



S73 Applications - Removal of Conditions:

P/2018/0666 - Condition 18;

P/2018/0671 – Condition 11;

P/2018/0672 - Condition 9

Crispin Lane / Mold Road Junction Works

Supporting Planning Statement

TABLE OF CONTENTS

1.0 INTRODUCTION.....	3
2.0 SITE AND CONTEXT	5
3.0 JUSTIFICATION FOR REMOVAL OF CONDITION	7
4.0 WREXHAM GATEWAY	8
5.0 COMMERCIAL VIABILITY	10
6.0 IMPACT ON THE HIGHWAY NETWORK – UNIVERSITY EXPECTATIONS	11
7.0 IMPACT ON THE HIGHWAY NETWORK – RESIDENTIAL DEVELOPMENT	12
8.0 INHERITED IMPROVEMENT WORKS.....	13
9.0 UNIVERSITY POSITION.....	14
10.0 CONCLUSIONS.....	15

1.0 INTRODUCTION

- 1.1 Cassidy + Ashton have been instructed by Wrexham Glyndwr University to prepare and submit this application for the removal of a synonymous planning condition attached to three separate planning permissions at the University Campus.
- 1.2 This statement is therefore submitted in support of three separate S73 applications, discussed collectively due to the interrelated nature of the conditions and accordingly the context surrounding the conditioned junction works. Each of these planning conditions are set out below.
- 1.3 **P/2018/0666** dated 31/07/2019, description of development:

Demolition of student union, refectory and other redundant buildings, and redevelopment of academic campus to provide new learning gateway building, engineering building, new sports hall extension, redevelopment of multi-use games area, refurbishment of social learning and academic tuition space, together with new car parking, infrastructure, landscaping and public realm works. FULL PERMISSION

- 1.4 **Condition 18** to be removed – attached to P/2018/0666 - states:

Notwithstanding the approved 1:200 Mold Road/Crispin Lane Junction Arrangements Rev B plan, a scheme detailing the construction of the following shall be submitted to and approved in writing by the Local Planning Authority:

1) Detailed layout, design, drainage, construction and visibility splays of the proposed junction realignment at Mold Road/Crispin Lane

The approved scheme shall be fully implemented prior to first use of the development.

- 1.5 **P/2018/0671** dated 07/05/2020, description of development:

Demolition of redundant student halls and outline application for up to 410 residential units with access off B5101 together with car parking, landscaping and associated infrastructure on surplus land within the overall Plas Coch academic campus. OUTLINE PERMISSION

- 1.6 **Condition 11** to be removed – attached to P/2018/0671 – states:

Prior to the occupation of any part of the development hereby approved, carriageway alignment improvements shall be implemented at the junction of Crispin Lane and Mold Road in accordance with a scheme which has been submitted to and approved in writing by the local planning authority.

- 1.7 Note – approval of reserved matters (P/2021/0094) has reduced the quantum of residential development to 90 dwellings.

1.8 **P/2018/0672** dated 01/07/2019, description of development:

Outline application for student accommodation facility of up to 197 bed spaces, parking and landscaping.

1.9 **Condition 9** to be removed – attached to P/2018/0672 - states:

Prior to the occupation of any part of the development hereby approved, carriageway alignment improvements shall be implemented at the junction of Crispin Lane and Mold Road in accordance with a scheme which has been submitted to and approved in writing by the local planning authority.

1.10 This supporting planning statement therefore sets out the context of the campus site and thus the perspective in which these conditioned junction improvement works should be considered. As such, the statement proceeds to set out a number of factors which deem these works as being unnecessary, not relevant to the development and/or unreasonably justified, and hence these conditions should be removed.

1.11 These factors generally influence the present and future pressure on the junction and consequently its longer term operation.

2.0 SITE AND CONTEXT

- 2.1 The application site concerns the Wrexham Glyndwr University Main Academic Campus, extending to c. 14 ha. The site is therefore comprised of the universities academic and residential buildings, together with its ancillary amenities, including sports facilities, car parking and open space.
- 2.2 The subject of this S73 application is the Crispin Lane / Mold Road junction area of these permissions, as displayed within Figure 1 and is characterised by a T junction.



Fig. 1 Site Location [Source: Google Maps]

- 2.3 Situated 1 mile from the centre of Wrexham, the campus site is in close proximity to a suite of local amenities and public transport facilities.
- 2.4 Wrexham General Railway Station is located immediately East of the site, less than 100m from the Crispin Lane / Mold Road junction, providing services to Bidston, Chester, Holyhead, Cardiff, Birmingham, and Llanelli.
- 2.5 The nearest bus stop is located c. 25m from the junction, with frequent services into the town centre, and to Mount Sion, Summer Hill and Caego.
- 2.6 Walking and cycling are also key methods in accessing the site, with the town centre being easily accessible via these methods.

WREXHAM GLYNDWR UNIVERSITY – FUTURE STRATEGY

- 2.7 Wrexham Glyndwr University is public research University with charitable status, which was established in 2008 from the former North East Wales Institute of Higher Education.
- 2.8 'Campus 2025' is the universities future strategy, which seeks to sustain its position in the higher education sector, delivering a 21st century appropriate learning environment.
- 2.9 Campus 2025 therefore presents the primary objective to provide a modern, flexible campus, with spaces which are able to adapt as teaching and learning styles evolve.
- 2.10 Glyndwr are committed to investing in the campus to develop an environment where students want to stay, building a student centred, vibrant and sustainable campus. Aligned with this are examples such as the Northern Quarter permission, the sale of the land and subsequent reinvestment in the University campus and facilities being integral to the University's strategy.
- 2.11 In line with its charitable status, it is therefore the priority of the University to ensure best value when progressing any expenditure. This is paramount to the case put forward in this S73 application for the removal of a synonymous planning condition across three permissions, which, in our opinion would constitute unjustified considerable outlay by the University and so not meeting their remit of ensuring best value.

3.0 JUSTIFICATION FOR REMOVAL OF CONDITION

- 3.1 This section sets out a number of factors supporting and justifying our application for the Crispin Lane / Mold Road junction conditions to be removed (P/2018/0666 - Condition 18; P/2018/0671 - Condition 11; P/2018/0672 - Condition 9).
- 3.2 Legislation states how planning conditions should meet six key tests in order to be properly used and implemented, authorising them 'valid' conditions. The 2014 Welsh Government Circular 'The Use of Planning Conditions for Development Management' sets out the six tests in ensuring the validity of planning conditions.
- 3.3 Accordingly, conditions should be:
- (i) necessary;
 - (ii) relevant to planning;
 - (iii) relevant to the development to be permitted;
 - (iv) enforceable;
 - (v) precise; and
 - (vi) reasonable in all other respects.
- 3.4 Although the Crispin Lane / Mold Road improvement works may have been considered a valid condition to impose at the time of decision, the following factors are more recently influential to the site and specifically the context of these works. As such, it is not considered that these works are either necessary, relevant to the development or reasonable.
- 3.5 The key justifications of our argument are summarised as follows:
- (i) Wrexham Gateway
 - (ii) Commercial Viability
 - (iii) Impact on the highway network – University expectations
 - (iv) Impact on the highway network – Residential development
 - (v) Inherited improvement works

4.0 WREXHAM GATEWAY

- 4.1 The Wrexham Gateway Partnership – comprised of partners Welsh Government, Wrexham County Borough Council and Wrexham Glyndwr University – aims to regenerate the Mold Road corridor to create a well-connected, attractive route into the town centre.
- 4.2 The Gateway plans concern major transformation of the area around Wrexham General Railway Station, extending to the Wrexham AFC Racecourse Ground and the Glyndwr University Campus.
- 4.3 The £25 million Welsh Government funding awarded to the project to date is seen as a huge opportunity for both the gateway and for the wider town of Wrexham. This funding further provides credibility and deliverability to the proposals and their ability to transform the town's profile.
- 4.4 The current projected timeframe for commencement of works is within the next 12-18 months. This is partly dictated by time limitations for spending committed fund awards.
- 4.5 The Gateway Masterplan (Figure 2) demonstrates the proposed remodelling of the area. Notably, these proposals do not include a junction at Crispin Lane / Mold Road, this is instead replaced by additional development and a 'Stadium Gateway opening' between the Wrexham FC Stadium and the Railway line.

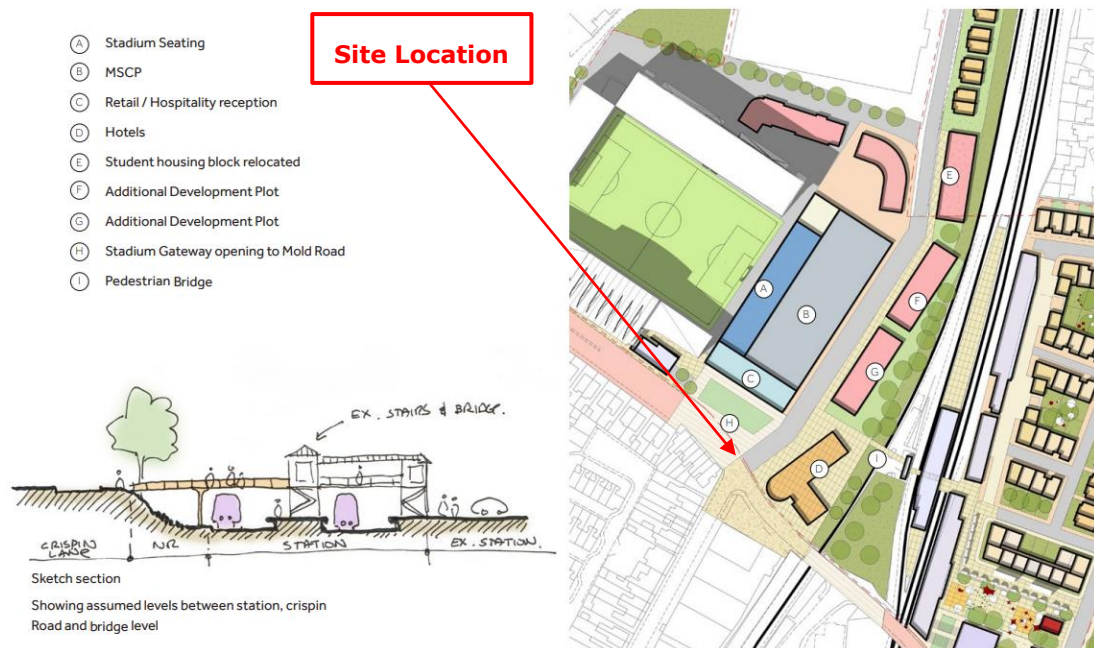


Fig. 2 Extract from Wrexham Station Gateway Masterplan

(Source: Farrells, 2020)

- 4.6 With the priority of improving connectivity, the above masterplan outlines a gateway which interconnects different spaces and uses which communicate well together and effectively represent the character of Wrexham.
- 4.7 Whilst the University is particularly enthusiastic about these proposals and looks forward to the associated promotion of Wrexham as a competitive urban area, it is clear that this development would impact any works at the Crispin Lane / Mold Road Junction.
- 4.8 As such, the conditioned junction improvement works would be superseded upon implementation of the Gateway transformation. The works therefore fail to meet the planning condition test of being 'necessary' or 'reasonable'.
- 4.9 In the context of these imminent masterplan proposals, to proceed with the junction improvement works would therefore result in unnecessary expenditure for the University and disruption for the wider Wrexham community.
- 4.10 For these reasons, the conditions set out above - 18, 9 and 11 of the identified permissions - are not considered to be necessary or reasonable and we therefore request they be removed.

5.0 COMMERCIAL VIABILITY

- 5.1 In addition to the gateway proposals, the junction improvement works are made more complex due to the location of statutory utilities in this particular location.
- 5.2 To facilitate the junction improvement works, whilst ensuring continued future access for maintenance purposes, extensive diversion / relocation of a number of statutory utilities in this location would be required.
- 5.3 These relocation works would involve significant associated expenditure. The diversion of the statutory utilities has been costed at circa. £900,000. This is in conjunction with the separate costs associated with the general civil works themselves, totalling the junction works to circa. £1 million.
- 5.4 In line with the above proposals, the evident lack of longevity of any restructuring at this junction prior to the gateway transformation renders the £1 million expenditure completely unviable and an unreasonable request. The conditions therefore fail to meet the test of being 'reasonable'.
- 5.5 With regard to the P/2018/0671 Northern Quarter permission for residential development, the extent of expenditure discussed above is exacerbated as a limitation due to the impact it would have upon the viability of the land purchase price.
- 5.6 The agreed purchase price allowed for the improvement works, however with costs now five times the original estimate, pursuing the works in line with the revised costing would be commercially prohibitive to the Edwards Homes land purchase.
- 5.7 The University would like to highlight that they would not begrudge any such necessary costs in line with planning permissions. It is however felt that the money would be better spent in line with their Campus 2025 Strategy to enhance the student offer – as discussed in chapter 2.0 - as opposed to highway works, which will imminently be again restructured.
- 5.8 We therefore request that these conditions be removed on the basis of being an unreasonable request on an educational establishment with charitable status.

6.0 IMPACT ON THE HIGHWAY NETWORK – UNIVERSITY EXPECTATIONS

- 6.1 The Applicant – Wrexham Glyndwr University – would like to highlight a number of points with regard to the modern campus operation which inevitably result in a lesser impact on the surrounding highway network.
- 6.2 Following the effects of the Global Pandemic, the University is continuing with the operation of hybrid learning and working, allowing staff and students to divide their time between the campus and their homes. Accordingly, as identified within the Car Park Management Plan, the University are confident that campus attendees are and will continue to be lower than ever, due to this additional flexibility.
- 6.3 The pressure on the Crispin Lane / Mold Road junction will therefore be less significant than previously considered upon the decision of these applications and thus imposition of the discussed conditions.
- 6.4 In addition, as per the Car Park Management Plan which has been signed off by Wrexham Borough Council in the discharge of Condition 19 of P/2018/0666, the University are considering a revised internal access layout so as to divert traffic away from the Crispin Lane / Mold Road junction. This priority is to be pursued as the University appreciates the Council have longstanding concerns around the operation of this junction.
- 6.5 For these reasons, we would like to highlight that these permissions are not expected to create any additional pressure at the junction and as such, the conditions are neither necessary, relevant to the applications nor reasonable.

7.0 IMPACT ON THE HIGHWAY NETWORK – RESIDENTIAL DEVELOPMENT

- 7.1 It is understood that the original University planning permission for the Northern Quarter - P/2018/0671 - for residential development will not have a detrimental impact on the surrounding highway network and on the safety of which.
- 7.2 This understanding is acknowledged by the Council, with reference to the Officer's Report dated 01/07/2019 stating:

*"I am satisfied that the proposal can occur without causing detriment to highway safety. **I have no evidence before me to suggest that the development will result in a significant level of traffic movements that would hinder the safe movement of traffic on the nearby highway network.** I am also satisfied that given the sustainable location, there can be a safe assumption that not all occupiers will rely on car ownership. This will naturally result in a reduced perceived number of vehicles access or leaving the site at peak hours and will not have a significant impact upon off site on street parking congestion. There are no sound reasons in planning terms to refuse this proposal on the grounds of highways safety."*

(our emphasis)

- 7.3 Further to this, the traffic modelling submitted by Edwards Homes for the S73 application – P/2020/0335 – also demonstrates that this residential development would not make use of Crispin Lane. The modelling highlights that the development would be serviced by the access point off the B5101 roundabout.
- 7.4 The development of the P/2018/0671 permission would not impose any pressure on the Crispin Lane / Mold Road junction and the works are therefore not relevant to the development, necessary or reasonable.
- 7.5 This argument is specific to the removal of Condition 11 on planning permission 2018/0671, which fails to meet the tests of being 'necessary', 'reasonable' and 'relevant to the development'.

8.0 INHERITED IMPROVEMENT WORKS

- 8.1 It is our understanding that the requirement for improvements to the Crispin Lane / Mold Road junction has been subject of a number of historic planning permissions and associated conditions preceding the permissions subject to this statement.
- 8.2 The University wish to highlight that, despite undertaking the works being a prerequisite of historic permissions, schemes have proceeded without the prescribed works being undertaken. It is the responsibility of Wrexham County Borough Council to have enforced this.
- 8.3 As such, it can be interpreted that the University has 'inherited' the commitment to these works on account of the Council's failings.
- 8.4 An example of a permission on which the works previously conditioned is as follows:

P/2008/1296 - Erection of 521 student bedroom development / construction in two blocks, together with access road, parking and landscaping.

Condition 20 of the permission states:

No development shall commence until full details of the proposed re-alignment of the Crispin Lane/Mold Road junction has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented to Highway Authority adoptable standard prior to the first occupation of the development.

- 8.5 The University was not the applicant in this case. The scheme has been progressed privately.
- 8.6 Again, it is our opinion that the conditions fail the tests when assessed against this background information, principally on the grounds of necessity and reasonableness.

9.0 UNIVERSITY POSITION

- 9.1 The conditioned highway works at the Crispin Lane / Mold Road junction were discussed at a Glyndwr University Board of Governors meeting on 01/10/2021.
- 9.2 This section sets out the position of the University with regard to these works, outlined by an extract from the Board of Governors Meeting Minutes.

MEETING MINUTES – BOARD MEETING 01/10/2021

- 9.3 The University fully acknowledges the Council's requirement to ensure highway safety is a paramount consideration, improvements to the Crispin Lane / Mold Road junction being integral to this in the wider context. The board had a number of serious concerns regarding the development as follows;
- The Wrexham Gateway partnership project is a major scheme in the same location at the Crispin Lane junction, and any works carried out by the University will be dug up and replaced as part of that scheme.
 - It was felt that the significant costs incurred by the University would therefore be wasted as the works would not remain permanently, and this is not the best use of public funds.
 - That the local residents and business in Wrexham would be affected by construction works twice, once by the University and again by the Gateway partnership and this would affect their day to day lives and trading. It was felt that disruption to the local community should be minimised by only carrying out the works once as part of the gateway project.
- 9.4 Ultimately, improvements at the junction will be achieved as an integral part of the Wrexham Gateway masterplan proposals. This is a dedicated regeneration scheme, with committed funding, which is due to be delivered in the near future.
- 9.5 The board also recognised the contribution made by the University to the Gateway Partnership and their endeavours, and look forward to integrating our plans with those of the Partnership in due course.

10.0 CONCLUSIONS

- 10.1 The above evidence highlights how these conditioned junction works do not meet the six tests of planning conditions as set out in chapter 3.0.
- 10.2 Assessed against these six tests, the key justifications for our argument are concluded as follows.

WREXHAM GATEWAY

- 10.3 As set out above, the implementation of the imminent Wrexham Gateway proposals would supersede any former works complete at the Crispin Lane / Mold Road junction, rendering them unnecessary.
- 10.4 Accordingly the three synonymous conditions (P/2018/0666 - Condition 18; P/2018/0671 - Condition 11; P/2018/0672 - Condition 9) are not considered to be necessary or reasonable and we therefore request they be removed.

COMMERCIAL VIABILITY

- 10.5 The extensive diversion / relocation of statutory utilities which would be required in association with the junction realignment works would incur significant costs rendering the works unviable to the University and thus being commercially prohibitive to the Edwards Homes land purchase.
- 10.6 This viability is exacerbated by the lack of longevity the works would foresee, following the implementation of the Wrexham Gateway proposals. For these reasons, these conditioned works therefore fail to meet the planning condition tests of being 'necessary' or 'reasonable' and we therefore request these conditions be removed on this basis.

IMPACT ON THE HIGHWAY NETWORK – UNIVERSITY EXPECTATIONS

- 10.7 Aiming to divert traffic away from the Crispin Lane access and adopting a hybrid learning strategy, the understanding is that University users of the junction are and will continue to be less than originally expected following development of its planning permissions.
- 10.8 Accordingly, when assessed against the conditions tests the conditions fail with regard to being necessary, relevant to the applications and reasonable.

IMPACT ON THE HIGHWAY NETWORK – RESIDENTIAL DEVELOPMENT

- 10.9 The traffic modelling submitted by Edwards Homes for the S73 application – P/2020/0335 – demonstrates that the P/2018/0671 permission for residential development would not utilise Crispin Lane as an access route.
- 10.10 On this argument, Condition 11 of this permission therefore fails to meet the tests of being ‘necessary’, ‘reasonable’ and ‘relevant to the development’.

INHERITED IMPROVEMENT WORKS

- 10.11 ‘Inheriting’ the junction improvement works from a previous permission after the conditioned works not being undertaken and as such not enforced by Wrexham Council, the conditions fail the tests, principally on the grounds of necessity and reasonableness.

WITHOUT PREJUDICE

- 10.12 The University fully acknowledges the Council’s requirement to ensure highway safety is a paramount consideration, improvements to the Crispin Lane / Mold Road junction being integral to this in the wider context. The fact of the matter is that the removal of the pertinent conditions, as requested by this S73 application, would not prejudice the ultimate outcome. Ultimately, improvements at this junction will be achieved as an integral part of the Wrexham Gateway masterplan proposals. This is a dedicated regeneration scheme, with committed funding, which is due to be delivered in the near future.

Cassidy+ Ashton

C+A

Email us:

architecture@cassidyashton.co.uk

surveying@cassidyashton.co.uk

planning@cassidyashton.co.uk

Follow us on:



www.cassidyashton.co.uk

Architecture + Building Surveying + Town Planning

Cassidy and Ashton is a trading style of Cassidy and Ashton Group Limited
Registered in England and Wales No. 2510645 – 7 East Cliff, Preston, PR1 3JE

