

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING – 3 OCTOBER 2022

APPLICATION NO:
P/2022 /0008

LOCATION:
ROSSETT PARK THE GREEN
ROSSETT WREXHAM
LL12 0DS

DATE RECEIVED:
04/01/2022

COMMUNITY:
Rossett

CASE OFFICER:
SEH

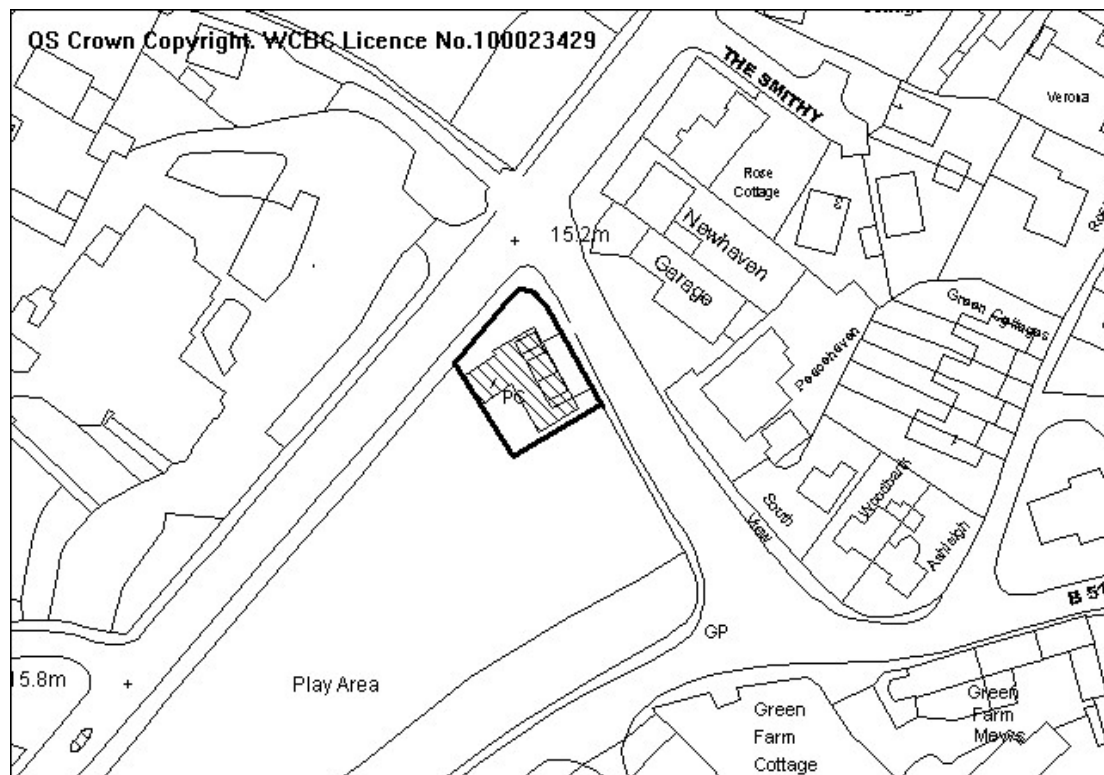
WARD:
Rossett

DESCRIPTION:
DYMCHWEL BLOC TOILEDAU NAS
DEFNYDD AC ADEILADU CANOLFA
GYMUNEDOL NEWYDD GYDA
GWAITH MEWNOL / DEMOLITION
OF DISUSED TOILET BLOCK AND
CONSTRUCTION OF NEW
COMMUNITY HUB WITH INTERNAL
WORKS

AGENT NAME:
WENDY PACE

APPLICANT(S) NAME:
WENDY PACE
ROSSETT COMMUNITY COUNCIL

THE SITE



PROPOSAL

As above

RELEVANT HISTORY

P/2022/0009 Conservation Area Consent for Demolition of Disused Toilet Block - PENDING

P/2021/0038 Demolition of Disused Toilet Block and Construction of New Community Hub - WITHDRAWN

P/2021/0039 Conservation Area Consent for Demolition of Disused Toilet Block - WITHDRAWN

DEVELOPMENT PLAN

Inside of a defined settlement limit and conservation area. UDP Policies PS1, PS2, PS3, PS4, GDP1, CLF3, CLF4, T8, EC4, EC6, EC7 and EC13 apply. LPGNs Nos. 4 (Conservation Areas), 16 (Parking), 17 (Trees) and 32 (Biodiversity) are also relevant.

CONSULTATIONS

Community Council

Being the Applicant for this application, we make no comment.

Local Member

Councillors Jones and Shepherd request that this application be reported to planning committee.

Highways

The development site is located on The Green, which is an unclassified road subject to a 20mph speed limit. Assuming speeds of 20mph, any proposed / existing access in this location would normally be required to provide visibility splays of 2.4 x 25m in both directions measured to the nearside edge of the adjoining highway in accordance with Manual for Streets.

A previous application at the site (Planning Ref: P/2021/0037) for a new community hub included plans indicating the construction of a new car park to serve the proposed development accessing onto The green at approximately the same position as an existing gated maintenance access.

In order to provide adequate visibility from the proposed access, a Traffic Regulation Order would normally be required (funded by the applicant) to install double yellow lines on both sides of the road along the whole length of The Green. Without such an order, parked cars would impede visibility in both directions from the proposed access.

A Traffic Regulation Order has recently been introduced to provide 2 hr. limited waiting bays along the western side of the road to deter commuter parking. I understand from our Traffic Section that a proposal for double yellow lines along both sides of The Green is currently being considered due to the on-going issues of indiscriminate parking by parents at school drop off

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and collection times which is causing highway / pedestrian safety issues in this area. The simultaneous two way flow of vehicles along this section is also difficult given the remaining limited carriageway width with the on-street parking bays being in place. I understand from our Traffic Section that the proposed measures are unlikely to be supported through any consultation process. If the application is supported then I assume a Grampian style condition could be imposed to ensure this can be achieved.

The existing maintenance access is 4.8m wide and is gated approximately 1.6m behind the edge of carriageway. I would recommend that any proposed access is a minimum width of 4.8m to facilitate two way movements. Any proposed access would need to be surfaced with hard bound materials for a minimum distance of 5m behind the highway boundary. I would recommend that no gates are erected across the proposed access.

The current application does not include any off street parking provision for the proposed development which is considered unacceptable. The applicant suggests in the Design & Access Statement that the majority of visitors to the site will arrive mainly on foot and anybody arriving by car can park on the adjoining highway. Given the existing parking issues in this area and the potential for visitors to the site to arrive by car, it would be difficult to support such a proposal without the benefit of adequate off-street parking provision. Any proposed car park serving the development site would need to comply with the requirements of LPGN 16. The proposed development appears to be a mixture of Class D2 / A3 use. The applicant appears to have based the parking requirement assessment on an overall Class D2 Use with the café / service counter area being treated as ancillary to this use.

If this is considered acceptable to Planning, then Class D2 use would normally require a maximum of 1 car space per 15m² ground floor area. This would equate to a maximum requirement of 11 spaces for a gross floor area of 160m². Parking demand would obviously be higher if part Class A3 use is included. The proposal does not include any off-street parking provision which is considered unacceptable.

The Design & Access Statement does refer to alternative parking areas that the hub could potentially utilize by agreement. These include the existing parking bays along The Green , the B5102 Holt Road, Chris The King Catholic Church Parking and Rossett Hotel Parking. It is not clear as to what agreement is in place for the church and Rossett Hall Hotel parking. Further information would be required on such proposals.

If the application is to be supported, then I would recommend that a suitable condition is included which prevents food and drink being consumed off the premises. This would in theory limit any likelihood of any indiscriminate parking along this section of road. As previously discussed, I would recommend that the proposed hub provides a minimum of 6 off-road spaces. This would at least provide 55% parking provision compared with LPGN 16 maximum standards (assuming Class D2 use is accepted for whole development). I would recommend that a suitably scaled layout plan is

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submitted indicating this detail. If the application is supported then I assume a Grampian style condition could be imposed to ensure that the TRO proposals indicated above are implemented. It is considered that these measures would provide an overall benefit to the existing highway issues in this location.

NRW

This proposal is not considered to represent an increase in foul discharge from the site, we are satisfied that it is unlikely to increase the amount of phosphorus entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Dee and Bala Lake SAC.

PP

No objections subject to the imposition of standard conditions and advisory notes in relation to noise and odour restrictions.

Contaminated Land

No comments

WW

No objections subject to the imposition of standard conditions and advisory notes in relation to drainage.

Council's Ecologist

The recommendations of the submitted ecological report should be adhered to in full. Whilst the site does not offer significant ecological value, Welsh Government Planning Policy Wales and subsequent letter to LPAs requires development to provide a net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped. The site has opportunity for significant improvement, therefore a further ecological enhancement plan should be secured, by planning condition, for further approval.

Council's Tree Officer

No objections to the proposed removal of the willow tree as identified however any proposed losses to tree coverage must be mitigated for along with additional tree planting to enhance both canopy cover and biodiversity. A condition is therefore required to secure a landscaping scheme, for further approval.

Existing trees proposed to be retention, yet within influencing distance of the development are to be afforded appropriate protection from construction activities. A planning condition is therefore required to secure the submission of an arboricultural method statement, for further approval.

Council's Conservation Officer

The application site sits at the eastern end of Rossett Conservation Area. The Conservation Area Assessment and Management Plan identifies Rossett Green (the park) as an important open space which provides a barrier between the more historic area of the village and modern developments to the east.

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The existing toilet block is from the latter half of the 20th Century and adds nothing to the character of the Conservation Area. I am supportive of its demolition to make way for something with a higher design quality.

The proposed building is clearly modern and has been designed with its setting in mind. The materials palette chosen fits with its green-space location and the wider Conservation Area. Particularly appropriate features include the use of a red brick to emulate nearby buildings of visual interest. Although larger in footprint than the existing structure, the use of mono-pitched roofs has kept the overall height will be slightly below the current structure. This, along with existing screening to key views, should keep minimise any intrusion on key views at the entrance to the Conservation Area.

Press Notice

Expired on 02/02/2022

Site Notice

Expired on 02/02/2022

MP Correspondence

Sarah Atherton MP, supports this application which will serve the local community and provide a centre for community activities. The new hub will replace a derelict toilet block which has been closed for 5 years and has become the subject of vandalism.

I understand that residents in Rossett have concerns with the loss of green space as a result of the initial plans. However, I am confident that these concerns have been mitigated by the new reduced proposals which balance the needs of the community and the value of Rossett Park as an area of green space.

The team behind the proposal has undertaken extensive research into how users will access the Hub. This research shows that most peoples that will use the centre will not use a car, which has contributed to the final design. These findings should alleviate any cause for concerns about car parking.

Overall, the park is a well-used, beautifully maintained green space and an asset to the community which would be complemented by the proposed community hub.

Neighbours

Objections:

- Demolition of the existing building is unnecessary and more efforts should be made to retain this asset;
- The applicant has not explored any options for the retention of this building or its re-use other than for a community-hub;

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- The toilet block is of good quality construction, condition and with good accessibility. The proposed new building will reduce the usable WC facilities for local residents;
- The building is not disused, unusual and derelict as described by the applicant. It is still used on a daily basis by park wardens for both essential equipment storage, for park maintenance equipment and for a defibrillator;
- The visual impact of the toilet block on the Conservation Area is minimal due to its tucked away position, its scale and its external construction materials and finish. The only negative the building has is the concrete tiled roof which could be replaced at minimal cost;
- The buildings contribution to the Conservation areas is that its scale and purpose does not dominate its setting;
- The toilet block requires very limited repair, maintenance and energy usage;
- The toilet block is a valuable asset to the community;
- The proposed community hub would harm the quiet enjoyment of this area of the park for existing users;
- The proposed hub would result in an increase in vehicle movements, antisocial behaviour, light pollution and security concerns putting surrounding residents at greater risk.
- The development would have an adverse impact on The Green and school children who use it daily to and from the school;
- The increase in traffic will be adverse, particularly during periods of the school run, exacerbating traffic problems in the area;
- Traffic levels in the area are already significant – both in terms of the type, size and amount of use. This development would worsen this position and result in adverse highway safety implications and harm being caused;
- There is insufficient off-street parking provision;
- There is no indication of how the development would be maintained, operated and managed;
- There are existing amenities elsewhere within the village that provide all of the facilities offered by this development;
- There will be a loss of toilet facilities to park users of approximately one third if this development is approved;
- The extent of hardstanding proposed by this development would result in a 13.4% loss of the park;
- There is no facility for bicycle or mobility scooter storage, recycling or ad hoc seating areas;
- The development would adversely affect not only the park but the northern access/gateway;
- The application forms are full of inaccuracies in relation to the measurements and size of the development which cannot be relied upon;
- The proposed building will be three times the size of the existing development which is poor design and will have an adverse impact. The use of construction materials is not in-keeping with any surrounding buildings;

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- The extensive use of glazing is an unnecessary feature which would compromise the traditional character of the parkland area;
- The proposed solar passive gain the application would rely upon, would be significantly reduced during the winter months;
- The development neglects the importance of this site as a historic asset to the area and to Wales. The proposals are in direct conflict with the guidance provided by CADW and local and National Planning Policies which seek to preserve the appearance of Conservation Areas and their setting;
- There would be a long term adverse impact upon the natural environment – trees and hedgerows, habitats and green space – all of which provide an invaluable asset and make a significant contribution to the character of the area;
- A more up-to-date ecological and tree survey should be undertaken;
- The information contained within the application submission relating to the public consultation event is incorrect and misleading;
- The development does not comply with the Wrexham County Borough Council LPGN 4, LPGN 6, LPGN 7, LPGN 9, LPGN 15, LPGN 16, LPGN 17, LPGN 24, LPGN 32;
- The development does not comply with the Rossett Conservation Area Assessment and management Plan;
- The development does not comply with the Public Protection Memorandum dated 17/01/2022 for Rossett Park and the Green Rossett;
- The development does not comply with the Wrexham County Borough Council Urban Development Plan;
- The development does not comply with the Welsh Government Technical Advice Notes 5, 16 and 24;
- The development does not comply with Planning Policy Wales paragraphs 17, 125, 127, 128 and 131;
- The development does not comply with the Building Better Places paragraphs 21 and 135;
- The development would result in existing community facilities (offering the same services) to close;
- The development would result in the loss of 100m² of playground for children to be replaced by the building for which there is no identified need;
- There are discrepancies within the application details about the size of the proposed building. Which is correct?
- The development would result in a loss of open space;
- The Members of the Planning Committee should visit the site before arriving at a decision to observe and assess the impact to the entrance to the Conservation Area and from Chester Road;
- The playground to be lost is still used and needed, contrary to the comments within the application, and should be protected;
- The development would lead to the loss of the local post office and library;
- The toilet block was successfully re-opened in 2019 contrary to the applicants views that this facility is not needed;

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- The demolition and construction works would be contrary to the principles of zero carbon. Refurbishment of the existing building is the most appropriate means of achieving this;
- Much of the data relied upon in the ecological survey expired in June 2020. This cannot be considered to be up-to-date and accurate;
- The development would result in an invasion of privacy for neighbouring residents;
- The development would result in an increase in litter;
- The development would result in an increased risk to pedestrian safety given the lack of safe pedestrian access;
- There would be an adverse loss of valuable green space;
- There is a lack of evidence that this facility would be needed or supported by the wider local community and users of the park;
- The feasibility study undertaken is inaccurate and not comprehensive. It does not truly reflect the views of local residents due to the nature and wording of the questions asked;
- The development would result in an adverse impact upon the residential amenity of neighbouring dwellings and properties;
- The Rossett Village Hall already provides all of the facilities that would be delivered;
- The village café provides facilities and services which would be adversely affected by this proposal;
- There is danger of attracting more parked cars in the vicinity of the area. The funds could be better spent developing other facilities such as an outside gym as seen in Gresford;
- A conveyance for the land specifically states that there should be no building on the Green and that the land should be used solely for children to play;
- There is a danger that this development would erode the use of the park.

Support

- This is an exciting development which would benefit many people within the community and encourage other businesses to the area;
- The proposed services would assist the well-being of the community and address issues of isolation felt by many;
- This is a great opportunity to develop an unused and deteriorating community asset;
- The central location of the facilities proposed would make the services much more accessible to enable residents to meet more frequently who have found the Community Café a lifeline to enable social interaction;
- The development would result in a purpose built community facility that we would be proud of and be able to easily access;
- The location of the facility within the park would enable us to extend the intergenerational activities which we have enjoyed so much;
- The existing community café is reliant upon the goodwill of the building's owner. Having a dedicated space with easy access and space for cooking facilities and storage would mean being able to expand further activities and support to create a stronger community

within the village. The proposal would be of huge benefits to the community, older residents and create an inclusive place for all sections and ages of the village, strengthening intergenerational ties and reducing social isolation;

- The existing toilet block is an eye sore, which would be improved through this development;
- The space taken up in the park for this development would be minimal. People would walk and cycle to this facility;
- The development would be of great benefit to the community;
- The enhanced facility would improve the mental health for residents as a good focal point in the village for social interaction and use;
- The development would let the village thrive for years to come;
- The application site is located near to a bus stop which would enable sustainable access to the site and justify the lack of parking provision;
- The development would tie-in well and support local businesses in the village;
- The development would be of particular benefit to the children in the local community.

SPECIAL CONSIDERATIONS

Background: Proposed is the demolition of the existing toilet block and replacement with a single storey building for use as a community hub. There is no requirement for the applicant to demonstrate that there is no longer a need for the toilet building, to find alternative uses for the building, or to provide these toilet facilities in perpetuity.

The relevant considerations for this application are therefore, the encroachment of the development upon the green park space, the visual impact of the development upon the conservation area and locality, the impact upon trees and ecology, residential amenity and highway safety.

Scale, Design and Conservation Area: The new building will occupy approximately 400 m² of the park, compared to approximately 100 m² of park currently occupied by the toilet block. The Park itself is approximately 6,000 m² in size, with this development occupying approximately 7% the Park. This is not considered to be a significant encroachment within the park, and this area is lesser used than the rest of the Park.

Given its dual use as a community facility, the proposed use is compatible with the existing Park and should be encouraged in accordance with UDP Policy CLF3 to improve the facilities at the Park. In accordance also with Policy CLF4, the redevelopment is of only a small part of the site and enhances the Park as an existing facility.

The application site sits at the eastern end of Rossett Conservation Area. The Conservation Area Assessment and Management Plan identifies Rossett Green (the Park) as an important open space which provides a barrier between the more historic area of the village and modern developments to the east.

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The existing toilet block is from the latter half of the 20th Century and adds nothing to the character of the Conservation Area. The existing building does not contribute to the unique character of the area, and as such, priority need not be given to preserve or enhance the building (see images 1 and 2 below). The demolition of the building to make way for something with a higher design quality is supported.



Image 1. Existing Toilet Block



Image 2. Existing Toilet Block

The proposed building is clearly modern and has been designed with its setting in mind. The materials pallet chosen fits with its green-space location and the wider Conservation Area. Particularly appropriate features include the use of a red brick to emulate nearby buildings of visual interest.

Although larger in footprint than the existing structure, the use of mono-pitched roofs has kept the overall height will be slightly below the current structure. This, along with existing screening to key views, should keep minimise any intrusion on key views at the entrance to the Conservation Area.

The proposed materials pallet for the replacement building includes the use of a red brick to more prominent elevations, which will match buildings of character along Chester Road. The use of materials with a more natural colour pallet will also be an enhancement to the Conservation Area (see images 3, 4 and 5 below).



Image 3. Proposed Community Hub



Image 4. Proposed Community Hub



Image 5. Proposed Community Hub

Although on a larger overall footprint, the proposed design does not appear to have any more of an impact than the existing building, and could easily be considered to sit more comfortably in its setting than the current toilet block. (see images 6 to 9 below). The building to be demolished is a comparatively modern toilet block and therefore of not historical significance. Its demolition to make way for the development proposed under P/2022/0008 will therefore not have an adverse impact upon the Conservation Area and therefore not conflict with Policy EC7.



Image 6. Rossett Park



Image 7. Indicative Proposed Site

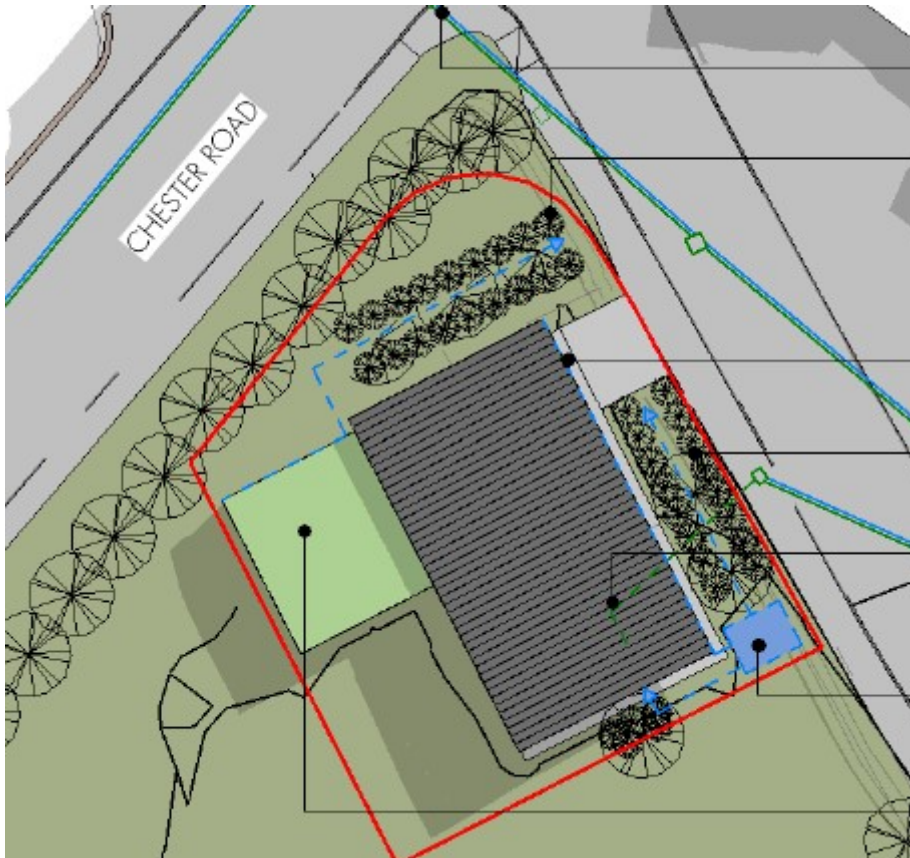


Image 8. Proposed Community Hub



Image 9. Indicative Proposed Site

The building will not be adjacent to or fronting residential development, and so there will be no issues in relation to loss of light or privacy. Subject to restrictions on the hours of use of the building, there are no concerns that the proposed Hub would have a detrimental impact upon local residential amenity.

Ecology and Trees: The ecologist advise that the recommendations of the submitted ecological report should be adhered to in full is accepted. Whilst the site does not offer significant ecological value, Welsh Government Planning Policy Wales and subsequent letter to LPAs requires development to provide a net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped. The site has opportunity for significant improvement to be brought about by this development, therefore a further ecological enhancement plan should be also secured by planning condition, if permission were to be granted.

Whilst the proposed removal of the willow tree will have a temporary impact upon the appearance of the conservation area, the proposed loss can be mitigated for along with additional tree planting to enhance both canopy cover and biodiversity. A condition would be required to secure a landscaping scheme for the site. This, together with the improvements to the built environment, will make a significant contribution to the appearance of the part of the Park and conservation area.

Existing trees proposed to be retained, yet within influencing distance of the development, are to be afforded appropriate protection from construction activities. A planning condition would therefore be required to secure the submission of an arboricultural method statement.

Highways:

Access

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It is noted that the Highway Authority's advice is that the development site is located on The Green, which is an unclassified road subject to a 20mph speed limit. Assuming speeds of 20mph, any proposed / existing access in this location would normally be required to provide visibility splays of 2.4 x 25m in both directions measured to the nearside edge of the adjoining highway in accordance with Manual for Streets. It is also noted though that, other than the existing gated maintenance access to the park, no designated vehicular access is proposed in connection with the Hub.

Parking

The highway authority notes that the current application does not include any off street parking provision for the proposed development, which it considers to be unacceptable. The applicant suggests in the Design & Access Statement that the majority of visitors to the site will arrive mainly on foot and anybody arriving by car can park on the adjoining highway. Given the existing parking issues in this area and the potential for visitors to the site to arrive by car, it would be difficult to support such a proposal without the benefit of adequate off-street parking provision.

UDP Policy T8 states that dedicated vehicle parking spaces must be provided either on site or nearby, in accordance with the Council's current parking standards. These current standards are set out in LPGN 16. The highway authority notes that the proposed development appears to be a mixture of Class D2 / A3 use. Provided that the café / service counter area is to be ancillary only to the principal use, and not for individual use or for use as a take away (a take away would conflict with other UDP Policies not considered in this report), it is accepted that the lesser parking requirement assessment on an overall Class D2 Use is acceptable.

LPGN 16 sets out the maximum requirements for a Class D2 use as 1 designated parking space per 15 m² ground floor area. This would equate to a maximum requirement of 11 spaces for a gross floor area of 160 m².

The sustainable location of the proposed development and the nature of the proposed use are noted and has been taken into account. It is considered likely that a good number of users will arrive by alternative modes of transport, such as on foot, cycle, by bus, and this should be encouraged. To this end, parking requirements should be almost halved to 6 off-road parking spaces to promote sustainable travel, but to also allow those of reduce mobility to access the facilities by car, and for the service vehicles to park clear of the highway.

The proposal does not include any off-street parking provision, which the Highway Authority considers is unacceptable without alternative designated provisions close by. The highway authority has requested an amended plan to provide for 6 onsite parking spaces however, the applicant does not want to provide the parking spaces onsite as this will lead to a further encroachment into the Park, and the applicant is conscious of the concerns of local residents in this respect.

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The Design & Access Statement does refer to alternative parking areas that the hub could potentially utilize, by agreement. These include the existing parking bays along The Green, the B5102 Holt Road, Christ the King Catholic Church Parking and Rossett Hotel Parking. This has been discussed further with the applicants but the necessary legal agreements (S106 or UU) required to secure this, have proven unachievable.

CONCLUSION

The proposed demolition of the toilet block and replacement building is seen as an enhancement not only to the appearance of the conservation area, but to the character and appearance of the Park and general locality. The building has been carefully designed to respect the Park and street scene in both its scale and materials of construction and would, in this regard, be a welcome addition to the Park by enhancing the current facilities for all users. Ecological and biodiversity benefits will be brought about by the redevelopment of this part of the site, and those trees which cannot be protected will be compensated for.

Despite the above, the lack of designated parking provision is of concern to the Highway Authority. Given that the parking spaces around the Park are already well used, this would likely lead to indiscriminate parking in the nearby residential streets, impacting upon the amenities of those residents and interfering with the free flow of traffic, to the detriment of highway safety for all users, including pedestrians. The development does not therefore ensure safe and convenient pedestrian and vehicular access contrary to UDP Policy GDP1, and fails to provide designated parking provision in accordance with LPGN 16, contrary to UDP Policy T8. The benefits of the proposed development are acknowledged however on balance, these are outweighed by the highway safety concerns. Whilst it is accepted that there should be less reliance on the motor car in this case, no dedicated parking provision at all to access / service the building is likely to give rise to parking problems in the locality.

RECOMMENDATION: That permission be REFUSED

REASON(S)

1. By virtue of the absence of any designated parking provision, on or close to the site, to allow the development would likely lead to indiscriminate parking in the surrounding residential streets, impacting upon the amenities of those residents and interfering with the free flow of traffic, to the detriment of highway safety for all users, including pedestrians. As such the development fails to ensure safe and convenient pedestrian and vehicular access, and is contrary to the Wrexham Unitary Development Plan Policies GDP1 and T8, and the standards set out in Local Planning guidance Note No. 16 'Parking Standards'.
-