

**REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT**  
**1 February 2016**

|                                        |                                                                                                                                    |                                                              |
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| <b>APPLICATION NO:</b><br>P/2015 /0691 | <b>LOCATION:</b><br>LIBRARY ARTS CENTRE RHOSDDU<br>ROAD WREXHAM<br>LL11 1NF                                                        | <b>DATE RECEIVED:</b><br>15/09/2015                          |
| <b>COMMUNITY:</b><br>Rhosddu           | <b>DESCRIPTION:</b><br>MODIFICATION AND EXTENSION TO<br>ACCOMMODATE NEW POLICE<br>FRONT OF HOUSE WITH<br>ASSOCIATED EXTERNAL WORKS | <b>CASE OFFICER:</b><br>PF                                   |
| <b>WARD:</b><br>Grosvenor              | <b>APPLICANT(S) NAME:</b><br>MR IAN POOLE POLICE AND CRIME<br>COMMISSIONER FOR NORTH<br>WALES                                      | <b>AGENT NAME:</b><br>LAWRAY ARCHITECTS<br>MR KEITH O'HANLON |

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**Background:** Members will recall consideration of this application at the December 2015 and January 2016 meetings. At their consideration of the original submission in December, members resolved to defer determination of the application. This was because of concern raised about the loss of the 8 no. allocated disabled parking bays to the rear of the library accessed off Rhosddu Road and their relocation to the public library car park accessed off Chester Road. This was not considered to be a suitable solution in the absence of any consideration of any other alternative parking arrangements either equal distance or closer to the existing Shopmobility service at the Bus Station.

Officers liaised with the applicant and a proposal was put forward to seek the imposition of a Traffic Regulation Order to restrict traffic access to Egerton Street to Blue Badge holders, deliveries and access to private land, allowing on street parking provision. However, members were concerned that this solution would not represent a safe solution for disabled motorists and would not provide for a like for like replacement of the displaced parking provision that currently exists. In further deferring the application, members requested clarification as to whether the applicant requires full control of the entire car parking provision for operational purposes and whether any provision could be made for the retention of some or all of the those disabled parking spaces.

**Applicant's submissions:** The applicant has provided a full statement following consideration of this proposed scheme and the concerns raised by members previously. This statement has been requested by officers as a response to the current situation in terms of those concerns. This is repeated below verbatim.

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*Estate Strategy and Feasibility Study*

- The Police and Crime Commissioner for North Wales' Estate Strategy 2013-16 dated 19<sup>th</sup> March 2013 included a proposal to vacate the current Bodhyfryd police station site and relocate the custody suite, administrative functions and command team to a suitable site on the outskirts of Wrexham which subsequently turned out to be Llay for which planning consent has been obtained.
- Further to feedback obtained during the 'Estate Strategy' public consultation period there was a strong desire for a police facility to remain in Wrexham town centre and the final strategy document included a proposal for a town centre police station to accommodate a public front counter service, response police officers and neighbourhood policing services. This would ensure that an enquiry counter service and an operational base were retained in the town centre to complement the proposed facility on the outskirts of Wrexham.
- A number of town centre sites were considered for the town police station but the majority were deemed unsuitable due to either an unsuitable location for public interface and reassurance; insufficient parking provision and poor security for police operational vehicles; restricted highway access/egress; premises too small or too large or in poor condition; too expensive to adapt into a police station.
- Further to numerous discussions with Wrexham CBC's Assets and Economic Development Department it was agreed that a feasibility study would be commissioned by North Wales Police on the Oriel building, adjacent the town library, to assess its suitability for a town centre police station as this was considered a preferred option in a central and visible location and not too far away from the current Bodhyfryd site.

*Car Parking for Operational Vehicles*

- The feasibility brief provided to the design consultant engaged by the Force set out a requirement for 25 vehicle parking spaces for police operational vehicles to operate from the police station. It was made clear at the outset of the feasibility study that the provision of a secure car park for police vehicles was an absolute necessity for a town centre station and the full feasibility study proceeded after confirmation from Wrexham CBC representatives that the staff parking and the accessible spaces area at the rear of the library could be considered as part of the feasibility, subject to an approvals process.
- The final feasibility report by the design consultant confirmed that the Oriel building was suitable for adapting into a police station and a secure compound could be created for 26 vehicles. On this basis, draft Heads of Terms for a lease agreement for the Oriel were discussed with Wrexham CBC who also agreed to explore the options for relocating the staff library parking and accessible parking spaces to release the space for North Wales Police.
- The detailed design of the proposed secure compound parking area subsequently provides 20 police vehicle parking spaces within the compound due to restrictions attributable to tree preservation orders, access required for library deliveries and parking for a library vehicle. This has reduced from the original 26 spaces and 20 is now the minimum number of spaces that can be accepted to provide an effective service from this location.

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- There is no provision in the secure compound for parking privately owned vehicles and the 20 spaces makes allowance for operational vehicles (e.g. Roads Policing Unit, Crime Scene Investigation) visiting from other stations and operational support vehicles such as 'response cell vans'. Rhosllanerchrugog police station is an example of where there are too many operational cars for the size of the secure compound and we wish to avoid this scenario arising from the outset in the proposed Wrexham town station.
- The 'National Police Chiefs Council's Security of Police Vehicles Advice' document states that *'the security of both in-house and outsourced premises should be paramount to any operational requirement. Unattended vehicles should always be stored in a secure compound or building, never on the street. Open-air compound should have good perimeter fencing with secure access gates.'* A smaller vehicle compound is therefore unacceptable as it compromises the aforementioned requirement and if the accessible spaces remain in their current location there will be a potential traffic flow conflict on egress between response vehicles and those vehicles using the accessible spaces. If there is inadequate provision for parking operational police vehicles in a secure compound the viability of the town police station in this location becomes questionable.

*Alternative Location for Accessible Spaces*

- Following further discussions with representatives of Wrexham CBC the latest proposal is to create 5 accessible blue badge spaces off King Street near the Shop Mobility and Bus Station. The cost of the relining and signage will be met by North Wales Police. These spaces will be in addition to the 8 spaces proposed in Chester Street car park.
- The proposed 5 spaces off King Street will be nearer the town centre and will also be available to all blue badge holders. The creation of 13 accessible spaces compared to the current 8 spaces is considered a reasonable compromise in the circumstances.

*Town Centre Presence*

- North Wales Police want to maintain a visible and accessible policing presence in Wrexham Town Centre due to the demands created by the retail and night time economy. Should the decision be taken to not afford the required parking facility for operational vehicles we would be forced to locate patrol and neighbourhood officers at the Llay facility. This is located just over 5 miles outside of the Town Centre and the estimated travel time is 12 minutes without traffic. This could significantly increase at peak travel times. We would ensure that officers are forward deployed during their shift to best mitigate the effect of not having a town centre base, however, by the very nature of them starting and finishing their tour of duty and taking their refreshment breaks in Llay this would decrease police presence and increase vehicle running costs.

**Consultations:** In view of this additional information received from the applicant, I have carried out a reconsultation exercise with AVOW, Rhosddu Community Council and the local member, Councillor Steve Wilson. Views expressed will be reported in the addendum.

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Members attention is also drawn to a petition prepared by AVOW via change.org against the proposed development on the grounds of the negative impact the loss of the 8 disabled spaces in Rhosddu Road would have on those with mobility problems. This petition, as of 2 January 2016, contained 250 signatories and notification of this petition was provided to the council on this date.

**Observations:** The proposal as now presented to members is as follows:

- Change of use and extension to former Oriel Gallery to operational police station with associated operational secure car parking to the rear.
- Provision of one no. additional marked mobility space and the remarking of 7 no. existing spaces in the Chester Street public library car park (totalling 8 no. mobility standard spaces);
- The realignment and marking out of 5 no. mobility standard parking spaces adjacent to the Shopmobility / Bus Station replacing the existing 6 no. general access parking spaces.

In view of the previous debates by members regarding this proposal and the subsequent deferral of consideration of the planning application on two occasions, the applicant has sought to provide a justification for the scheme as presented. Whilst this justification is not formally required as part of the application process, I am satisfied that the applicant has provided sufficient clarification on the operational need for the parking requirement.

I also remain satisfied that the provision of the 8 no. marked out spaces in the Chester Street library car park will sufficiently cater for the loss of those mobility spaces which will be lost as a result of the change to the Rhosddu Road library car park. The applicants have also offered to fund and facilitate the provision of dedicated marking out of the existing on street spaces directly opposite the Shopmobility offices and Bus Station. I consider that this would be of significant benefit to the users of the Shopmobility service, providing dedicated spaces in close proximity to the service and eliminating potential use by non Blue Badge holders.

I am also mindful of the applicant's comments regarding their town centre operational requirements and the implications of not having a town centre presence. Whilst the loss of the mobility spaces is a material planning consideration, I consider that a suitable compromise has been found proposed which outweighs the potential harm that may be caused to existing users by the change to the current situation. In terms of the planning balance, I do not consider that the change in circumstances that Blue Badge holders would encounter outweighs the potential harm that would be caused to front line policing within the town centre if planning permission were not granted.

I am satisfied that suitable conditions can be imposed to allow for the provision of the displaced mobility spaces elsewhere in line with the proposals outlined above, and also for the improvement of the existing public parking

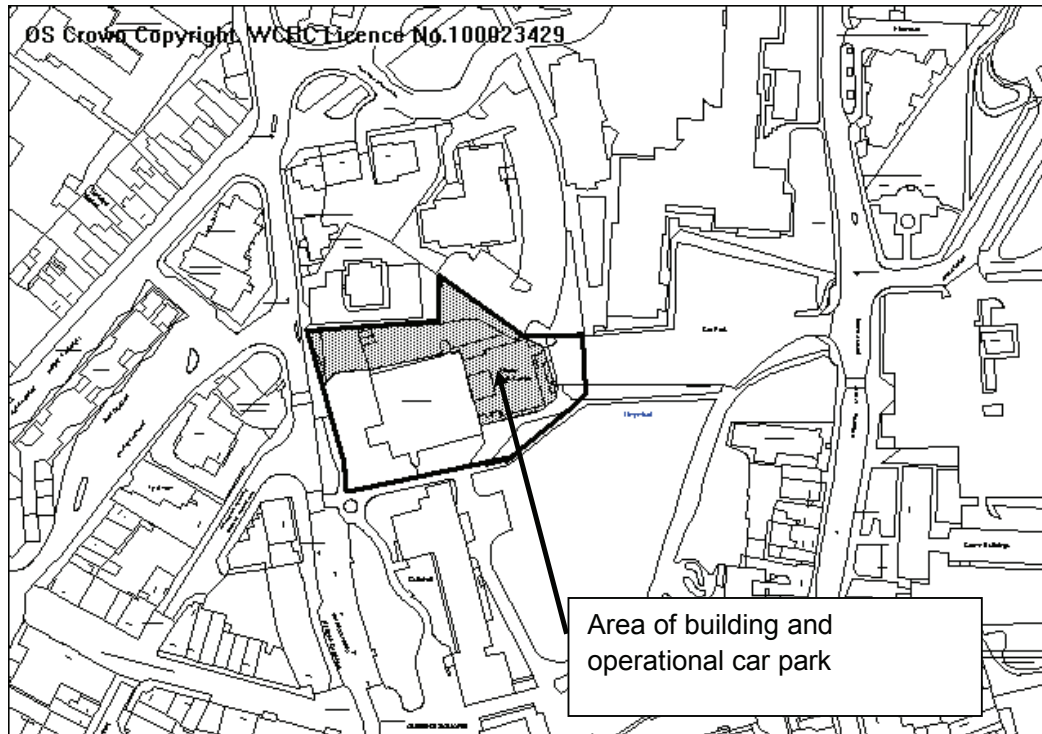
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spaces adjacent to the Shopmobility service. This is accounted for in my recommendation which follows my original report presented to members in December 2015.

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Original report follows

## **THE SITE**



## **PROPOSAL**

Planning permission is sought for the change of use of the former Oriel Gallery, its associated offices and the car park of the existing library to a police station and associated operational car park.

## **HISTORY**

None relevant to this application.

## **DEVELOPMENT PLAN**

The site is located within the Wrexham Town settlement. It also falls within an area subject to a group tree preservation order Denbighshire TPO No.12 (Llwyn Isaf). Policies PS2, GDP1, EC4 and T8 are relevant. Guidance is also contained in Local Planning Guidance Note 16 – Parking Standards and 17 – Trees and Development.

## **CONSULTATIONS**

|                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Community Council:      | <p>No objection in principle but concerns raised regarding 3 parking issues:</p> <ul style="list-style-type: none"><li>• The existing disabled parking facility adjacent to the library is to be taken away to be used by the police. The number of spaces lost should be replaced by additional spaces in the library car park;</li><li>• The proposed building extension will take away existing disabled parking spaces within the library car park. Additional spaces should be provided within the car park to make up this loss; and</li><li>• No parking provision is made within the proposals for visitors to deliver items, produce documents or report incidents.</li></ul>                                                                                                                                 |
| Local Members:          | Notified 18.09.2015.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Site Notice:            | Expired 14.10.2015                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Highways:               | No observations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Public Protection:      | Standard construction nuisance and air handling conditions recommended.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| NRW:                    | The applicant should be advised to take precautions in relation to the presence of bats.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Neighbouring Occupiers: | <p>4 neighbouring site occupiers notified. One representation received from AVOW raising the following points:</p> <ul style="list-style-type: none"><li>• AVOW has taken over the running of the Shopmobility service at bus station and a number of users use the car park area at the back of the library to utilise this service;</li><li>• There can be up to 20 users at any one time;</li><li>• There is limited car parking in the space between the Shopmobility entrance and Trinity Church, none of which has designated blue badge parking provision which results in any member of the public being able to use the space;</li><li>• The suggestion to create blue badge parking in the Chester Street area is totally unsatisfactory and totally unsuitable for people of restricted mobility;</li></ul> |

- AVOW are appealing to the Planning Committee to carry out a full Equality impact Assessment on this proposal to ensure that the full impact of the development has been considered. The users of the service spent over £400k in the town last year and a failure to provide suitable parking will undoubtedly cause a significant impact and result in users taking their spending power elsewhere.

## **SPECIAL CONSIDERATIONS**

**Background:** This application is submitted as a result of North Wales Police seeking to find alternative town centre accommodation as a result of its strategy to relocate its operations from the existing police complex at Bodhyfryd. This application is to change the use of part of the existing civic complex which previously formed the oriel Gallery and its associated offices. As part of the proposal, the Wrexham library is proposed to remain in its current form.

The proposal also includes for a small extension to the building frontage and the use of the existing library car park as an operation police/staff car park. No public use of this car park is proposed.

The police station would provide for a public reception area as well as standard police operational requirements including office space, interview facilities, welfare provision and storage.

**Alterations:** The building subject the application forms part of the wider civic complex. The elevation subject to the extension faces out towards the existing library public car park and will be prominent from public viewpoint. I am satisfied that this extension has been sympathetic designed to respect the form of the existing building and will result in a positive addition to the locality when viewed in the context of the wider civic complex.

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**Artist impression**

**Highways:** The site is located within the town centre adjacent to existing public town centre parking provision. A police station is considered to be a *sui generis* (a use class in its own right). Therefore the maximum parking standards of this use must be considered on a case by case basis and are not included within LPG16.

The proposal includes for the provision of a private barrier operated operational vehicle parking and delivery area. I am satisfied that the layout of this parking area is acceptable and the safe operational management of this area will not result in an overspill of vehicles on to the public highway. As the site is located within the town centre and within a safe and sustainable distance from existing public car parking provision, I consider that any additional staff parking provision that may be required during the operation of the development can be catered for by these existing facilities.

As a town centre facility, I do not consider a need to provide a dedicated parking area facility for visiting members of the public. The proximity to existing public parking provision can adequately cater for this requirement.

Representations have been received regarding the loss of existing disabled parking facilities within the existing library car park. There are currently 8 no. spaces available for blue badge holders and concerns have been raised that should these be lost, it will make access to the Shopmobility service within the bus station difficult. It is acknowledged that there are no other designated blue badge holder spaces available between this provision and the application site. However, there are existing parking spaces which are open to all users.

I understand, as part of the discussions to lease the building to North Wales Police, that the Council have considered other options to decant those existing designated spaces elsewhere within the vicinity of the site. There are currently 15 designated spaces immediately adjacent to the building on the library car park. As part of the extension to the building, the applicant has proposed one additional designated space. I understand that the Council have proposed the relocation of the balance of lost spaces by remarking 7 of the adjacent spaces as designated spaces. The loss of these general spaces

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in the library car park would then be accounted for in the future remodelling of the Bodhyfryd/Waterworld carpark.

The main issue for consideration whether the repositioning of these designated spaces will be acceptable in terms of the distance required to walk to the Shopmobility service. I acknowledge that the loss of these spaces will require users to walk further from existing and newly proposed provision. However, there are existing designated spaces within the library car park, therefore it is accepted to a certain extent that this is a suitable distance to walk between this provision. I am also mindful that the proposed spaces are to be located relatively closely to the position of those spaces to be lost (approximately 180 metres away). Given the scale of the existing town centre in the context of the additional distance I do not consider that these are reasonable grounds to justify the refusal of planning permission. It should also be borne in mind that the users of the Shopmobility service will not solely travel by motor vehicle, therefore any argument that the loss of trade will occur in the town centre is weak. I therefore consider that adequate mitigation can be provided to ensure that those with mobility issues are not disadvantaged.

**Trees:** Subject to the imposition of planning conditions to ensure safe working practices around existing trees subject to TPO, I consider that there is unlikely to be any detriment caused to these trees which have a significant amenity value.

**Conclusion:** I am satisfied that the provision of a police station facility within this building is a suitable use within this sustainable town centre location. It would provide for the retention of a key service within the town centre and can be implemented without causing harm to amenity or highway safety. As such I recommend accordingly.

**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 N1640/201 Rev p4, N1640/202 Rev p4, N1640/203 Rev p6, N1640/204 Rev p9, N1640/205 Rev p8, FOH-LAW-01-000-DEL-AR-062101 Rev P4 and contained within the application documentation.
3. Prior to their use on the development samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.
4. Prior to their installation, details of all means of boundary enclosures shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out strictly in accordance with the details as submitted.

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5. The vehicular parking and turning areas as shown on approved drawing(s) No(s). N1640/203 Rev p5 shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.
6. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 25 metres in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the nearside edge of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.
7. No equipment, machinery, plant or materials of any kind in connection with the development shall be brought onto the site until tree protection fencing and ground protection measures have been fully implemented. The fencing shall consist of a scaffold framework in accordance with Figure 2 of British Standard 5837:2012 comprising a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval of 3 metres. Onto this, 2.1 metre weldmesh panels shall be securely fixed with wire or scaffold clamps. This fencing shall be erected at the extent of the Construction Exclusion Zone on the approved Tree Protection Plan Ref. WLW/TCP/09/15/01. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made.
8. The tree protection fencing and ground protection measures approved in connection with condition no. 7 shall be kept in place until all external site works have been completed and the removal of the fencing has been approved in writing by the Local Planning Authority.
9. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday.
10. 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.
11. Any works to the roof of the building to which this permission relates shall only be carried out in a precautionary manner to include the following:
  - Any weather boarding, hanging tiles, soffits, fascia and barge boarding shall be removed by hand, and
  - Should any bats be discovered all works on the building shall cease and Natural Resources Wales contacted for further advice.
12. Prior to the first occupation of the development hereby approved, eight additional mobility spaces in excess of the existing 15 mobility spaces currently marked out shall be provided in the public Chester Street Library Car Park in accordance with a scheme which has been first been submitted to and approved in writing by the

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local planning authority. The allocated spaces hereby approved shall be retained in their approved position thereafter.

13. Prior to the first occupation of the development hereby approved, 5 mobility standard spaces shall be provided in place of the existing 6 on street parking spaces currently situated to the north eastern boundary of the Wrexham Bus Station in accordance with the detail as shown on the approved plan. These allocated spaces hereby approved shall be retained in their approved position thereafter.

**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 a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
5. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
6. To ensure that adequate visibility is provided at the proposed point of access to the highway.
7. To ensure that the retained trees are adequately protected during development in the interests of amenity.
8. To ensure that the retained trees are adequately protected during development in the interests of amenity.
9. To protect the amenities of the occupiers of nearby properties.
10. To protect the amenities of the occupiers of nearby properties.
11. To protect bats which would otherwise be harmed by the development hereby permitted.
12. In order to secure the satisfactory provision of facilities and access for disabled persons.
13. In order to secure the satisfactory provision of facilities and access for disabled persons.

**NOTE(S) TO APPLICANT**

You should ensure that any difference between the plans approved under the Town and Country Planning Acts and under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans.

You are advised that building work which involves work on an existing wall shared with another property, building on the boundary with a neighbouring property or excavating near a neighbouring building may require the separate consent of the neighbour under the provisions of the Party Wall Act. If you require further information or advice please contact the Building Control

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Section on 01978 292050.

The applicant is advised that compliance with condition no. 09 does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60, Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;
- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;
- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

The Applicant is advised that under the Environmental Protection Act 1990, dust from construction and/or demolition activities can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that any dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

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