- 4.1.5 One of the vehicles leaves on Monday and returns on Friday.
- 4.1.6 There are no major fluctuations in the intensity of the above traffic movements.
- 4.1.7 The low-key scale of the applicant's activities suggests that serious noise nuisance is unlikely as routine operations should not in principle be noisier than other comparable agricultural work.

4.2 Noise impact

- 4.2.1 Business operations do not take place at the location and as such, there is no additional noise impact created by the change of use of the land other than the traffic movements noted above.

4.3 Contamination Risks

- 4.3.1 JCS Transport Ltd. has a Standard Industrial Classification (SIC) of:
 - 38110 - Collection of non-hazardous waste; and
 - 49410 - Freight transport by road

5.0 Drainage

- 5.1 The surfacing is existing concrete hardstanding which is managed via existing surface water soakaways.
- 5.2 These drains are capable of taking all the surface water and there is no foul drainage associated with the application.

6.0 Environment

- 6.1 As no works to the buildings are proposed under this particular application, there are considered to be no ecological or environmental impacts or concerns.

7.0 Planning Policy

- 7.1 We have sought guidance from Planning Policy Wales first published in 2002 and most recently revised in February 2021 (PPW11) as this document contains current land use planning policy for Wales.
- 7.2 PPW has been referenced as it provides the policy framework for the effective preparation of local planning authorities' development plans.
- 7.3 This is supplemented by 21 topic based Technical Advice Notes (TANs) and procedural guidance is given in Welsh Office / National Assembly for Wales / Welsh Government circulars which have also been addressed.

8.0 Conclusions

To summarise:

- It has been demonstrated that:
 - a) The site has a previous history of vehicular movements as a working farm and its new use does not significantly increase this number; it is not detrimental to highway safety, nor does it unduly harm neighbour amenity.
 - b) There are no visitor appointments to deliver/collect from the site.
 - c) There are no adverse noise impacts created by the diversification.
 - d) There is no risk of contamination associated with the change of use of this land.
 - e) There are no environmental demands on the site in terms of biodiversity, energy, water, or waste.
- Provisions introduced within the planning system over recent years have expanded the options for rural diversification and the material change of use of land in this instance is shown to adhere to planning policy as it supports business within the rural community.
- The re-classification of this land is considered a sustainable use of resources.
- An HGV Operator's Licence has already been approved at this address.
- In this situation no significant modification or alterations have been required or made to enable its re-use in connection with the applicant's business.
- There are no negative environmental impacts because very little will change as a result of this technical change of land use.
- Therefore, it is considered that the re-use of this former agricultural land is a sustainable development.

Having demonstrated that the change of use imposes no negative impacts and is policy compliant, it is respectively requested that the submitted retrospective Planning Application be positively determined.