

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY – Date 3rd JUNE 2019

APPLICATION NO:

P/2019 /0126

LOCATION:

PENDINE PARK NURSING HOME
SUMMERHILL ROAD STANSTY
WREXHAM
LL11 4YE

DATE RECEIVED:

19/02/2019

COMMUNITY:

Gresford

CASE OFFICER:

PF

WARD:

Gwersyllt West

DESCRIPTION:

OUTLINE APPLICATION FOR
PROVISION OF NEW SPECIALIST
AND EXTRA CARE FACILITY TO
EXPAND AND COMPLIMENT
EXISTING SERVICES AND
FACILITIES

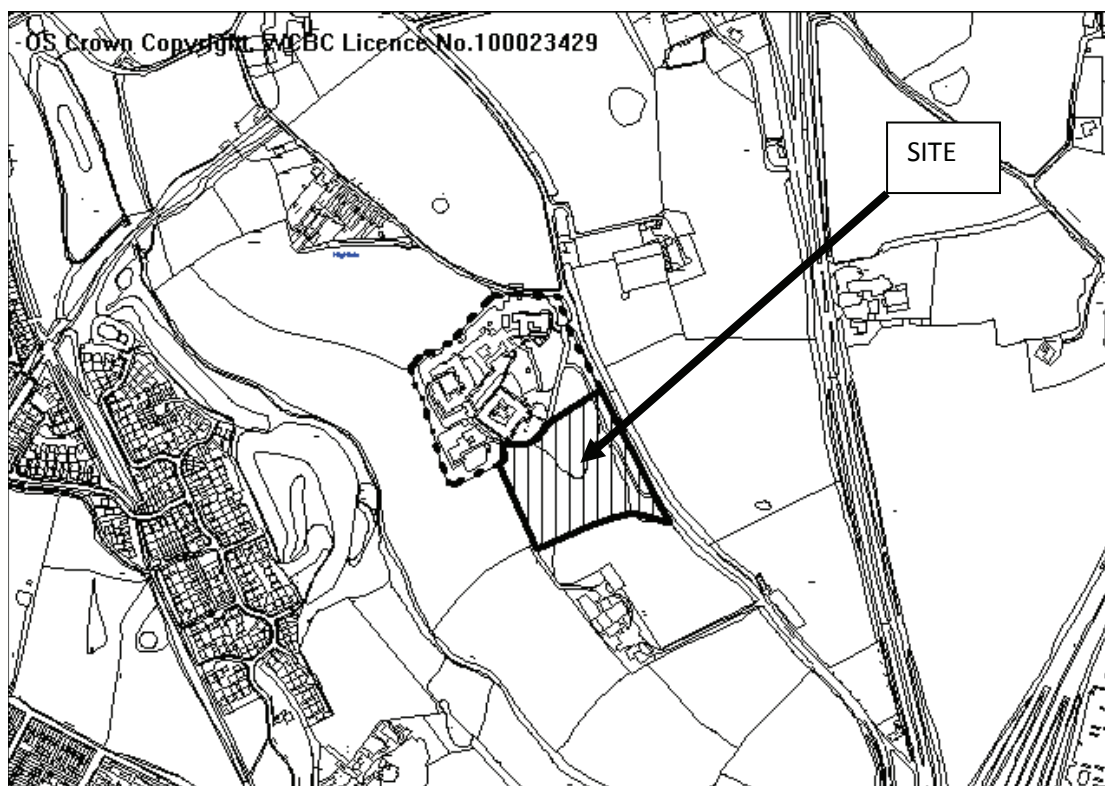
AGENT NAME:

MCCORMICK
ARCHITECTURE LTD
MR G MARK ROBERTS

APPLICANT(S) NAME:

MR MARIO KREFT
PENDINE PARK CARE
ORGANISATION (SUMMERHILL) LTD

THE SITE



PROPOSAL

Planning permission is sought in outline with all matters reserved for further approval. The proposed development consists of the provision of new specialist and extra care facilities to expand and complement existing services which are currently situated on the adjacent land.

Whilst all detailed matters are reserved for further approval, the applicant is required to submit details which show the intended development of the site. This shows an intention to erect a single block with associated parking and internal access road linking the existing main entrance and access on to Summerhill Road. Members are reminded that this plan is purely indicative and is not the final layout.



Indicative site layout

HISTORY

CB 1197	New brain injury and nursing home. Granted 1/1/1997
CB 1788	Extension to Cae Bryn. Granted 9/2/1998
CB 2494	Extension to nursing home. Granted 12/10/1998
CB 2519	Laundry facilities. Granted 9/10/1998
CB 2812	Surgery and base for out of hours service. Refused 16/1/1999
CB 2848	Special care unit. Granted 12/4/1999
CB 3210	Office accommodation. Granted 14/6/1999
P/2002/0025	Nursing home. Withdrawn
P/2003/0143	Nursing home. Granted 12/5/2003

P/2007/0203	Link extension. Granted 23/3/2007
P/2010/0821	Link extension between Pen y Bryn, Bryn Cella, Cae Bryn and Highfield Nursing Homes. Granted 27/10/2010
P/2011/0368	Kitchen extension. Granted 08/07/2011
P/2017/0152	External alterations to Highfield and Cae Bryn to facilitate use of kitchen and laundry as additional 6 no. bedrooms and dayroom. Granted 19/04/2017
P/2017/0832	Conversion of former offices together with link extension to provide 2 no. bedrooms. Granted 30/11/2017
P/2018/0651	Proposed first floor extension within courtyard to provide 1 no bedroom and extension to ground floor servery. Granted 03/10/2018

PLANNING POLICY

The site is located outside any defined settlement limit, within a Green Barrier and mineral resources protection area. The site is also subject to a woodland Tree Preservation Order (TPO). Policies PS1, PS2, PS3, PS4, GDP1, EC1, EC4, EC13, H11, CLF2 and T8 are relevant. Guidance is contained in Local Planning Guidance Notes 16 – Parking Standards and 17 – Trees and Development.

CONSULTATIONS

Community Council:

Objects to the application on the following grounds:

- The land under consideration forms part of the green wedge and in the opinion of the Council should be retained as such;
- Concerned about the effect of the development on the character of the area and considers the application to be contrary to policies put in place by the Local Planning Authority to protect green wedge land;
- The development may lead to a significant impact upon road safety. The Nursing Home employs over 500 staff, many of whom, it is understood, walk to and from work along Summerhill Road which is an unlit highway and devoid of footpaths between Griffiths Road and Highfield Road. This factor, coupled with the fact that speeding on Summerhill Road is giving much cause for concern, poses major highway safety concerns which cannot be overstated;

- Cuts to local bus services will leave many employees no alternative but to continue to walk to and from work;
- The development will result in the loss of trees that provide significant amenity value to the local environment; and
- If the LPA decides to grant, it should impose a requirement to provide a substantial Section 106 commitment to help deal with the road safety issues outlined above.

Local Member:	Notified 08.03.2019
Site notice:	Expired 02.04.2019
Press Notice:	Expired 13.04.2019
Public Protection:	No objection. Conditions recommended to control noise of any air handling equipment. Informatives recommended for construction nuisance implications.
Highways:	No recommendations. The conclusions of the Traffic Assessment are considered acceptable.
Flood Officer:	Following testing of the ground conditions it is considered possible to incorporate SuDS surface water disposal techniques on site. A comprehensive drainage scheme should be provided.
NRW:	No objection subject to the imposition of conditions to control ecological mitigation methodologies and the provision of a biosecurity risk assessment.
Welsh Water:	Clarification has been sought regarding the intentions for the foul water discharge.
Neighbouring occupiers:	5 neighbouring occupiers notified. No responses received.

SPECIAL CONSIDERATIONS

Policy: Policy H11 of the UDP deals with new residential and nursing homes. The wording of this policy is such that it does not treat the erection of a new structure within the curtilage of an existing care facility any different than if it were an entirely new facility. As such, proposals should be considered in line with the council's strategic locational policies laid out in policy PS1 of the UDP, directing new facilities to within existing settlements. On this basis, in principle, the proposal would be a departure from current development plan.

The site is located outside any defined settlement limit and within a Green Barrier. Policies EC1 and Para 3.60 of Planning Policy Wales set out the criteria for what type of development is acceptable in areas with this designation. Development will only be granted planning permission if it is for

agriculture, forestry, essential facilities for outdoor sport and recreation, cemeteries and other uses of land which maintain the openness of the Green Barrier and do not conflict with the purpose of including land within it. By definition, the proposed development of the land for the purposes described would be inappropriate. The main issue for consideration is whether the openness of the green barrier would be harmed taking into consideration the reasons for including the land within the designation.

Location of development

The proposed development would fall within the curtilage of a well-established care facility which currently provides accommodation for approximately 250 residents. These residents are provided with nursing, medication and treatment services for matters such as dementia care, critical injury and rehabilitation. The organisation is effectively a private sector facility providing services for Betsi Cadwaladr University Health Board and WCBC.

The existing facility has developed over time with the latest significant element having gained planning permission in 2007 for a 60+ bedroom dementia care facility. This consisted of a separate block. The proposed development would be located south of this block, but within the same curtilage.

Whilst the site is located outside of any defined settlement limit, I am satisfied that the location of the development, contrary to policy PS1 can be justified. The proposed development would clearly be seen as a new building but would complement an existing well established facility. This facility provides for a significant level of care provision within the County Borough for a number of service providers such as the NHS and other local authorities. The service provision offered clearly results in a significant level of employment – the applicant stating that at the Pendine Park site itself there are approximately 500 members of staff. I have no reason to dispute this figure.

Consideration of the character and context of the Pendine Park site is also of importance. The entire facility is located within kept grounds, the boundary of which is generally made up of mature tree coverage and hedges. It is very much seen within its own setting with few views of the grounds seen from outside the site.

On balance, given the significant care provision that the applicant provides on this site with no evidence before me to suggest that the need for such accommodation will not reduce, along with the significant benefits to employment within the County Borough, I consider significant weight should be given to allowing the development in this location contrary to policy PS1 and H11.

Green Barrier

It has already been established that the proposed development is inappropriate by definition. However, UDP policy EC1 and PPW allude to development being acceptable where its openness is maintained and it does not conflict with the purpose of including land within it. Such reasons are to

prevent coalescence of urban areas, to assist in safeguarding the countryside from encroachment, protect the setting of urban areas and to assist in urban regeneration.

As mentioned above, I am entirely satisfied that the development of land within the curtilage of Pendine Park would not have a detrimental visual impact upon the wider open countryside due to its enclosure within its own grounds. The character of the surrounding land and the feeling of openness when experienced from Wrexham town and Summerhill settlements would not be eroded. The site is effectively equidistance between these settlements with 0.5km separation to the north west and south east. The risk of settlement coalescence, issues of encroachment and erosion of the urban edges will not be experienced in this instance.

Set against this is the weight afforded to matters addressed earlier in this report i.e. care provision, issues of economic development and employment provision within the County Borough. I am satisfied that these matters carry significant weight in favour of supporting the development within the Green Barrier.

The council has submitted its Local Development Plan for examination to the Welsh Government. Whilst no weight can be given to individual policies within it, the council have concluded that the previous Green Barrier policies should be rolled over (to be referred to as Green Wedge). In response to the applicant's representations relating to this continued allocation, the council have alluded to the fact that the above mentioned matters should carry significant weight in favour of the Green Barrier/Wedge protection policies.

I conclude that the principle of the development outside any settlement and within the Green Barrier is acceptable.

Highways: The site is accessed from a single position off Summerhill Road. That access is considered safe and meets normal planning requirements in terms of visibility. The applicant has submitted a Traffic Report which details the conclusion of a previous traffic survey carried out adjacent to the site access and an assessment of the junction capacity on to the Mold Road interchange. The report has concluded the following:

- The proposed development will not generate a significant amount of additional traffic;
- There will be no significant impact on the operation of the Mold Road interchange roundabout;
- The capacity of the existing junction onto Summerhill Road is adequate;
- The layout and available visibility of the existing junction is appropriate;
- There is no significant traffic accident history in the vicinity of the development site.

Highways have not questioned the content of this assessment, therefore I am satisfied that the proposal would not be detrimental in highway safety terms.

The Community Council have raised concern regarding the suitability of Summerhill Road and pedestrian access for staff members that get to site on foot. There is limited pedestrian access to the site along Summerhill Road but there is a continuous footway from Wrexham town centre which is within reasonable walking distance. It is noted that there are bus services which pass the site with a stop in close proximity to the site access on a relatively frequent basis. The Traffic Report also concludes that the traffic generation will be limited to staff and visitors with approximately 15-20 additional staff, all on a shift rota basis. Visitor hours are likely to be limited to between 1100 and 1500 hours. The organisation recently relocated 20 administrative staff to offices on the Wrexham Tech Park – it being argued that the proposed development would result in a neutral traffic generation in effect. On balance, I am satisfied that allowing the development would not put existing and prospective road users and pedestrians at risk. There are safe and sustainable transport choices for staff members and I am not convinced, in planning terms, that there would be sufficient justification to refuse the application on these grounds. Following on from this, I am also satisfied that there would be insufficient justification to insist upon a legal obligation to fund highway safety improvements in this location. This can only be required if it can be demonstrated that they are required to offset any particular harm demonstrated by allowing a development.

Trees and Ecology: Arboricultural and ecological surveys have been provided. These reports indicate that the site can be developed without having an adverse impact upon the existing important trees on the site (subject to a TPO) that have a significant amenity value. Mitigation measures can also be employed which seek to protect existing locally important species and offset the harm that may be caused by the development of the site.

As this proposal is made in outline, detailed protection and mitigation measures cannot be laid out at this stage. I am therefore satisfied that these matters can be adequately controlled through planning conditions. It has been demonstrated that the development accords with policies EC4 and EC6 of the UDP.

Drainage: The council's LLFA officer has confirmed, based on site investigations, that surface water could adequately be dealt with on site in accordance with sustainable drainage principles and SAB approval is likely to be achievable. Again, a detailed scheme cannot be provided at this stage because the proposal is in outline. A comprehensive drainage condition can be imposed seeking approval of a surface and foul water disposal design. I am also satisfied that this would also overcome Welsh Water's query in relation to the proposed method of foul water disposal.

Conclusion: I am satisfied that this proposal has been adequately demonstrated in light of UDP and national planning policies. Whilst the location of Pendine Park is with the open countryside where new development is normally directed away from, there are significant material planning

considerations which weigh in favour of deviating from these principles. I therefore recommend accordingly.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. Approval of the following details shall be obtained from the Local Planning Authority before any part of the development is commenced:
 - a. the layout of the building(s)
 - b. the scale of the building(s)
 - c. the appearance of the building(s)
 - d. the means of access to the site and building(s)
 - e. the landscaping of the site.
2. Plans and particulars of the reserved matters referred to in condition 1 (above) shall be submitted in writing to the Local Planning Authority before the expiry of three years from the date of this permission. The development shall only be carried out in strict conformity with such details as are approved.
3. The development hereby approved shall be commenced before the expiry of five years from the date of this permission or before the expiry of two years from the date of approval of the last of the reserved matters required to be approved, whichever is the later.
4. The development hereby approved shall be limited to a 3000 square metre care facility falling within use class C2 of Town and Country Planning (Use Classes) Order 1987 (as amended).
5. As part of the detail reserved by condition no.1, a landscaping and ecological mitigation and management scheme shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the detail as may be approved and in accordance with timescales to be approved as part of the submission.
6. 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 along with future long term management plans 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.
7. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with Method Statement as is approved. The Method Statement shall include the following:
 - a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
 - b) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;

c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;

d) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;

e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;

f) Method for protecting retained trees during demolition works;

g) Details of all proposed tree works, including felling and pruning.

8. No development shall commence until a scheme of reasonable avoidance measures (RAMS) in relation to great crested newts has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

9. As part of the detail reserved by condition no.1, provision for a scheme of bat conservation measures and a scheme of external lighting (based on a detailed light spill analysis) which accords with the principles laid out in section 5. of the approved report of Kingdom Ecology - dated 25.10.2018 shall be made. The development shall be carried out in accordance with the approved plan.

10. Prior to the commencement of development a biosecurity risk assessment shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved plan.

11. The rating level of any noise generated by air handling plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial areas.

REASON(S)

1. To comply with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012

2. To comply with Section 92 of the Town and Country Planning Act, 1990.

3. To comply with Section 92 of the Town and Country Planning Act, 1990.

4. In order to define the terms of the planning permission and ensure that the scale of the development is consistent with the existing site context in accordance with policies PS2 and GDP1 of the Wrexham Unitary Development Plan.

5. In the interests of the visual amenity of the area and to ensure that the ecological interests of the site are not harmed to comply with policies PS2 and GDP1 of the Wrexham Unitary Development Plan.

6. To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment

or the existing public sewerage system in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.

7. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.

8. To ensure the ecological interests of the site are not harmed to comply with policies PS2 and GDP1 of the Wrexham Unitary Development Plan.

9. To ensure the ecological interests of the site are not harmed to comply with policies PS2 and GDP1 of the Wrexham Unitary Development Plan.

10. To ensure the ecological interests of the site are not harmed to comply with policies PS2 and GDP1 of the Wrexham Unitary Development Plan.

11. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

NOTE(S) TO APPLICANT

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority
