

PLANNING STATEMENT

APPLICATION FOR FULL PLANNING
PERMISSION FOR CONVERSION OF
EXISTING BUILDING TO 3 DWELLINGS
INVOLVING EXTERNAL ALTERATIONS AND
CHANGE OF USE FROM CLASS B1 OFFICE
TO CLASS C3 (DWELLINGHOUSES)

BARTON HOUSE,
DARLAND LANE,
LAVISTER,
ROSSETT,
LL12 0EL

BARTON HOUSE LTD C/O ERRAJI CAPITAL

MAY 2022

Ryden



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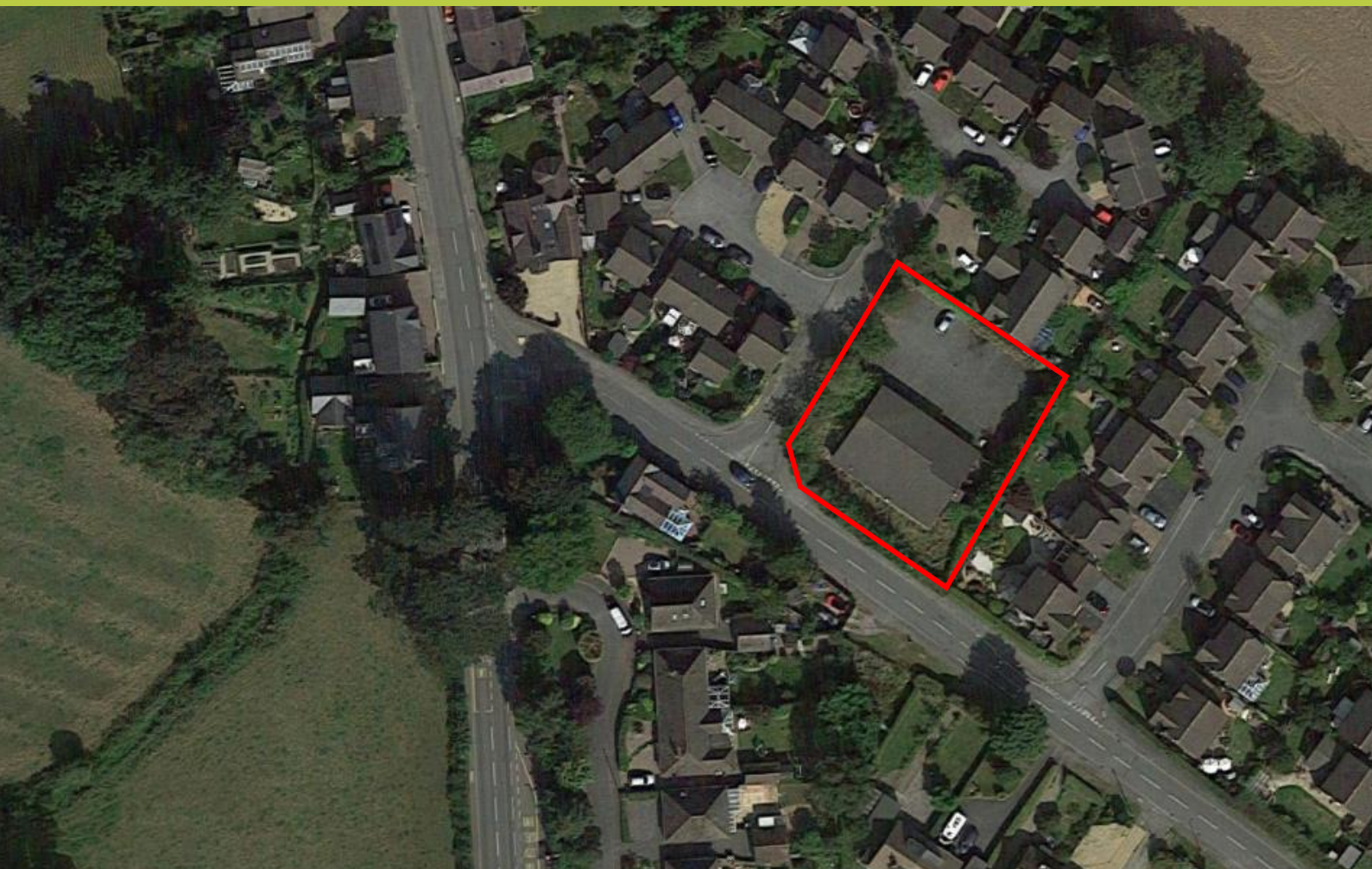
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01 INTRODUCTION: SITE AND PROPOSAL

- 1.1 This Planning Statement has been prepared by Ryden LLP on behalf of Barton House Ltd c/o Erraji Capital, in support of an application seeking full planning permission for the conversion of the former Royal British Legion (RBL) clubhouse to three dwellings. The clubhouse was most recently in use as an office. Aspects of the proposal which require planning permission are the proposed external alterations and a change of use from Class B1 (Office) to Class C3 (Dwellinghouses).
- 1.2 The proposed external alterations involve the widening of windows on all elevations and the application of new external finishes, to give the building a more contemporary design and appearance. Smooth render and vertical timber cladding is proposed to the existing brick walls; external doors would be timber with vertical cladding to match that on external walls; existing roof tiles would be replaced with new tiles; the widened windows opening would be fitted with dark grey aluminium-framed units; and aluminium soffits and fascias would be installed to match the windows. The entrance to each dwelling would also be provided with an external canopy.
- 1.3 As part of the proposed change of use, internal alterations are proposed to subdivide the building to provide three separate houses.
- 1.4 The proposal is for the reuse of an existing building on an existing developed/brownfield site. In principle, the reuse of existing buildings is a sustainable response to providing new housing.
- 1.5 Alterations are also proposed within the site, to form garden ground, decking areas at the rear elevation, new pathways and new vehicular access arrangements.
- 1.6 The western and central dwellings would be served by adjoining driveways with space for two cars each at the north corner of the site, taking access from Lavister Walks. The eastern dwelling would have its driveway with space for two cars at the south corner of the site, taking access from Darland Lane. It is also proposed to retain a buffer of trees and shrubs around all boundaries, where new planting is proposed.
- 1.7 The site itself comprises a disused RBL clubhouse in the far north of the village, which had latterly been used as office space. It is surrounded by a mix of mid-to-late 20th Century homes. The nearest non-residential use is the local pub, the Nag's Head, approximately 220m to the north on Chester Road. Darland High School and Darland Leisure Centre are approximately 300m to the south, also accessible from Chester Road.
- 1.8 The existing building extends to some 334 sqm (3,593 sqft) and was constructed in 1966. It is a simple single story brick building under a concrete tile roof in a rectangular plan form. Existing access is provided from Lavister Walks via the car park which accommodates around 25 cars and servicing. The site extends to around 0.14 hectares (0.35 acres).
- 1.9 The site is bounded by Darland Lane to the south west, Lavister Walks to the north west and existing residential properties to the north east and south east.





02 PLANNING HISTORY

SUMMARY OF KEY APPLICATIONS

- 2.1. The site has an extensive planning history.
- 2.2. The currently permitted use of the site is as a Class B1 office. The change of use from a Sui Generis clubhouse to a Class B1 office was permitted subject to planning application reference CB00615.
- 2.3. The site currently has planning permission for demolition of the existing building and the erection of four dwellings, under reference P/2016/0303, which requires to be implemented by November 2024. The development is subject to pre-commencement conditions, primarily condition 6 relating to foul drainage which cannot be discharged at the current time.
- 2.4. Condition 6 of planning permission reference P/2016/0303 states that:

“No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating how foul water, surface water and land drainage will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in accordance with a timescale to be agreed as part of the submitted details and maintained thereafter.”
- 2.5. The condition cannot be discharged due to a restriction on all new housing proposals by Natural Resources Wales (NRW), which relates to issues with drainage infrastructure capacities and potential phosphate discharge into water catchments. This is country-wide restriction in Wales but the restriction is more acute in certain river catchments, including the Special Area of Conservation (SAC) that covers the River Dee and Bala Lake. The former RBL clubhouse / office and the rest of the settlement sit within the SAC boundaries.
- 2.6. NRW, and also Welsh Water, must be consulted by Wrexham County Borough Council (WCBC) in order to discharge condition 6 of P/2016/0303. As the demolition of the existing building and erection of four new dwellings could potentially increase the volume and/or concentration of waste water generated from the site, thereby increasing potential phosphate discharge, NRW and Welsh Water cannot permit the condition to be discharged at the present time. There is, in effect, a moratorium on any new additional development that would raise discharge levels or rates.
- 2.7. Planning permission reference P/2016/0303 cannot therefore be implemented.
- 2.8. Notwithstanding, there is a pending application for the demolition of the existing building and the erection of six dwellings, under reference P/2021/0794, but the same issues will require to be addressed and it is unlikely that this application will be progressed. Further

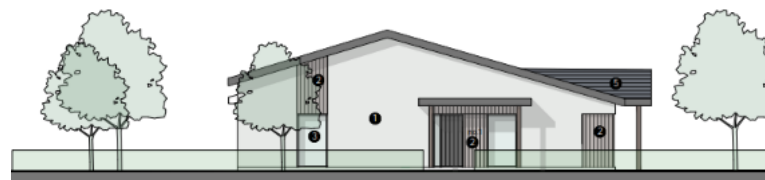
dialogue with council officers should confirm that this application could therefore be withdrawn.

KEY ISSUES & RESPONSE

- 2.9. The previous applications for residential uses have generally been supported in principle. The proposed use is acceptable within a predominantly residential area of single and two storey buildings, and access has been agreed direct from Darland Lane and via the existing access from Lavister Walks.
- 2.10. Re-use of the existing building is a sustainable approach to development of the site and existing site infrastructure for water and drainage will be utilised.
- 2.11. Maintenance will be the responsibility of future homeowners, and the proposed conversion and refurbishment will significantly upgrade the appearance and general amenity of the site.
- 2.12. The proposal raises no issue in terms of impact on existing residential amenity in terms of privacy, overlooking or overshadowing, and the proposal provides adequate access, parking and amenity space.
- 2.13. The retention of the existing building as a more modest conversion also mitigates the practical restrictions with regards to potential waste water, drainage and phosphate discharge.
- 2.14. The principle of this approach has been explored with Welsh Water following initial assessment of comparative discharge and flow rates from the established use and proposed conversion to three dwellings.
- 2.15. Confirmation has since been received from Rhodri Perry, Development Control Officer at Welsh Water, that they would have no issues in supporting conversion of the existing building into three residential units, subject to being consulted on the application by WCBC and confirming that there is sufficient capacity in the waste water treatment works that would serve the development.
- 2.16. Kennedy Redford Civil and Structural Engineers have undertaken foul water flow calculations for the proposed development, including estimation of potential phosphate volumes in waste water discharge with reference to current NRW planning guidance, *Advice to Planning Authorities for Planning Applications Affecting Phosphorus Sensitive River Special Areas of Conservation*. A copy of the report on foul water flow calculations has been provided in support of the application. It concludes that:
- “...the proposed conversion will reduce the overall phosphate volume into the 450mm diameter combined Welsh Water sewer.”*
- 2.17. This therefore addresses the only technical reason why the previous permission cannot be implemented.

03 ASSESSMENT

- 3.1. To the extent that development plan policies are material to an application for planning permission, the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).
- 3.2. Planning Policy Wales (PPW), adopted in February 2021, sets out the overarching planning policies of the Welsh Government.
- 3.3. PPW states that a plan-led approach is the most effective way to secure sustainable development through the planning system and it is essential that plans are adopted and kept under review. Legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise to ensure that social, economic, cultural and environmental issues are balanced and integrated.
- 3.4. Up-to-date development plans are the basis of the planning system and set the context for rational and consistent decision making. Plans at all levels of the development plan hierarchy must be prepared in accordance with national planning policies.
- 3.5. Material considerations include local circumstances, policies in an emerging development plan, and planning policies of the Welsh Government.
- 3.6. In this case, the adopted development plan for the area is the Wrexham Unitary Development Plan 1996-2011 (LDP). The LDP is more than ten years out of date and WCBC is in the late stages of preparing its next plan, Wrexham Local Development Plan 2 2013-2028 (LDP2). Consideration must therefore be given to the policy changes arising in LDP2.



PRINCIPLE OF DEVELOPMENT

3.7. Policy PS1 of the LDP states that:

“New development for housing, employment, and community services will be directed to within defined settlement limits/employment areas.”

3.8. The site is located within the settlement boundary for Rossett / Lavister and therefore complies with Policy PS1.

3.9. Policy PS2 of the LDP states that

“Development must not materially detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment.”

3.10. The proposal is for conversion and development of a brownfield site within a settlement, which is closely contained by existing development. The proposal therefore has no detrimental impact or material effect on the character of the wider landscape. The existing building would be retained and converted/remodelled in a more contemporary style and would positively contribute to the local townscape.

3.11. The proposal does not affect any open space areas and presents no risk of harming the natural environment. This applies also to the issue foul drainage and potential phosphate discharge into the local water catchment, which is discussed in greater detail later in this section. Ultimately, the proposal complies with Policy PS2.



3.12. Policy H2 of the LDP states that

“Residential development on unannotated land within settlement limits will be permitted subject to compliance with Policy GDP1”.

3.13. Policy GDP1 sets out a range of development objectives which concern: layout, siting and design; the conservation of energy and water resources; safe and convenient pedestrian and vehicular access; access to public transport and active travel facilities; safeguarding against pollution; securing public services (gas, water and electricity supply) at minimum public cost; nature conservation; flooding and flood risk; Welsh culture and language; and sustainability.

3.14. These issues are considered in turn below, in relation to specific LDP policies. The proposal is consistent with each of these objectives and detailed considerations. It is therefore compliant with Policy GDP1 and with Policy H2.

3.15. The proposal is therefore acceptable in principle when considered against core development plan policies and the planning history is a key material consideration that supports the proposed residential use of the site.



LAYOUT, SITING, DESIGN, AMENITY, ETC

- 3.16. The proposal is for conversion of an existing building which is unremarkable in its architecture. However, the proposed conversion and alterations provide a simple, contemporary design that is in-keeping with the scale, form, character and amenity of the surrounding area. The proposal will have no detrimental impact on the privacy and amenity of neighbouring dwellings. Similarly, the proposed converted units will have adequate amenity and privacy.
- 3.17. By working with the existing building, each of the proposed homes would be separated from neighbouring properties (approximately 20m away from the nearest homes on Lavister Walks and Rossett Park), with no new window openings proposed. The building is also a single story structure.
- 3.18. Full landscape details and planting along mutual boundaries will ensure existing homes around the site do not experience any loss of privacy or impact upon the privacy and amenity of the proposed dwellings. The landscaping scheme will also add to the visual amenity of the site frontage and surrounding streetscape.
- 3.19. Visualisations of the proposed development are submitted with the application and reproduced in this section of the report that demonstrates the positive impact the proposal will have.
- 3.20. The design is also a sustainable re-use of an existing structure and is compliant with core policy objectives of Welsh Government.
- 3.21. Secure by Design principles have been taken into consideration during the design process. Returning a disused building to active use would activate the site and inherently improve local safety and passive security. It also removes the potential for anti-social behaviour at a currently disused site.
- 3.22. The proposal is therefore compliant with the relevant aspects of Policy GDP1 in the LDP and there are no known policy changes arising in LDP2 which alter this conclusion.



TECHNICAL & ENVIRONMENTAL CONSIDERATIONS

- 3.23. Footpaths and permeable driveways with dropped kerbs would be provided, ensuring that each home has safe and convenient pedestrian and vehicular access. Current parking standards from WCBC require three parking spaces for 3-bed or 4-bed dwellings. Although only two spaces have been provided to each of the proposed dwellings, this is considered appropriate given the scale of the proposed units and the proximity of local amenities on Chester Road. There is also unrestricted parking on surrounding public roads and access via public transport with bus routes available on Chester Road, providing access to the rest of the settlement and wider area. Reducing car travel and promoting active travel is also a key component of promoting sustainable forms of new development.
- 3.24. Waste bins would be stored beside each home and presented for collection at the roadside, consistent with WCBC's existing domestic waste collection routes. The proposal shall therefore be compliant with waste management policies and objectives in the LDP.

3.25. The most significant technical consideration is how surface and waste water from the site is managed and disposed of, as the site lies within the River Dee and Bala Lake SAC. The wider NRW issue relating to phosphate concentrations and run off rates has prevented determination of many applications throughout Wales and has restricted the ability to discharge conditions and the implementation of the existing planning permission (reference P/2016/0303). This is currently also preventing determination of a pending application for the site (reference P/2021/0794) – the issue being the proposal of new buildings on a site within the SAC.

3.26. Policy EC13 in the LDP 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.”

3.27. Policy EC14 in the LDP states that

“Development which would have an unacceptable adverse impact upon the capacity, flow, quality or availability of controlled waters and associated land will not be permitted.”

3.28. This issue will be carefully considered by WCBC through consultation with Welsh Water and NRW. Welsh Water has already confirmed that the principle of conversion is acceptable and would not negatively impact on discharge rates.

3.29. In this instance, it is proposed that the development would make use of the existing combined surface and foul water drainage connections that served the former clubhouse / office. The technical report and detailed foul water flow calculations by Kennedy Redford conclude that the proposed conversion of the clubhouse / office to dwellings would reduce the discharge volume of phosphates to the combined public sewer, therefore presenting limited risk to water quality in the River Dee and Bala Lake SAC.

3.30. On the basis of the technical evidence available, we consider that the proposal complies with Policies EC13 and EC14.

3.31. The risk posed to the local water environment is mitigated by converting an existing building.

3.32. An Ecological Survey has also been undertaken – initially when the building was proposed for demolition. However, the baseline conclusions are relevant and record that there are no signs of bat presence during the survey and that there are no invasive plant species present.

04 CONCLUSION

- 4.1. The preceding sections of this Planning Statement demonstrate the proposed development fully complies with the relevant policies of the development plan, national policy guidance and the positive planning history in terms of proposed use.
- 4.2. The re-use of an existing building is a sustainable approach to development and provides for a contemporary design that will improve local amenity and streetscape.
- 4.3. The proposal complies with all relevant aspects of the development and there are no other material considerations which warrant the refusal of the application.
- 4.4. It is therefore concluded that the Planning Service should support the application and that Wrexham County Borough Council should grant Full Planning Permission to the proposed development.



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