

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING
4th APRIL 2016

APPLICATION NO:
P/2016 /0141

LOCATION:
TOTAL FITNESS UK LTD STANSTY
ROAD WREXHAM
LL11 2BU

DATE RECEIVED:
17/02/2016

COMMUNITY:
Rhosddu

DESCRIPTION:
PROPOSED AMENDMENT AND
EXTENSION TO EXISTING CAR
PARKING FACILITIES TO PROVIDE
195 SPACES IN TOTAL

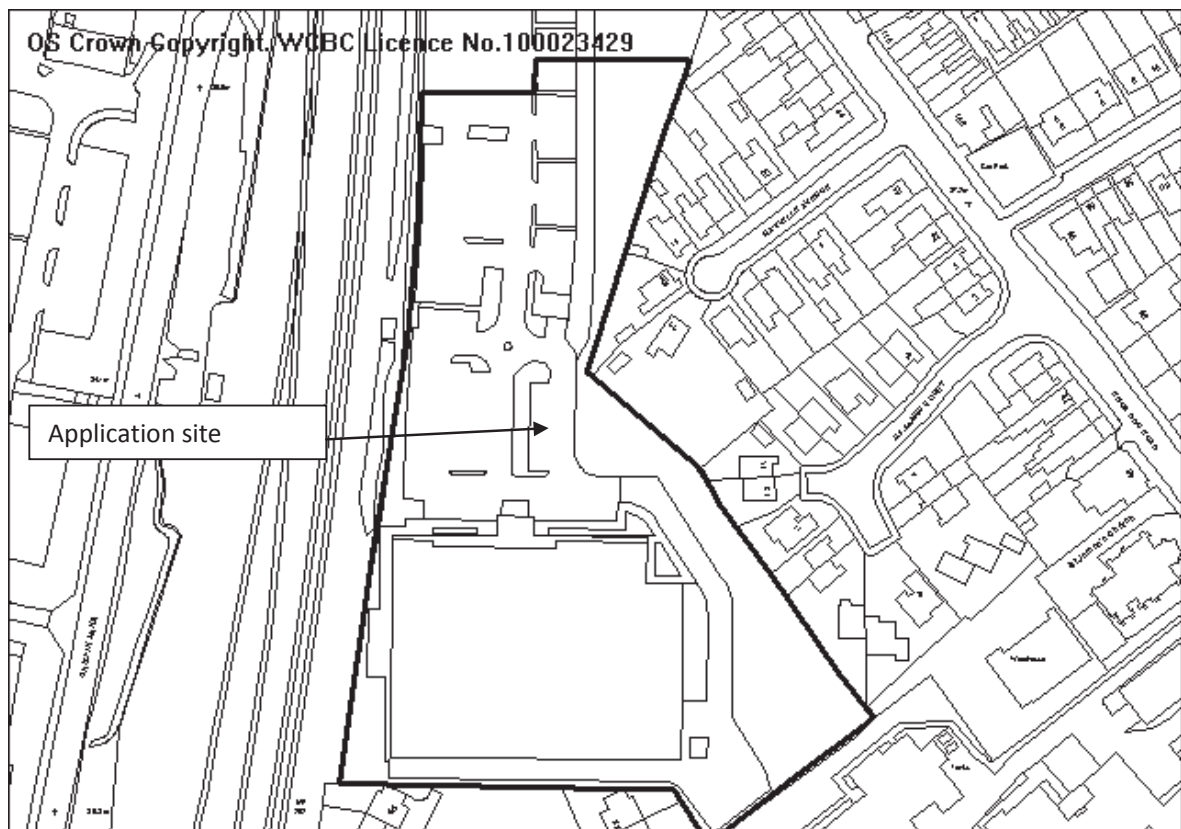
CASE OFFICER:
MP

WARD:
Grosvenor

APPLICANT(S) NAME:
MR M FORGRAVE GOWER HOMES

AGENT NAME:
PARRY DAVIES
ARCHITECTS LTD
MR R S GRATTON

THE SITE



PROPOSAL

As above.

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HISTORY

Whole Total Fitness Site, including application site.

CB1478 Residential development and alteration to existing vehicular and pedestrian access. Outline permission refused 1.12.97. Allowed on appeal 9.12.98

CB 03591 Erection of exercise and rehabilitation centre. Refused 8.11.1999. Allowed on appeal 11.7.2000

P/2001/0109 Erection of covered walkway. Granted 9.4.2001

Part of Total Fitness Site, excluding part of the application site.

P/2008/1152 Erection of two storey building with associated parking. Refused 16.2.2009. Allowed on appeal 8.12.2009.

P/2014/0077 Renewal of previous planning permission to allow extension of time period for commencement of development of two storey office building with associated parking. Granted 27.3.2014

P/2015/0812 Residential development (24 dwellings) together with highways, access and parking improvements. Pending.

DEVELOPMENT PLAN

Within settlement limit. Policy GDP1 applies.

CONSULTATIONS

Community Council:	Consulted 22.2.16
Local Member:	Notified 22.2.16
Highways:	Have made the following comments:
	- The total number of existing spaces within the car park is 269. If around 49 spaces were to be lost as part of the office development then 220 would have remained for Total Fitness; - based on LPG16 the requirements for Total Fitness would be a maximum of 246 spaces; - the recently conducted parking surveys observed a maximum parking accumulation of 192 spaces on Monday 25/1/2016 and 151 on Tuesday on Tuesday 26/1/2016; - It is apparent from recently conducted surveys and observations that almost 200 cars have been using the car park at any one time. As the parking surveys are only a snapshot it would seem sensible to provide an additional

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allowance to cater for any potential increase in demand for parking above 192 cars. I would recommend that 192 spaces plus a 10% allowance are provided;

- to ensure the car park is not abused by non-members I would recommend that some form of parking management is implemented. Please ask the applicant to confirm what, if any parking management measures are proposed;
- the submitted plan indicates the provision of 195 spaces for Total Fitness which provides very little flexibility/spare capacity should parking demand exceed recently observed parking accumulations;
- the existing internal footway/cycleway leading to the fitness centre has no dropped kerb provision at the southern end which is not ideal.
- No objection in principle but recommend the above issues are addressed.

Public Protection:

The Environmental Protection section would not object to the application for additional parking spaces on the grounds of noise or light from headlights

Site Notice:

Expired 17.3.16

Neighbours:

The owners/occupiers of 19 nearby dwellings notified 24.2.16. 5 objections received expressing the following concerns:

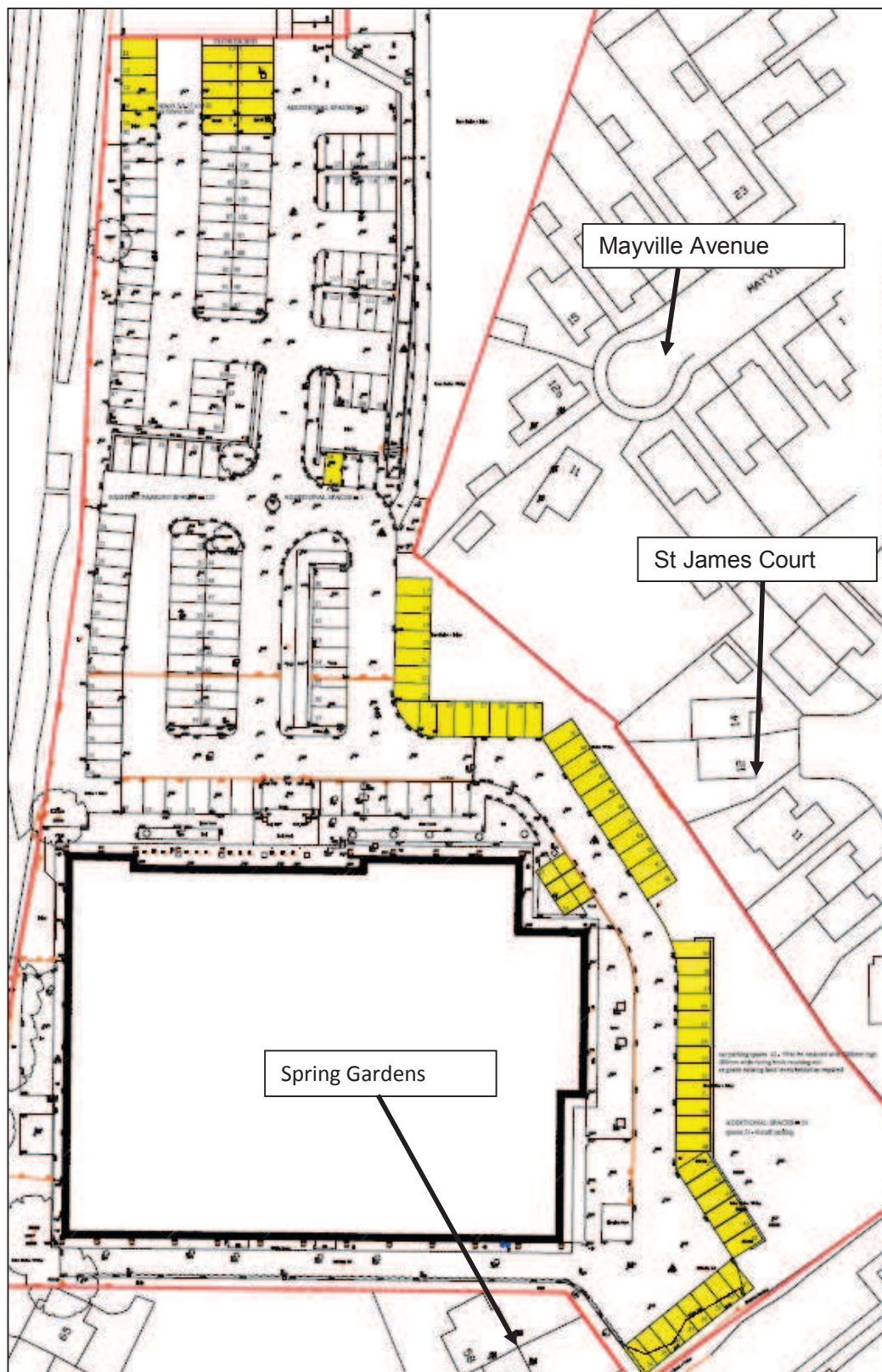
- Assurances given when Total Fitness took over the site that vehicles would not be allowed to travel past a certain point to protect residents of St James Court from noise and disturbance;
- Noise pollution;
- Light pollution;
- Security;
- Loss of landscaping;
- Negative impact upon quality of life;
- Japanese Knotweed;
- Highway safety – additional traffic at the Stansty Road Junction;
- loss of trees/hedges that provide habitat for wildlife;
- need for retaining walls, cutting through roots of trees potentially destabilising them;
- no pavement along the service road;
- loss of privacy following the loss of trees;
- Compromise the usability of rear gardens;
- Three parking spaces could block the emergency exit;

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- spaces face the unprotected glass windows of the swimming pool – in the event of any vehicle incident vehicles could end up in the pool. Armco barriers are suggested;
- parking after the alterations will block the service road to emergency vehicles;
- spaces will prevent refuse vehicles from turning.

SPECIAL CONSIDERATIONS

Amenity: A copy of the site plan is included below. The proposed parking spaces are shaded grey.



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A condition was imposed on planning permission CB3591 requiring details of gates to prevent public access to those parts of the site next to the rear gardens of St James Court however the condition did not require any such measures to be permanently retained. Whilst there are two metal posts either side of the access to the service area to the east of the building, there is currently no gate or barrier to prevent public access to it. In fact the service area is already regularly used for parking.

I accept that the proposed development will result in parking spaces being sited closer to neighbouring dwellings than at present and will also facilitate a more intensive use of the service area. However based on the surveys submitted in support of planning application for the erection of 24 dwellings at the northern end of the existing car park (reference P/2015/0812) the parking spaces within the service area are only likely to be heavily utilised for relatively short periods of time when overall demand for parking within the site is at its highest – typically between 5.30pm-7.30pm on weekdays.

The boundaries of all existing properties close to the new parking areas are enclosed by fences of varying heights however there is scope for improvements to enhance its with regards to noise attenuation.

The dwellings in St James Court are built on ground that is around 1.5m higher than the service area and this will help limit the amount of noise from the service area/proposed parking spaces that is audible within the gardens of those properties. I appreciate that existing boundary treatment is supplemented by planting and that some of this will be removed. However the planting that will be lost is not that dense and as a consequence is unlikely to be effective in terms of noise mitigation. Subject to a condition requiring the implementation of enhanced boundary treatment, I am satisfied that the development will not unduly impact upon the standard of amenity afforded to occupiers of nearby dwellings due to noise.

Concern has been expressed about the impact of vehicle lights shining into properties adjoining the service area however the differences in ground levels together with existing and/or enhanced boundary treatment will ensure that impact of vehicle lights will be minimal.

I am of the opinion that the proposals will not reduce the privacy afforded to occupiers of neighbouring properties. I appreciate existing trees adjacent to the eastern side of the service area currently restrict the views nearby occupiers have of the Total Fitness site, particularly in summer months. However given the differences in ground levels and subject to the retention and/or provision of enhanced boundary treatment the development will not result in any significant increase in overlooking of the gardens of nearby properties from the parking areas or existing pedestrian walkways within the site.

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The gym building does not have any first floor windows in the eastern elevation. There are first floor windows in the northern elevation of the building and one is around 26 metres from the boundary of nearest dwelling but given the relative position of the window to the dwelling, the loss of the existing landscaping will not result in a significant increase in overlooking of the garden of that property.

Whilst there are ground floor windows in the eastern elevation these are 23 metres from the boundary of the nearest dwellings in St James Court. However given that those properties are built on higher ground and subject to the retention/provision of boundary treatment, the loss of existing landscaping will not result any additional overlooking from the ground floor of the building.

Appearance: None of the existing trees or planting is subject to any specific protection, indeed the landscaping conditions attached to planning permission CB3591 required the soft landscaping within the site to be maintained for 5 years only, a period that has now lapsed.

The most substantial landscaping is located to the rear of no.11 Mayville Avenue and the dwellings in St James Court within a 1,700 sq.m area of land. One third of this area will be lost to provide the proposed parking spaces. Whilst the existing landscaping does have some merit it does not contribute towards visual amenity to the extent that the partial loss of it will result in significant harm the appearance of the site or the locality.

The parking spaces to the rear of St James Court will require retaining walls of up to 1.2 metres in height to be erected due to the differences in ground levels within this part of the site. Subject to the use of facing bricks similar in colour to those used to construct existing retaining walls within the site the new walls will not detract its appearance. The walls will also not be highly visible from outside of the site so will not have a significant impact upon the appearance of the wider locality.

Conditions will be imposed to require an Arboricultural Method Statement to ensure that the works are carried in a way that avoids adversely impacting upon trees that are to be retained and to require a landscaping scheme to provide some planting to compensate for the trees and shrubs that are lost as a result of the development.

Highways: The proposed amendments and extensions to the car park are being proposed to compensate for the loss of parking spaces as a result of the erection of 24 dwellings at the norther end of the existing Total Fitness car park (application P/2015/0812) and ensure that a total of 195 parking spaces are provided for use by the staff and customers of Total Fitness. I note the comments made by Highways, which repeat those made in respect of the application for the 24 dwellings, however I have responded to them in my report for that application. I therefore do not intend to repeat the reasons why I consider the provision of 195 spaces to be adequate. As noted in that report there appears to be some evidence that the car park is used by non-gym

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members/staff. To ensure that the spaces are kept available at all times for the staff and customers of the gym a scheme of parking management will be required by condition.

No extensions or alterations to the gym building itself are proposed. Furthermore the number of spaces proposed is intended to cater for *existing* peak levels of demand for parking. The proposals are therefore unlikely to increase the existing number of vehicle movements to/from the site and as such it will not put any additional pressure on the busy Stansty Road/New Road junction.

I note the comments made about the relationship between the parking spaces, the emergency exit from the gym and the large glazed windows to the swimming pool area in the eastern elevations. Ensuring the gym is operated safely is outside of the scope of planning control, however the nearest proposed spaces are at least 1.5 metres from the elevations of the building and will therefore not prevent people from exiting it should there be an emergency. The likelihood of vehicles reversing into the windows of the swimming pool area is small however should the applicants consider it necessary to erect a low wall, barrier or bollards to minimise any such risk they would be able to do so as permitted development. I do not consider it necessary to impose any conditions to require such provision.

Eight of the proposed parking spaces are located in existing hard surfaced area within the service yard. Those spaces could be provided without any significant engineering works and therefore without planning permission irrespective of whether this application is granted. Whilst noting the concern that they may inhibit the manoeuvring of refuse vehicles, I consider the likelihood of this happening to be low. Refuse collections from and deliveries to the site take place between 6am and 12pm on weekdays. Based on the parking surveys submitted with the application for the proposed 24 dwellings the highest demand for parking on week day mornings is around 115 spaces. The eight spaces referred to above would therefore not need to be available for staff or gym members when collections/deliveries are made and could be withdrawn from use by the site manager during those times. Furthermore there is space within the remaining car park for service vehicles to turn so the risk them attempting to reverse onto Stansty Road is extremely low. I therefore do not consider it necessary to impose a condition to require a service and delivery management plan.

The application does not provide for footpaths from the new parking spaces however there is no dedicated pedestrian provision from most of the existing parking spaces and I am unaware that this causes particular safety issues. It is also unusual for there to be dedicated pedestrian provision within the car parks of many other commercial premises. Car parks serving this type of use are commonly shared spaces and vehicle speeds are generally low. I therefore do not consider the proposals will put those walking to/from the proposed parking spaces at significant risk.

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Ecology: The landscaped areas referred to above have only limited ecological value. There is the potential for birds to nest in the trees/landscaped area to the east of the building however provided the proposed parking space those areas are constructed outside of the bird nesting season the development will not adversely impact upon them. This matter will be dealt with by condition.

I note the comments made objectors regarding Japanese Knotweed. I have no records of whether the site has been subject to a scheme of mitigation, but it is possible that there is Japanese knotweed present. A scheme to deal with this can be required by condition

Security: There is already unrestricted public access to the service yard at the rear of properties in St James Court and Spring Gardens. The development only facilitates the more frequent use of this area by gym members or staff who are walking to/from their parked vehicles. The proposals make it no more likely that others can or will enter the site than at present. In my opinion the proposals are unlikely to put the security of existing properties are any significantly greater risk than at present, particularly if adequate boundary treatment is maintained.

CONCLUSION

I am satisfied the development can take place without significantly impacting upon the amenity of nearby occupiers or without prejudicing the appearance of the site. As such the proposals accord with policy GDP1.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 15.554 / site survey Revision B and contained within the application documentation.
3. No works to construct parking spaces 17-30 and 42-70 shall take place 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 the 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;

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- 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.
4. No works to construct parking spaces 17-30 and 42-70, including the clearance of vegetation, shall take place during the bird nesting season (March-September).
5. No works to construct parking spaces 17-30 and 42-70 until a scheme of remediation in respect of the presence of Japanese Knotweed has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter only progress in accordance with the scheme as approved.
6. Parking spaces 17-30 and 34-70 shall be used until a scheme of boundary treatment has been implemented along the boundaries of nos 54-58 Spring Gardens and nos 7-14 St James Court in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment provided in accordance with the approved scheme shall thereafter be permanently retained.
7. Within three months of commencement of development, full details of a hard and soft landscaping scheme together with a timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.
8. The landscaping scheme submitted and approved in connection with condition no. 6 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
9. The landscaping scheme as carried out in connection with condition no. 7 shall be retained for a minimum of 5 years. Within this timescale, any planting becoming severely damaged or seriously diseased, or is in poor physiological condition and/or are removed without the written permission of the Local Planning Authority shall be replaced with trees or shrubs and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.
10. No facing materials shall be used to construct the retaining walls shown on drawing 15.554/site survey Revision B other than facing brick matching those used to construct existing retaining walls adjacent to parking spaces 58-65.
11. Within 3 months of the commencement of development a car park management scheme shall be submitted to include measures to discourage use of the car park other than by those visiting or working at the gym located on the site and a timescale for the implementation of those measures. The car park management plan shall thereafter be implemented in strict accordance with the details as approved.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure that the development fully complies with the appropriate policies and standards.
3. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
4. In order to protect wildlife interests, which are afforded special protection.
5. To control the spread of an invasive species.
6. To protect the amenities of the occupiers of nearby properties.
7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
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9. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
10. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
11. In the interests of maximising the available parking spaces for gym staff and members.

NOTE(S) TO APPLICANT

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is

trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority
