



S73 Application:

P/2018/0672 - Condition 2 (variation);

P/2018/0672 - Condition 3 (variation);

P/2018/0672 - Condition 9 (removal)

Supporting Planning Statement

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1.0 INTRODUCTION

1.1 Cassidy + Ashton have been instructed by Wrexham Glyndwr University to prepare and submit this application for the variation / removal of three planning conditions attached to planning permission ref. P/2018/0672 at the University Campus. The permission and conditions subject to this application are set out below.

1.2 **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.

1.3 **Condition 2** to be **varied** states:

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.

1.4 **Condition 3** to be **varied** states:

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.

1.5 **Condition 9** to be **removed** 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.

1.6 This supporting planning statement sets out the context of the site and thus the perspective in which these conditions should be considered.

1.7 As such, the statement sets out a number of factors which deem the timeframes defined for submission of reserved matters (condition 2) and commencement of development (condition 3) as being unnecessary and unreasonably justified. In light of recent proposals, it is therefore requested that these conditions should be varied accordingly.

1.8 Further to this, this statement sets out that the Crispin Lane / Mold Road junction works (condition 9) are neither necessary, relevant to the development or reasonably justified and hence this condition should be removed.

2.0 SITE AND CONTEXT

- 2.1 The application site concerns land at the Wrexham Glyndwr University Main Academic Campus, extending to c. 0.2 ha.
- 2.2 The land subject to this application to be developed for student accommodation is situated West off Crispin Lane, adjoining the existing Student Village, which currently comprises of 2 no. accommodation blocks.
- 2.3 The Crispin Lane / Mold Road junction to the South also forms the application site, characterised by a T junction.



Fig. 1 Site Location [Source: Google Maps]

- 2.4 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.
- 2.5 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.
- 2.6 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.
- 2.7 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

- 2.8 Wrexham Glyndwr University is a public research University with charitable status, which was established in 2008 from the former North East Wales Institute of Higher Education.
- 2.9 '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.
- 2.10 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.
- 2.11 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.
- 2.12 In line with its charitable status, it is therefore the priority of the University to ensure best value when progressing any investment. This is paramount to the case put forward in this S73 application in anticipation of the progression of the Wrexham Gateway proposals, which will supersede any development at this site. On this basis, progression to the reserved matters stage and implementation of the Crispin Lane / Mold Road junction works, in our opinion would constitute unjustified development for the University.

3.0 JUSTIFICATION FOR VARIATION / REMOVAL OF CONDITIONS

- 3.1 This section sets out a number of factors supporting and justifying our application for the variation / removal of conditions 2, 3 and 9 of P/2018/0672.
- 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 The key justification of our argument is centred around the imminent **Wrexham Gateway** proposals and the associated impact on the application site and any such development / investment.
- 3.5 As such, whilst we do not dispute that the above conditions were valid at the time of decision, the more recent influence of the Gateway proposals inhibits the validity of their use and implementation.
- 3.6 We therefore present that the conditions as set out within this statement are neither necessary, relevant to the development nor reasonable.

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. Extending onto the site area, these proposals override the existing built form at the application site. Notably, this Masterplan does not include a junction at Crispin Lane / Mold Road, instead being replaced by additional development and a 'Stadium Gateway opening' between the Wrexham FC Stadium and the Railway line.

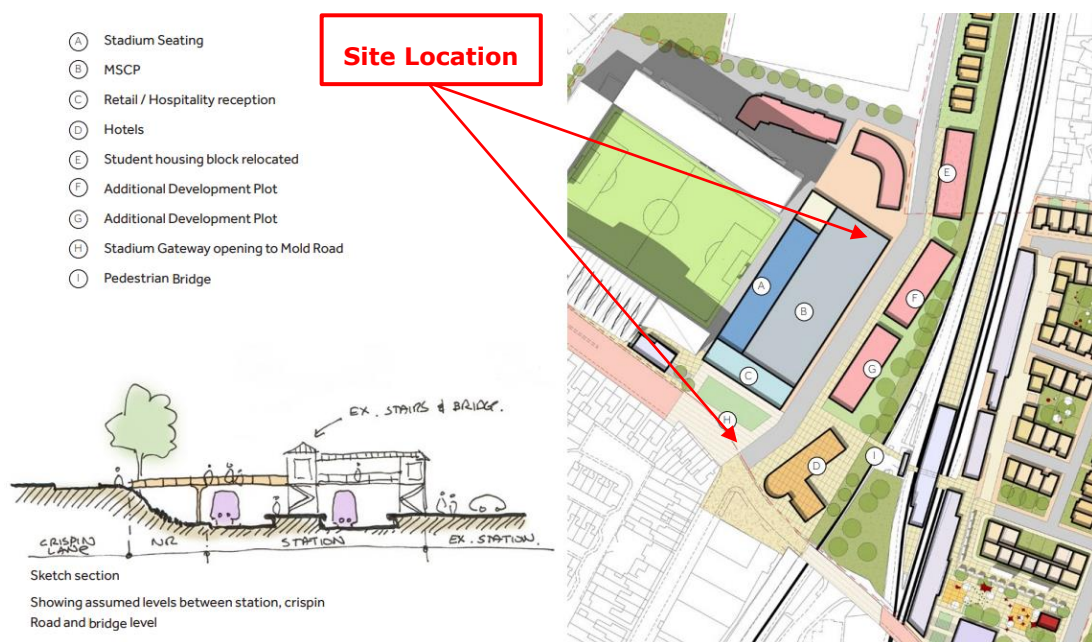


Fig. 2 Extract from Wrexham Station Gateway Masterplan

(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 are particularly enthusiastic about these proposals and look forward to the associated promotion of Wrexham as a competitive urban area, it is clear that this development would supersede any works at the application site, including the Crispin Lane / Mold Road Junction.
- 4.8 In the context of these imminent masterplan proposals, to proceed with submission of the reserved matters and implementation of the junction improvement works would result in **unnecessary expenditure** for the **University** and **disruption** for the **wider Wrexham community**.

CONDITION 2 - EXTENSION OF TIME FOR SUBMISSION OF RESERVED MATTERS

- 4.9 The University are cautious to continue to the reserved matters stage, which is likely to result in unnecessary progress and investment, in light of the present Wrexham Gateway proposals, which are set to supersede any development at the site.
- 4.10 The enforcement of this condition within the defined timeframe therefore fails to meet the planning condition tests of being 'necessary' and 'reasonable'.
- 4.11 We understand it is both necessary and reasonable for Wrexham County Borough Council to extend the timeframe for submission of reserved matters from 3 years to 5. This would prevent the University unnecessarily investing in defining and submitting details for this permission, whilst also facilitating its perseverance in the instance that the Wrexham Gateway Partnership make amendments to their current proposals.

CONDITION 3 - EXTENSION OF TIME FOR COMMENCEMENT OF DEVELOPMENT

- 4.12 In line with the above argument to extend the period for submission of reserved matters, it is understood that the development commencement date should be extended to reflect this uncertainty imposed by the Gateway proposals in the same manner.

- 4.13 As such, the current timeframe does not meet the planning conditions tests of being necessary or reasonable.
- 4.14 It is therefore requested that it would be reasonable for the Council to extend the timeframe of this condition equally, from 5 to 7 years. This is considered necessary to facilitate the preservation of this permission, to be implemented in the eventuality that the Wrexham Gateway proposals do not come to fruition.

CONDITION 9 - CRISPIN LANE / MOLD ROAD JUNCTION WORKS

- 4.15 Although the Crispin Lane / Mold Road improvement works may have been considered a valid condition to impose at the time of decision, the Wrexham Gateway proposals are more recently influential to the site and specifically the context of these works.
- 4.16 In the context of these imminent masterplan proposals, to proceed with the junction improvement works would result in unnecessary expenditure for the University and disruption for the wider Wrexham community.
- 4.17 As such, it is not considered that this condition meets the tests of being necessary, relevant to the development or reasonable.
- 4.18 The University fully acknowledge the importance of ensuring highway safety and thus the implementation of these improvement works. As such, there has been an agreement with Wrexham County Borough Council that a commuted sum provided by the University be secured through S106, in the eventuality that the upcoming Gateway proposals do not come forward.

5.0 CONCLUSIONS

- 5.1 The above evidence highlights how these conditions subject to this application do not meet the six tests of planning conditions as set out in chapter 3.0.
- 5.2 Assessed against these six tests, the key justifications for our argument are concluded as follows.

CONDITION 2 – EXTENSION OF TIME FOR SUBMISSION OF RESERVED MATTERS

- 5.3 Submission of the reserved matters would incur significant cost to the University, which they are more than happy to expend. However, with the upcoming Wrexham Gateway proposals, the works are understood to have a lack of longevity, being surpassed by the Gateway Masterplan.
- 5.4 For this reason, submission of the reserved matters within the defined timeframe of 3 years - in accordance with Condition 2 - therefore fail to meet the planning condition tests of being 'necessary' or 'reasonable'. We therefore request this condition be varied from 3 to 5 years, facilitating flexibility with regard to the final definition of Gateway proposals.

CONDITION 3 – EXTENSION OF TIME FOR COMMENCEMENT OF DEVELOPMENT

- 5.5 The current timeframe defined within this condition does not meet the planning conditions tests of being necessary or reasonable, in light of the uncertainty associated with the imminent gateway proposals, which are likely to supersede any development of the site undertaken by the University. We therefore request this condition be varied from 5 to 7 years, facilitating flexibility with regard to the final definition of Gateway proposals.

CONDITION 9 – CRISPIN LANE / MOLD ROAD JUNCTION WORKS

- 5.6 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.
- 5.7 Accordingly this planning condition therefore fails to meet the planning condition tests of being 'necessary', 'relevant to the development' or 'reasonable'.

WITHOUT PREJUDICE

- 5.8 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.
- 5.9 The commitment of the S106 agreement entered into by the University will ensure the completion of these works in the eventuality that the Gateway proposals do not come to fruition.

Cassidy+Ashton

C+A

Chester Office:

10 Hunters Walk, Canal Street,
Chester, CH1 4EB

T: +44(0)1244 402 900

E: chester@cassidyashton.co.uk

Email us:

architecture@cassidyashton.co.uk

surveying@cassidyashton.co.uk

planning@cassidyashton.co.uk

Follow us on:



www.cassidyashton.co.uk

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