

MEMORANDUM

From: Chief Officer, Environment & Technical **To:** Chief Officer Planning & Regulatory

Our Ref: ET/DC/PP/P/2021/0874 **Your Ref:** SEH/P/2021/0874

Date: 19th January 2022

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

Location: O. S Grid Ref: 364 571 The Old Post Office, Station Road, Rossett, Wrexham.

Development: Change of use of ground floor shop (Class A1) and ground floor of associated dwelling and rear garden (Class C3) to a restaurant / coffee shop (Class A3) and internal alterations to the existing residential use on the first floor.

I refer to your consultation / email dated 12/01/2022 including comments from the applicant's agent in respect of the above.

Comments from Planning Statement:

1. Existing site parking arrangements for A1 use

The highway report states that there are time limited parking spaces outside the premises which is correct. It fails however to mention that there is on road parking facility to the southern side of Station Road available between The Manse and the public car park; a distance of approximately 78m which is capable therefore of accommodating up to 13 parked vehicles. (Figure 8.18 Manual for Streets guidance states 6m length is required for parallel parking). There are no restrictions apparent to parking on the street in this area. Following on from the on street spaces there is the entrance to a public car park which provides a further 29 parking spaces. Although it is well used, this car park regularly has free spaces, as is evident from the previously submitted parking survey. The highway report also fails to note there is further on street car parking areas to both sides of the road from the property known as Aldersley in a Westerly direction to the end of the cul de sac. There is an approximate length of 100m either side of the road which has the potential to park a minimum of a further 30 vehicles. Although there are two signs erected in and near the layby opposite the Village Hall which restricts parking to 60 minutes, there is no evidence of line marking on the highway as to where these signs are applicable; it may well be that the signs are not enforceable without any on street road markings.

It is therefore contended that the car parking assessment in the highway report significantly underplays the available daytime parking along Station Road.

Parking availability in the evenings (after 6pm) is also even greater, due to restrictions opposite the application site being limited to 8am and 6pm.

The highway report also states that there is an existing vehicular access to the application site but notes that it is below standard in both terms of visibility and in width requirements.

2. Assessment of parking requirements for proposed change of use.

WCBC Local Planning Guidance Note No.16 relates to parking standards applying to new developments across the County of Wrexham.

The highway response to the planning application uses some of the guidance within LPGN 16 to provide figures that they state are required for the proposed A3 use of the building as a café /restaurant.

The figures quoted by the highway officer are MAXIMUM standards. Page 1 Paragraph 1 of LPGN 16 states quite clearly that;

*'They set a **maximum** for new developments and changes of use throughout the County Borough'* It continues in Paragraph 2:

*'The car parking standards set out below are **maximum** standards for each land use category. ' The guidance is quite clear – the figures in LPGN 16 are maximum standards **and should not be applied as minimum standards**. The highway department whilst quoting parking standards from LPGN 16 have ignored the guidance contained within it.*

I understand that WCBC have in fact been to Welsh Government Planning Appeal on a number of occasions in respect of parking provision at various developments throughout the County Borough. On each occasion the Appeal Inspector has concluded that LPGN 16 guidance on maximum parking should not be used as a minimum standard.

The Highway Department must be aware of this but still maintain their negative stance. For a developer simply seeking to enhance the local area by providing a quality service and restoring/ reusing an empty building that is fast becoming an eyesore, it is difficult to understand such intransigence/inflexibility.

Page 1 of LPGN 16 offers further advice to the highway department;

'Where developments are close to local services and facilities and /or are in areas where people are able to walk or cycle to them or travel to them easily by public transport, it may be appropriate for less parking to be provided than for developments in remoter areas'.

The proposed site is within 60m of the Wrexham to Chester Arriva bus service which has a frequency of every 15 minutes in either direction during the day, reducing to every 25 minutes very late on in the evenings. It is one of the most frequent bus services in the County. It makes the application site extremely accessible to residents from across the county.

The site itself is situated within 1km of much of the village of Rossett to the East and Burton to the West. There is no doubt that the site can be considered as a highly sustainable location.

Despite the proximity to the bus service and village population, the Highway Department have made no allowance or reference to it within their report; simply maintaining the stance that the maximum standard should be applied as a minimum standard, which is clearly incorrect.

3. Car borne traffic and Indiscriminate parking

The second page of the highway assessment states that they consider that developments such as this will cause indiscriminate parking along the highway.

It is unclear whether this sentence is a leftover from the original report dated 22nd September 2021 and should perhaps have been removed, as this is the sort of statement normally reserved for 'takeaway' applications.

The original application did include a proposal to create a takeaway service at the site alongside the café /restaurant and the statement regarding indiscriminate parking would perhaps have been appropriate with that proposal. However, the 'takeaway' element has now been removed from the proposal so there is no apparent reason for the reference to indiscriminate parking to be mentioned again.

Customers of restaurants / cafes are highly unlikely to risk illegal /indiscriminate parking when they are likely to be in the premises for a minimum of 30 minutes. Drivers are highly unlikely to take that risk. Therefore, the statement referring to indiscriminate parking is of no relevance to this particular proposal.

However, indiscriminate parking can be considered very relevant to the existing site use as A1, being the planning use class which is still applicable to the site. In effect, the former Spar site could

be re-opened (without a requirement for a planning application) by a company such as Morrisons Daily or Tesco Express.

This potentially would generate a far higher turnover of traffic along station road than the proposed A3 use and thereby create the sort of indiscriminate parking problems that the Highway Department expresses concern about in their memorandum, in so much that, shops selling alcohol, lottery tickets and perhaps even including a post office, are highly likely to create indiscriminate parking, as It is also known that customer visits to cafes /restaurants usually take a minimum of 30 minutes (usually longer) therefore, the traffic turnover is significantly less than that of the existing A1 retail use.

Furthermore, the existing A1 use would also require a delivery area (possibly up to a minimum of 3 spaces) to be set aside on a daily basis for HGVs delivering goods to the shop, whereas, the proposed cafe/restaurant (A3) use will not require anything more than a daily transit van to deliver supplies.

Therefore, by recommending a refusal of the proposed Change of Use the Highway Department is actually missing an opportunity to reduce the volume of vehicle movements, the probable uptake of spaces by delivery lorries, the difficult manoeuvring of such 'larger lorries' to turn around to exit Station Road, and of course, the possible indiscriminate parking of shop customers.

Hopefully, it can therefore be considered that it would be of benefit to the Highways Department in actually supporting the Change of Use from A1 to A3

Highways Response:

The parking guidance detailed in LPGN 16 provides maximum standards required in respect of off-road parking provision required for various class uses. It is clear from this guidance that the proposed development requires significantly more parking provision (2.5 x more) than the previous use of the site ie/ current use requires a maximum of 11 spaces and proposed use requires a maximum of 28 spaces.

The Highway Authority generally view the adequacy of parking provision in respect of adequate off-road parking provided by the applicant, followed by the availability / proximity of public car parks. The location of the site and public transport network is also included in any assessment. The main function of a public highway is to accommodate the free flow of traffic and provide safe footway provision for pedestrians. Although some degree of on-street parking is inevitable, it should be discouraged as it often results in highway / pedestrian safety issues.

The submitted comments appear to suggest that significant sections of carriageway along Station Road are suitable for parking provision.

Having spoken with our Traffic Section, there are obviously existing on-street parking issues along Station Road. On street parking often results in indiscriminate parking whereby access to properties is made difficult, visibility from accesses is impeded by blocked vehicles and parked vehicles affecting the free flow of traffic.

Comments from WCBC Traffic Section:-

Streetworks would not support this proposal, as we already have parking issues in Station road, and are considering TRO's (Double yellow lines) to improve traffic flow.

We have also received complaints from residents regarding this proposal (Example below)

Station Road is already at saturation point for parking along the road and in the car park as it needs to satisfy the demands of residents, chapel, village hall, service users of the surgery, dentist, 3 hairdressers, funeral director, and also walkers and cyclists who use the car park as a starting point and park their cars there. There is also the overspill from the on site car park of the Alyn Riverside restaurant and pub at the corner of Station Road. The number of extra parking places required to satisfy the proposed number of diners and staff is equivalent to more than the car parking spaces

available. The maximum in the car park on Station Road is 32 vehicles which is already in full use for major parts of the day and evening.

From a highways perspective any increase in parking on Station road would be an inconvenience to residents and existing businesses, disrupting traffic flow and pedestrian movement.

I have briefly monitored the existing public car park and on-street parking number as follows:-

Date	Time	No of Spaces Free in Public Car Park	No of Cars on Street
12/01/22	10:37	8	30
17/01/22	14:29	10	27
18/01/22	11:55	1	33

The submitted parking survey in the Planning Statement appears to indicate maximum of 15 spaces available and maximum of 14 vehicles parked on the street during the times monitored. My limited observations appear to differ.

The existing 2 spaces provided at the premises are provided off a 2.2m wide access and are effectively unusable and should possibly be discounted from providing any form of adequate parking provision.

I understand that the restaurant / café will be open during the day and is considered likely to attract car borne traffic (ie/ customers arriving by car) in addition to some on foot. I would assume that anybody visiting the café during the day for refreshment are unlikely to wish to park on the street at the western end of Station Road and will attempt to park as close to the premises as possible.

The point raised regarding the existing and proposed means of delivering supplies to the site ie/ currently large HGV as opposed to a transit van would be considered beneficial but does not outweigh the potential to exacerbate existing parking issues.

It would therefore be difficult to support the proposed development given the issues raised.

Additional information

*I would also ask you to consider the application submitted in 2012 at 7, High Street, Gresford, LL12 8PS –Planning reference P/2012/0350. A copy of the planning committee report is attached for your information. I would ask you to refer particularly to page 6 and 7 which discuss parking issues. There is a very close correlation between the two applications. Notably the planning department have discussed the proximity of the site to the Wrexham Chester bus route, the proximity of other local shops, the acceptance by the **Chief Planning officer that LPG16 maximum parking provision is not required for a restaurant** due to people travelling together, or by bus or on foot. Traffic surveys undertaken showed the availability of on street parking – precisely the same as the current application.*

Therefore I would suggest that the Gresford application is a material consideration when assessing the current site. The Chief Planning Officer was fully supportive of this very similar proposal in what can be considered a more onerous location being sited on a busy cross roads on a main road. Unlike the Station Road, Rossett current application which is located in a cul-de-sac/no through road and is just 2 miles North of the Gresford site.

Highways Response:

The previous decision in respect of Planning Application Ref: P/2012/0350 is a matter for the Planning Department to consider.

The Highway Authority recommended refusal for a number of reasons including the lack of suitable parking provision.

A handwritten signature in black ink, appearing to be 'R. H.', written in a cursive style.

Chief Officer, Environment & Technical