

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

APPLICATION NO:
P/2022 /0600

LOCATION:
POLICE STATION 76 CHESTER
ROAD GRESFORD WREXHAM
LL12 8TS

DATE RECEIVED:
29/06/2022

COMMUNITY:
Gresford

DESCRIPTION:
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USE OF POLICE STATION TO A DAY
NURSERY

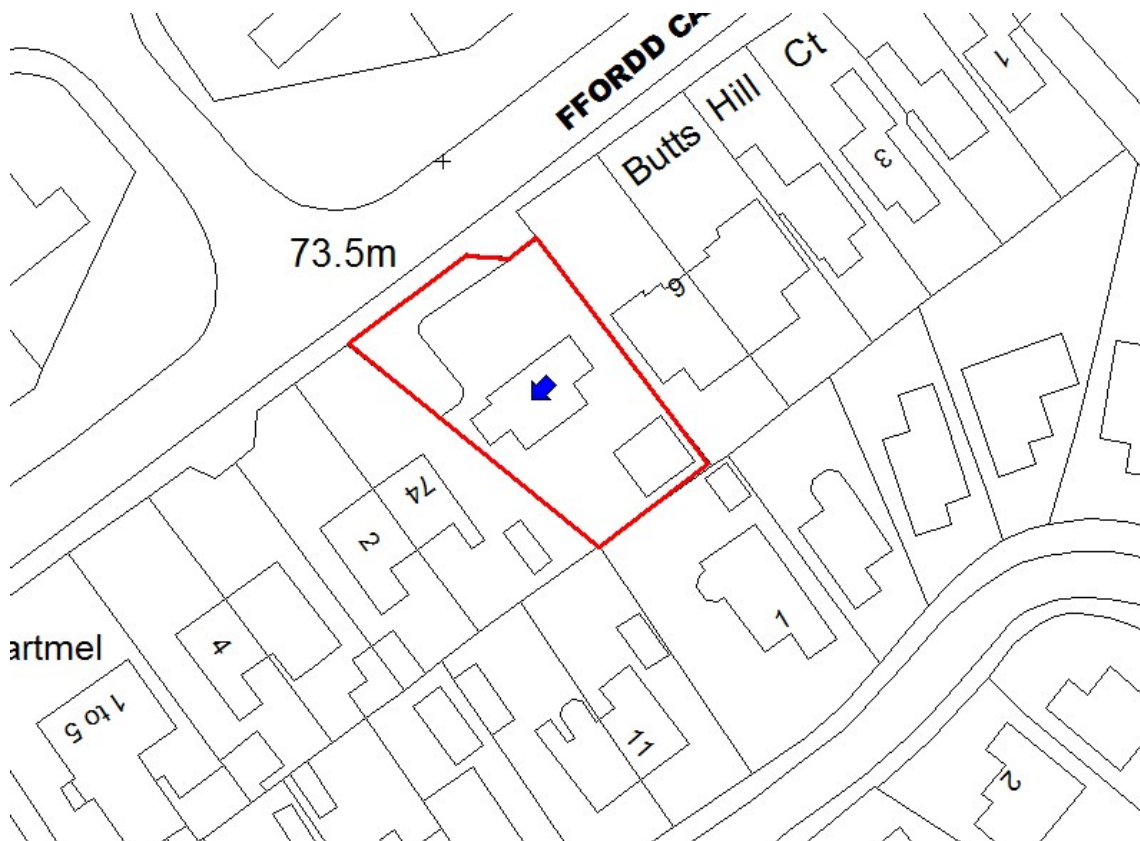
CASE OFFICER:
SH3

WARD:
Gresford East and
West

AGENT NAME:
REAL PLANNING
MR GERRY KELLETT

APPLICANT(S) NAME:
MRS RACHEL LLOYD

THE SITE



The site comprises the former Gresford Police Station. Access into the site is via the B5445, which runs to the north of the site. Residential properties border the eastern, southern and western boundaries. The immediate surrounding area is entirely residential, and whilst the property was formerly used as a Police Station its appearance still retains a residential character.

PROPOSAL

The application seeks approval for change of use from a Police Station to a day nursery providing care for up to 24 children aged up to 18 months with 8 members of staff. Ten parking spaces would be created to the front of the property with a central access point onto Chester Road. No external or internal alterations are proposed to the premises. The garage to the rear of the property would be used for storage and the outdoor space to the rear of the property will be made into a sensory garden with equipment to support physical development.

The applicants currently run an existing children's nursery approximately 1.6km south-west of the site.

HISTORY

P/2020/0703 – Change of use of Police Station to day nursery (maximum of 39 children and 13 staff) – Refused. Appeal dismissed 1st January 2022. The reason for refusal was on the grounds of highway safety, finding that given the large number of children and staff there would be inadequate provision for parking, resulting in congestion within the site itself and overspill in the vicinity.

DEVELOPMENT PLAN

The site is located within the settlement limit of Gresford. Policies PS1, GDP1, E4 and T8 are relevant.

Local Planning Guidance note 16 (Parking standards) is also relevant.

CONSULTATIONS

Community Council

1. The Council acknowledges the efforts to try and address the parking and traffic issues in relation to the previous application.
2. The new proposals are unenforceable and the same traffic and highways problems remain, therefore the Council objects to the application.

Local Member

No response received.

Local MP

Has been contacted by several constituents whose views are as follows:

- The change of use is a good utilisation of an empty building.
- The change of use will be a positive step for Gresford which presently has no nursery in the centre of the village.
- The property has good accessibility and will be on a sustainable site as it is on a bus route.

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

Public Protection

Requested an informative requiring a noise survey.

Welsh Water

General comments made regarding use of existing drainage and SuDS.
Condition requested regarding surface water.

NRW

Satisfied that the proposal is unlikely to increase the amount of phosphorus entering the SAC catchment, and therefore not have a significant effect on the River Dee and Bala Lake SAC.

Highways

No objection subject to conditions, and had the following comments to make:

1. Based on the proposed floor area LPGN16 would normally require a maximum of 7 spaces. The submitted plan indicates 10 standard spaces with only 2 reserved for staff, leaving 8 spaces for available for parents/deliveries.
2. None of the proposed spaces cater for mobility / disabled needs ie/ LPGN 16 Planning Guidance - minimum 10%. However, it does not appear possible to accommodate a space that is 3.6m wide given the limited depth of the site frontage.
3. In respect of likely parking demand, refers to P/2020/0097 at the Homestead Nursery, Wrexham. On a pro-rata basis compared with the applicant's existing nursery the proposed use could generate parking demand for 5 cars at around 07:55am and 11 cars 08:09am. Demand could be less if staff car sharing is taken into account with the relatively sustainable location of the site.
4. Any potential shortfall in parking provision at the site is likely to result in vehicles parking along Chester Road or nearby streets eg/ Annefield Park. Parents parking on street outside the proposed nursery would also impede users of the existing cycle lane. This would be considered contrary to through traffic interests generally and a likely source of danger to road users and pedestrians.
5. If it is considered acceptable to support this arrangement and it is considered possible to enforce staff car sharing in conjunction with a suitable Car Parking Management Plan then it may be considered acceptable to support the proposed development.
6. Conditions requested in relation to a Car Parking Management Plan, general layout, access width, visibility splays, pavement crossing, closure of the existing access, construction traffic management plan, surface water run-off, access surface, parking and manoeuvring and no gates.

Neighbours

The owners/occupiers of nearby properties were notified. 15 letters of support were received, commenting on the following matters:

- Wonderful use of an empty building.
- Bringing more jobs into a location which doesn't require use of a car given the regular bus service.

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

- Pleased to see a nursery in the centre of Gresford and a local business thriving and expanding.
- Homestead is an amazing nursery and any expansion would be positive.
- The site could support wider and more equitable access for all to childcare in the centre of the village.
- Important well-being support for families of young children.
- This is a sustainable site being on a public transport bus route.
- The plan would also offer a parent hub – much needed in an accessible location where mums can easily walk.
- There is no nursery in the centre of the village so this would be better for residents.
- Great community service use of an empty building.
- Good access and on a bus route.
- Great to support a local business bringing more jobs to the area.
- It will provide essential childcare for the village.
- There is a detailed explanation that parking is sufficient.
- It is a great resource for children and parents that is of great value to the community.
- There will be more sessions in the main playgroup which will add to the Strategy Plan to create a million more Welsh speakers by 2050.

One letter was received from an adjacent resident, raising the following concerns:

- Can it be clarified that there will be no provision at weekends, bank holidays or in between the hours of 18:00pm and 08:00am each day.
- Will the number of children be capped at 24? Will the nursery be able to increase their numbers to 36 as per the original application? What measures will be in place to ensure that this does not happen?
- It is a concern that there is no allocation for a disabled parent of grandparent.
- There appears to be no pathway for a pedestrian with a pram or pushchair to drop their child to nursery. Is it assumed that all children will only be dropped by car or if on foot walk through a car park?
- Will the garage at the rear be used for storage or additional space for parents and babies?
- Pavement in front of the property - Reference is made in the new application to an appeal which states the footway fronting the site shall be widened to 2m and that all considerations of an apparently similar case should be noted to maintain consistency.
- There is no note of where bins will be stored or how they will be accessed.

SPECIAL CONSIDERATIONS

Principle of development: Policy PS1 states that new development for employment will be directed towards settlement limits and employment areas. Policy E4 allows for employment development on land within settlement limits, subject to compliance with Policy GDP1. Despite transferring staff from an existing facility to the site it is nevertheless broadly considered to be an

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

employment use and subject to the planning considerations in Policy GDP1 is acceptable in principle.

Design: The applicant does not propose any alterations to the existing building, therefore there would be no additional impact on the character of the building and how it is viewed within the surrounding area.

Highways: The previous application for the same use was refused on highway grounds as parking was inadequate for the numbers of children (39) and staff (13) expected to use the site, therefore resulting in traffic generation being viewed as being a potential source of danger to all road users including pedestrians. The appeal Inspector agreed with this and dismissed the appeal, stating that the proposal had inadequate levels of parking which would cause congestion within the site itself and within the vicinity.

The current application would involve significantly lower numbers of children (up to 24) and staff (8), with ten parking spaces to be created to the front of the site. LPGN16 requires seven spaces to be available for development of this scale. The applicant proposes two spaces to be allocated for staff use leaving eight for parents and deliveries.

As part of the previous application, the Highway Officer visited the applicant's existing site and carried out a survey of vehicular movements between 07:55am and 08:45am. Based on the findings of that survey, and calculated on a pro-rata basis when compared with the existing nursery, it was found that the proposed development could typically generate a parking demand for approximately 5 cars at around 07:55am and 11 cars 08:09am. The applicant in their supporting statement has noted that an average of 13 of the children up to 18 months old access/exit the existing nursery between the hours of 8am and 9am, and an average of 10 children between 5pm and 6pm.

It is acknowledged that the car parking proposed would only be for 10 cars, with a shortfall of 1 space when viewed against these pro-rata calculations. However, on balance, taking into account that not all children will arrive or leave between the expected core hours, it is considered that the harm caused by 1 car possibly having to park elsewhere to drop off or collect a child could be outweighed by the benefits of not only bringing an empty building back into use but also maintaining the employment use of the building to enable a local business to continue to thrive. In addition, the site is well located to take advantage of modes of sustainable transport with a cycle lane passing by the front of the site, and a good bus service within the vicinity.

The applicant proposes that staff that cannot walk to work will meet at the existing nursery as they currently do, but then travel to the proposed nursery in two cars therefore minimising the need for staff parking to two spaces. Highways have requested a condition requiring a Car Parking Management Plan to be submitted in order for the applicant to clearly layout details of staggering of drop off/collection of children in order to minimise the impact of traffic movements. It is considered necessary and reasonable to impose such a condition.

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

The proposal involves the removal of vegetation along the frontage to create a 6.6m wide access. By doing this the applicant would be able to achieve the required visibility splays and improve pedestrian visibility at the site.

Given the above, it is considered that the concerns raised in the previous appeal decision have been overcome and that the proposal meets the criteria outlined in policies GDP1(d) and T8 of the UDP.

Phosphorus: The implications for the River Dee and Bala Lake Special Area of Conservation (SAC) that may arise from approving this application need to be considered.

Foul water from the site will be disposed of via the mains sewerage system which connects to the Gresford wastewater treatment works (WwTW). This has provision to remove a percentage of phosphorous from wastewater and consents to discharge treated water into adjacent watercourses (and therefore directly or indirectly into the River Dee), subject to specific limits on the amount of phosphorous within the treated water.

The applicant does not intend to increase the number of sinks or toilets in the building. NRW have been consulted on this application and have stated that they are satisfied that the proposal is unlikely to increase the amount of phosphorus entering the SAC catchment, and therefore not have a significant effect on the River Dee and Bala Lake SAC.

Residential amenity: The proposal will involve an increase in vehicle movements at the site between 8am and 9am and again between 5pm and 6pm when children are dropped off/collected from the nursery. However, given that the site previously operated as a Police Station where vehicle movements may have taken place throughout a 24hr period it is not considered that this would materially affect the amenity of residents by virtue of increased noise.

An outdoor sensory garden would be created to the rear of the site and equipment used to aid physical development such as sand/water play. Whilst this may generate small amounts of noise at times throughout the day it is not considered to be over and above what may be expected within a residential area.

Public protection have requested an informative to be attached to any permission granted requiring a noise survey to be carried out. However, this informative is generally considered to be relevant to commercial or industrial uses and given the nature of the intended use is not considered to be appropriate or relevant in this instance.

CONCLUSION

The proposal would bring back into use a prominent derelict building within a residential area. The use would provide an adequate level of parking to

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

minimise disruption within the locality, and together with a car parking management plan and newly created access point will minimise issues of highway safety for both pedestrians and vehicles. The development is considered to accord with policies PS1, GDP1, E4 and T8 of the UDP.

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 approved and amended plan(s) numbered and labelled as follows:
 - Gresford Access Rev B.
 - Change of Use Plans, Sheet No. 1, Revision 01.
3. Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) labelled Gresford Access, Rev B.
4. The vehicular access hereby approved shall be a minimum width of 6.6 metres.
5. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 43 metres in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the nearside edge of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.
6. Prior to first use of the development hereby approved a pedestrian visibility splay shall be established measured from the centreline of the vehicular access 2.4 metres back from the back edge of the footway to points 3.3 metres either side measured along the back edge of the footway. Within these splays there shall be no obstruction in excess of 0.6 metres in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.
7. Prior to first use of development, a pavement crossing to the site shall be constructed in strict accordance with Highway Authority adoptable standards.
8. The existing vehicular access shall be permanently closed up prior to first use of the new vehicular access hereby approved. The existing dropped kerb access shall be reinstated to full height footway construction.
9. Prior to first use of the vehicular accesses hereby approved, the accesses shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.
10. There shall be no gates or other means of enclosure across the vehicular access point.
11. No private surface water run off shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved accesses to intercept any such run off prior to first use of the development.
12. The vehicular parking and turning areas as shown on approved drawing(s) labelled Gresford Access, Rev B shall be fully laid out, surfaced,

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

drained and marked out with white lining materials 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 vehicles at all times.

13. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the Plan as is approved has been fully implemented.

14. No part of the development shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be used in strict accordance with the details as are approved.

15. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

16. There use hereby permitted shall provide day care facilities for a maximum of 24 children at any one time.

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 the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
4. To ensure the formation of a safe and satisfactory access in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. In the interests of pedestrian safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
8. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
9. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
10. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
11. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
12. 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

13. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

14. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

15. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

16. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

NOTE(S) TO APPLICANT

The accuracy of the detailed plans and drawings forming part of the application documents hereby approved shall remain the responsibility of the applicant/developer.

A licence should be obtained (as required by section 184 of the Highways Act 1980) from the Highway Authority in order to lower the kerblin and cross the footpath at the new access position and also reinstate the existing dropped kerb crossing to full height footway construction. Further guidance can be obtained from the Highways Department of Wrexham County Borough Council on telephone 01978 729670.

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works. Further details of the SAB, the new national standards, the pre-application advice service and the application for approval process can be found on the Wrexham CBC's SAB webpage:

https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm or by contacting the SAB Team directly at SAB@wrexham.gov.uk
