



**RUABON BUSINESS PARK SITE,
ADJACENT TO A483, RUABON, WREXHAM, LL14 6DW**

**OUTLINE APPLICATION FOR MIXED-USE DEVELOPMENT COMPRISING
COMMERCIAL (CLASS A1 FOODSTORE WITH PETROL FILLING STATION AND
ASSOCIATED CAR PARKING AND CLASSES A3/B1/B8/C1), EXTRA-CARE
(CLASS C2), RESIDENTIAL (CLASS C3) INCLUDING LAND RESERVED FOR A
PRIMARY SCHOOL WITH ASSOCIATED VEHICULAR ACCESS OFF THE A539
AND B5605 AND OTHER RELATED IMPROVEMENTS. ALL MATTERS
RESERVED EXCEPT MEANS OF ACCESS.**

PLANNING STATEMENT

**PREPARED ON BEHALF OF
WYNNSTAY FARMING COMPANY LIMITED**

DECEMBER 2013

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1.0 INTRODUCTION

1.1 This Planning Statement has been prepared in support of an application for outline planning permission made on behalf of the Wynnstay Farming Company Limited ('the applicant') for a mixed-use development on land to the south of Ruabon and adjacent to the A483, otherwise known as the 'Ruabon Business Park site'. All matters are reserved under the application except the proposed means of access.

1.2 Specifically, planning permission is sought on the following basis:

"Outline application for mixed-use development comprising commercial (Class A1 foodstore with petrol filling station and associated car parking and Classes A3/B1/B8/C1), Extra-Care (Class C2), residential (Class C3), including land reserved for a primary school (Class D1) with associated vehicular access off the A539 and B5605 and other related improvements. All matters reserved except means of access."

1.3 The proposed development seeks to use the site more effectively for a viable and beneficial mix of employment generating uses (including food retail) and housing that would not only meet a number of identified planning needs in the area, but also provide a major stimulus to the local economy in terms of the 1,000+ jobs that would be created over time. Land has also been set aside within the proposed development for a new primary school in recognition of the fact that the existing education infrastructure in the local area is already at capacity.

1.4 The intention is to deliver a vibrant and accessible development with a strong sense of place and community, which will form a complementary extension to Ruabon Village. A landscape-led approach has been taken to the layout, structure and physical form of the proposed masterplan to ensure that the resultant economic, social and environmental benefits arising from the scheme are maximised to the benefit of the existing and planned populations.

1.5 The application comprises the following information:

- Completed application form with related ownership certificate and declarations;

- Drawing Nos.

2500-OP-01	Existing Site Location Plan
2500-OP-02	Existing Site Survey Plan
2500-OP-10	Proposed Site Plan
2500-OP-20	Proposed Illustrative Site Masterplan
12082-010A	Proposed Highway Works & Access
12082-010B	Proposed Highway Works & Access
581_01(MP)001	Illustrative Landscape Masterplan

- Planning Statement, prepared by RENEW Planning (this document);
- Design and Access Statement, prepared by NRAP Architects;
- Transport Assessment, prepared by Connect Consultants;

- Retail Planning Statement, prepared by GVA;
- Employment Land and Marketing Report, prepared by GVA;
- Pre-Development Arboricultural Report, prepared by Wharnccliffe Trees and Woodlands Consultancy;
- Energy Statement, prepared by Greengage;
- Sustainability Statement, prepared by Greengage;
- Ecological Survey Report, prepared by BSG Ecology;
- Noise Assessment, prepared by Sharps Redmore;
- Landscape and Visual Impact Assessment, prepared by Robert Myers Associates;
- Statement of Community Involvement, prepared by JBP.

1.6 In addition, the necessary planning application fee payment of £27,048 has been paid to the Council.

1.7 The Statement is structured as follows:

Section 2 describes the characteristics of the site and surrounding area.

Section 3 outlines the previous planning history.

Section 4 provides a full description of the development proposal.

Section 5 examines the relevant planning policy framework.

Section 6 examines the overall planning justification for the development.

Section 7 presents the principal conclusions arising from the assessment.

1.8 The application is made against the background of the pre-application engagements undertaken with the Council and following a full technical assessment of the suitability of the site for the proposed development. Regard has also been had to the local community opinion expressed at a public exhibition held into the emerging scheme, which was generally supportive.

1.9 The Council adopted a Screening Opinion on 10 December 2013 that an Environmental Impact Assessment of the proposed development is not required.

2.0 SITE AND SURROUNDING AREA

- 2.1 The subject site comprises 24.9 hectares (61.5 acres) of arable/agricultural land situated directly to the south of Ruabon. The full extent of the site is edged red on the location plan at **Appendix 1**. It comprises the same area of land that is currently the subject of an extant planning permission for a business park (P/2003/1484).
- 2.2 The northern site boundary is defined by the A539 (a Core Highway Network route) and the B5605, both of which intersect at a roundabout junction adjacent to the site. The A539 links with the A483 (a Primary Highway Network) to the east of the site. Beyond the A539 lies the southern extent of the Ruabon Settlement boundary.
- 2.3 The site has a generally open aspect with a flat topography sloping gradually from north to south. It has a number of defining features including a large centrally located pond (extending to approximately 590m²) with associated vegetation, a belt of mature TPO protected trees on its northern and western boundaries providing extensive screening of the site from the B5605 and a section of stone wall defining the western edge. Approximately half of the site forms part of the historic Wynnstay Estate and its associated Grade 1 listed park and garden, albeit it is detached from the main area of the estate and parkland by the A483 directly to the east. A section of Offa's Dyke, a Scheduled Ancient Monument, lies beyond the southwest boundary of the site with an historic Ha-ha also running along its southern edge.
- 2.4 Directly to the east and beyond the site boundary is James's Caravan Park, while to the north and beyond the A539 is an area of housing defining the southern settlement limits of Ruabon. An area of designated 'green barrier' extends to the north of the site and along the A539 road corridor, which has a primary purpose of preventing the coalescence of the Ruabon and Plas Madoc settlements. The site was historically shown within the settlement limits of Ruabon, but this was not retained in the current Unitary Development Plan. However, it is now a recognised development site.

3.0 PLANNING HISTORY

- 3.1 A summary of the previous planning history of the site is set out at **Appendix 2**. In short, planning permission was first granted in July 1995 for a business park comprising high technology, manufacturing, research and development of prestige offices (RUA 23477). This was subsequently renewed on a number of occasions before an application for the approval of reserved matters was granted in June 2005 to develop approximately 9.4 hectares of the total site area of 24 hectares for high quality business park comprising 18 plots of two and three storey buildings extending to 20,305m² with associated car parking (1,689 spaces), cycle parking and highway infrastructure (P/2003/1484).
- 3.2 All of the condition precedents were subsequently discharged and it was later determined through an application for a Certificate of Lawful Use or Development that was subsequently allowed on appeal that this planning permission had been lawfully implemented such that it remains extant (APP/H6955/X/11/2160288).

4.0 PROPOSED DEVELOPMENT

Background

- 4.1 The application site has been the subject of an extant planning permission for a business park for a number of years and was originally allocated for employment purposes in the now replaced Wrexham Maelor Local Plan. However, the combined factors of the economic downturn in the North Wales region and the continued lack of market demand have meant that the site has failed to come forward for development and deliver the much-needed job opportunities long anticipated in the area.
- 4.2 In light of this, the applicant has actively sought to engage Council Officers and local stakeholders generally over a period of many months to define a new strategic vision for the site that would finally unlock its development potential and provide the opportunity for viable and beneficial regeneration.
- 4.3 This vision is based on providing a more consolidated form of business park use (Class B1) alongside other complementary employment generating uses, which are more aligned with current market demand.
- 4.4 Consequently, it is proposed to extend the overall employment offer to include a small format supermarket (Class A1), an element of storage and distribution use (Class B8) and a new hotel (Class C1) and/or pub (Class A4). At the same time, it is also intended to provide the flexibility for the retained business park element of the scheme to be used for the full range of Class B1 uses, including light-industrial (Class B1(c)). This flexibility also extends to extending the proposed land-mix to include an Extra-Care facility (Class C2) either in conjunction with or as an alternative to the Class B8 use so that the masterplan can more readily respond to market demand in this sector.
- 4.5 The genesis of the new scheme was conceived following a thorough appraisal of the market (both in terms of demand and supply) by GVA, which has considerable knowledge and experience in this field.
- 4.6 An integral element of the proposed new spatial vision for the site involves realizing its potential for housing development. This is considered especially important in light of the Council's own planning imperatives in the County Borough for housing development in the absence of a 5-years land supply. Allied to this is a need to plan positively and proactively for the anticipated educational demands of the proposed development and the likely impact this would have on existing school infrastructure in the area. In view of this, the applicant has designated a specific area within the overall development masterplan for a new primary school in lieu of providing the standard financial contribution that would ordinarily be sought by the Council to mitigate the impact of the development in this respect.
- 4.7 The overall planning objective, therefore, is to use this development site more effectively for a viable and beneficial mix of complementary land uses that would provide the opportunity for sustainable economic growth in the area.

Development Masterplan

- 4.8 The proposed development masterplan (as illustrated) for the site is shown on Drawing No. 2500-OP-20. The indicative land-use arrangement has evolved following a comprehensive review of the existing site constraints. The development potential has been re-appraised in the context of the historical and more contemporary technical assessment work undertaken on the site with regard also being had to the various design parameters established under the current business park planning permission.
- 4.9 In this respect, some of the key influences on the site layout have been:
- Ensuring that the proposed development would have both a physical and functional connection with Ruabon;
 - Retaining some of the key and acknowledged landscape features of the site, including the TPO protected tree belt along the northwest boundary and the large pond to the centre of site, which would become an integral part of the overall public open space provision and provide a new informal recreational facility; and
 - Maintaining the 15m development exclusion zone from the boundary of the Offa's Dyke schedule ancient monument and the conjectured boundary of its likely continuation to the north; the 20m exclusion zone from the boundary of Green Lodge; the 10m exclusion zone from the inner edge of the Ha-ha along its entire length; and a minimum 10m exclusion zone from the edge of the existing pond and other defined features of ecological value.
- 4.10 The principal elements of the illustrative development masterplan for the site as set out in the Development Schedule at **Appendix 3** are as follows:
- A Class A1 supermarket with a maximum gross floor area of 1,858m² (20,000 ft²) gross and 1,300 m² (14,000 ft²) net together with associated car parking, cycle parking, service yard and petrol filling station;
 - Up to a maximum 20,393 m² (219,510 ft²) gross of Class A3, B1, B8, C1 and C2 use;
 - Up to a maximum of 300 residential dwellings (Class C3) indicatively in the form of 14 x 2-bed, 196 x 3-bed and 90 x 4-bed houses with 10% (30 dwellings maximum) affordable housing;
 - Land extending to 0.73 hectares (1.8 acres) reserved for a primary school (Class D1);
 - A dedicated site access taken off a new fifth arm on the existing A539/B5605 roundabout with a further access proposed via a new three-arm roundabout on the B5605, approximately 230m to the southwest of the existing A539/B5605 roundabout. This is as shown on Drawing No. 12082-010B (Proposed Highway Works & Access Arrangements) submitted with this application.

- A dedicated left-in/left-out priority access for service delivery vehicles taken off the A539 at a point approximately 90m to the east of the A539/B5605 roundabout (also as shown on Drawing No. 12082-010B); and
- The provision of a pedestrian crossing facility across the A539, subject to Highway Authority approval (as shown on Drawing No. 12082-010A submitted with this planning application).
- Retention of the pond as a central element of the proposed scheme and the undertaking of various measures aimed at preserving and enhancing the identified ecology habitats both in this area and elsewhere on the site generally.
- The provision of an extensive area of public open space extending to 3.58 hectares and significantly in excess of what would normally be sought under Council planning policy, which would be accessible to both the existing and new community.
- Commercial buildings set generally at 2-storey heights (with a maximum eaves height of 7.5m) to respect the design parameters established under the extant business park planning permission. Housing varying from 1.5-storey to 3-storey heights.

4.11 The masterplan provides a vision for the future regeneration of the site. A landscape-led approach has been taken to the design process, while the various development parameters established under the extant business park planning permission for protecting the setting of the designated heritage assets in the vicinity of the site have also been maintained. The genesis of the proposed development and the overall philosophy behind the site masterplan is explained more fully in the Design and Access Statement, prepared by NRAP Architects.

5.0 MATERIAL PLANNING POLICY

5.1 The material planning policy against which the acceptability of the proposed development must be assessed comprises:

- National policy in the form of Planning Policy Wales (Edition 5, November 2012), as supplemented by Technical Advice Notes (TANs) and specifically, TAN2 (Planning and Affordable Housing (2006), TAN4 (Retailing and Town Centres, 1996), TAN5 (Nature Conservation and Planning, 2009), TAN11 (Noise, 1997), TAN12 (Design, 2009), TAN13 (Tourism 1997), TAN16 (Sport, Recreation and Open Space, 2009) and TAN18 (Transport, 2007).
- The statutory development plan consisting of the Wrexham Unitary Development Plan (UDP) 2001-2011 (adopted February 2005) with associated Local Planning Guidance Notes (LPG) and specifically LPG10 (Open Space), LPG16 (Parking Standards), LPG21 (Space Around Dwellings), LPG27 (Developer Contributions to Schools) and LPG30 (Design).

National Planning Policy (Planning Policy Wales)

5.2 Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government and is supplemented by a series of Technical Advice Notes (TANs). It comprises national planning policy and together with the Wales Spatial Plan (which sets out a strategic framework to guide future development and policy interventions) should be taken into account in the preparation of development plans. They may also be material to development control decisions (Paragraph 1.1.4, PPW).

5.3 The planning system is expected to provide for an adequate and continuous supply of land, available and suitable for development to meet society's needs. It must do this in a way that has regard to:

- Overall sustainability principles, outcomes and objectives, paying particular attention to climate change as a key sustainability concern;
- The Wales Spatial Plan; and
- Detailed topic specific policies in PPW (Paragraph 1.2.2).

5.4 Every local planning authority is required to prepare a local development plan (LDP) to supersede an existing development plan, which will either be an adopted unitary development plan, structure or local plan (Paragraph 2.1.1). Where such development plans have not yet been adopted or approved, *"the weight to be attached to an emerging draft LDP will in general depend on the stage it has reached"* (Paragraph 2.6.2). Where development plan policies are outdated or superseded, *"local planning authorities should give them decreasing weight in favour of other material considerations, such as national planning policy, in the determination of individual applications"* (Paragraph 2.7.1). Such advice is particularly pertinent to an assessment of the proposed development in light of the Council withdrawing the proposed replacement LDP.

Sustainable Development

5.5 At the heart of the Welsh planning system is a presumption in favour of sustainable development (Paragraph 4.1.2). Planning policies, decisions and proposals should, inter alia:

- *Promote resource-efficient and climate change resilient settlement patterns that minimise land-take (and especially extensions to the area of impermeable surfaces).*
- *Locate developments so as to minimise the demand for travel, especially by private car.*
- *Facilitating development that reduces emissions of greenhouse gases in a sustainable manner, provides for renewable and low carbon energy sources at all scales and facilitates low and zero carbon developments.*
- *Ensure that all local communities - both urban and rural - have sufficient good quality housing for their needs, including affordable housing for local needs and for special needs where appropriate, in safe neighbourhoods.*
- *Foster social inclusion by ensuring that full advantage is taken of the opportunities to secure a more accessible environment for everyone that the development of land and buildings provides.*
- *Promote quality, lasting, environmentally sound and flexible employment opportunities.*
- *Support initiative and innovation and avoid placing unnecessary burdens on enterprises.*
- *Respect and encourage diversity in the local economy (Paragraph 4.4.3).*

5.6 In this respect:

“An effective way to achieve regeneration is to foster integrated communities within the existing settlement pattern by promoting mixed use development, comprising appropriate combinations of housing (including affordable housing), employment, retailing, education, leisure and recreation uses and open space” (Paragraph 4.6.2).

5.7 Development plans should provide a framework to stimulate, guide and manage change towards sustainability. In this respect, local planning authorities should, inter alia, *“ensure that development encourages opportunities for commercial and residential land uses to derive environmental benefit from co-location”* (Paragraph 4.7.2). A *“broad balance between housing and employment opportunities in both urban and rural areas should be promoted”* in order to minimise the need for long distance commuting (Paragraph 4.7.4). Local planning authorities should, therefore, adopt policies to locate major generators of travel demand such as housing, employment, retailing, leisure and recreation and community facilities (including schools) within existing urban areas or in other locations, which are, or can be, well served by public transport and/or walking or cycling (Paragraph 4.7.4).

5.8 Development in the countryside should be located within and adjoining those settlements where it can be best accommodated in terms of infrastructure,

access and habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, particularly where it meets a local need for affordable housing (Paragraph 4.7.8).

Environment

5.9 The Welsh Government's objectives for the conservation and improvement of the natural heritage are to, inter alia:

- *Promote the conservation of landscape and biodiversity, in particular the conservation of native wildlife and habitats;*
- *Ensure that action in Wales contributes towards meeting international responsibilities and obligations for the natural environment;*
- *Ensure that statutorily designated sites are properly protected and managed; and*
- *Safeguard protected species (Paragraph 5.1.2).*

5.10 A key role of the planning system is to ensure that society's land requirements are met in ways "*which do not impose unnecessary constraints on development whilst ensuring that all reasonable steps are taken to safeguard or enhance the environment*" (Paragraph 5.1.3).

5.11 As such:

"When considering any development proposal (including on land allocated for development in a development plan) local planning authorities should consider environmental impact, so as to avoid, wherever possible, adverse effects on the environment. Where other material considerations outweigh the potential adverse environmental effects, authorities should seek to minimise those effects and should, where possible, retain and, where practicable, enhance features of conservation importance" (Paragraph 5.5.2).

Historic Environment

5.12 The preservation or enhancement of the historic environment is an important element of national planning policy. Local planning authorities will be expected to consult the Welsh Government on any development proposal that is likely to affect the site of a scheduled ancient monument (Paragraph 6.5.6), while the effect of a proposal on a park or garden contained in the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales, or on the setting of such a park or garden, may be a material consideration in the determination of a planning application (Paragraph 6.5.25).

Economic Development

5.13 The planning system is expected to support economic and employment growth alongside social and environmental considerations within the context of sustainable development (Paragraph 7.1.3). Local planning authorities will be expected to facilitate the provision of sufficient land required by the market, except where there are good reasons to the contrary (Paragraph 7.1.3). In so doing, they should, inter alia:

- *Co-ordinate development with infrastructure provision;*
- *Support national, regional, and local economic policies and strategies;*

- *Align jobs and services with housing, wherever possible, so as to reduce the need for travel, especially by car;*
 - *Promote the re-use of previously developed, vacant and underused land; and*
 - *Deliver physical regeneration and employment opportunities to disadvantaged local communities (Paragraph 7.1.3).*
- 5.14 In applying these and other considerations, local planning authorities should aim to steer economic development to the most appropriate locations, rather than prevent or discourage such development (Paragraph 7.1.4).
- 5.15 Planning policies for economic development “must provide developers and others with scope to make choices to secure the efficient and effective use of resources including land” (Paragraph 7.2.1). Furthermore, plans and decisions “should also be based on up-to-date and locally specific evidence which demonstrates the suitability of the existing employment land supply in relation to the locational and development requirements of business” (Paragraph 7.2.1). Up-to-date and locally specific evidence in the form of an Employment Land Review will be an important determining factor in this respect.
- 5.16 Local planning authorities should adopt a positive and constructive approach to applications for economic development. In particular, regard should be had to the likely economic benefits of the development with key factors including:
- *The number and types of jobs expected to be created and retained on the site;*
 - *Whether and how far the development will help redress economic disadvantage or support regeneration priorities, for example by enhancing employment opportunities or upgrading the environment;*
 - *A consideration of the contribution to wider spatial strategies, for example the growth or regeneration of certain areas (Paragraph 7.6.1).*

Transport

- 5.17 National planning policy on transport aims to extend choice in transport and secure accessibility in a way that supports sustainable development and helps to minimise the need to travel (Paragraph 8.1.1).
- 5.18 To this end, the Welsh Government supports a transport hierarchy in relation to new development, which prioritizes in the first instance and wherever possible, accessibility by walking and cycling, then by public transport and finally by private motor vehicles (Paragraph 8.1.3).
- 5.19 Land use planning can help to achieve the Welsh Government’s objectives for transport by, inter alia:
- *Reducing the need to travel, especially by private car, by locating development where there is good access by public transport, walking and cycling;*
 - *Locating development near other related uses to encourage multi-purpose trips and reduce the length of journeys;*
 - *Improving accessibility by walking, cycling and public transport; and*

- *Ensuring that transport is accessible to all, taking into account the needs of disabled and other less mobile people (Paragraph 8.1.4).*

Housing

5.20 The provision of more housing is a priority planning policy objective and local planning authorities will be expected to promote, inter alia:

- *Mixed tenure communities;*
- *Development that is easily accessible by public transport, cycling and walking;*
- *Mixed use development so communities have good access to employment, retail and other services;*
- *Attractive landscapes around dwellings with usable open space and regard for biodiversity, nature conservation and flood risk;*
- *Greater emphasis on quality, good design and the creation of places to live that are safe and attractive;*
- *The most efficient use of land;*
- *Well designed living environments, where appropriate at increased densities;*
- *Construction of housing with low environmental impact by using nationally prescribed building standards; and*
- *'Barrier free' housing developments, for example built to Lifetime Homes standards (Paragraph 9.1.2).*

5.21 The latest Welsh Government local authority level Household Projections for Wales should form the starting point for assessing housing requirements (Paragraph 9.2.2). Furthermore, local planning authorities *"must ensure that sufficient land is genuinely available or will become available to provide a 5-year supply of land for housing"* (Paragraph 9.2.3). Sites *"must be free, or readily freed, from planning, physical and ownership constraints, and economically feasible for development, so as to create and support sustainable communities where people want to live"* (Paragraph 9.2.3).

5.22 New housing developments *"should be well integrated with and connected to the existing pattern of settlements"*, but the coalescence of settlements or a fragmented development pattern should be avoided (Paragraph 9.3.1).

Retail

5.23 The Welsh Government's objectives for retailing and town centres are to:

- *Secure accessible, efficient, competitive and innovative retail provision for all the communities of Wales, in both urban and rural areas;*
- *Promote established town, district, local and village centres as the most appropriate locations for retailing, leisure and other complementary functions;*
- *Enhance the vitality, attractiveness and viability of town, district, local and village centres; and to promote access to these centres by public transport, walking and cycling (Paragraph 10.1.1).*

5.24 The co-location of retailing with other commercial businesses (including leisure facilities, commercial uses and employment) should be prioritized *"wherever possible"*, as this will *"provide the greatest benefit to communities"*

and “provide the opportunity to use means of transport other than the car” (Paragraph 10.1.2).

- 5.25 Local planning authorities should consider whether there is a need for additional provision in the first instance (Paragraph 10.2.10). Such need “*may be quantitative so as to address a provable unmet demand for the provision concerned*” and “*precedence should be given to establishing quantitative need for both convenience and comparison floorspace, particularly as a basis for development plan allocations before qualitative factors are brought into play.*” Qualitative assessment “*should cover both positive and negative implications*” (Paragraph 10.2.10).

- 5.26 However:

“Where the current provision appears to be adequate in quantity, the need for further allocations must be fully justified in the plan. This may be the case if new provision can be located where it:

- *Supports the objectives and strategy of an up-to-date development plan or the policies in this guidance;*
- *Is highly accessible by walking, cycling or public transport;*
- *Contributes to a sustainable reduction in car journeys;*
- *Contributes to the co-location of facilities in existing town, district, local or village centres;*
- *Significantly contributes to the vitality, attractiveness and viability of such a centre; or where it*
- *Alleviates a lack of convenience provision in a disadvantaged area.*

If there is no need for further development for retail or leisure uses, there will be no need to identify additional sites” (Paragraph 10.2.10).

- 5.27 Where a need for such new development is identified, local planning authorities should adopt a sequential approach to site selection. Adopting a sequential approach means that first preference should be for town centre locations, where suitable sites or buildings suitable for conversion are available. If not, “*consideration should be given to amending the boundaries of existing centres so that appropriate edge of centre sites are included*” (Paragraph 10.2.11). Where this is not practical, then district and local centres “*might be considered and, only then, out-of-centre sites in locations that are accessible by a choice of means of transport*” (Paragraph 10.2.11).

- 5.28 Local planning authorities are expected to take “*a positive approach*” in partnership with the private sector when identifying additional sites that accord with this approach (Paragraph 10.2.12). Furthermore, when allocating sites for different types of retail developments, they should take account of such factors as floorspace, quality, convenience, attractiveness and traffic (Paragraph 10.2.12).

- 5.29 When determining a planning application, local planning authorities should have regard to the following considerations:

- *Compatibility with any community strategy or up-to-date development plan strategy;*

- *Need for the development/extension, unless the proposal is for a site within a defined centre or one allocated in an up-to-date development plan;*
- *The sequential approach to site selection;*
- *Impact on existing centres;*
- *Net gains in floorspace where redevelopment is involved, and whether or not it is like-for-like in terms of comparison or convenience;*
- *Rate of take-up of allocations in any adopted development plan;*
- *Accessibility by a variety of modes of travel;*
- *Improvements to public transport;*
- *Impact on overall travel patterns; and*
- *Best use of land close to any transport hub, in terms of density and mixed use (Paragraph 10.3.1).*

Tourism

- 5.30 Tourism is considered *“vital to economic prosperity and job creation”* in many parts of Wales and *“a significant and growing source of employment and investment”* (Paragraph 11.1.1). In rural areas, especially, tourism-related development is considered *“an essential element in providing for a healthy diverse, local and national economy”* (Paragraph 11.1.7). Development plans should provide a strategic framework for the provision and enhancement of tourism and related facilities (Paragraph 11.2.1) while also encouraging *“the multiple use of open space and facilities, where appropriate, to increase their effective use”*. In this respect, open spaces and built facilities should, where possible, be sited, designed and maintained as *“integral parts”* of existing and new developments (Paragraph 11.2.6).

Infrastructure and Services

- 5.31 Ensuring that there is *“adequate and efficient infrastructure”*, including services such as education and health facilities is considered *“crucial”* for the economic, social and environmental sustainability of all parts of Wales (Paragraph 12.1.1). Planning applications for new development should be assessed according to the capacity of existing infrastructure and the need for additional facilities (Paragraph 12.1.6).
- 5.32 Local planning authorities are also expected to plan positively for all forms of renewable and low energy development consistent with the Welsh Government’s commitment to the UK Renewable Energy Strategy (2009) and the UK National Renewable Energy Action Plan (2010), as encapsulated in its own Energy Policy Statement (2010). When determining planning applications, local planning authorities will be expected to take into account:
- *The contribution a proposal will play in meeting identified national, UK and European targets and potential for renewable energy, including the contribution to cutting greenhouse gas emissions;*
 - *The wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development;*
 - *The impact on the natural heritage, the Coast and the Historic Environment;*
 - *The need to minimize impacts on local communities to safeguard the quality of life for existing and future generations;*
 - *Ways to avoid, mitigate or compensate identified adverse impacts;*

- *The impacts of climate change on the location, design, build and operation of renewable and low carbon energy development. In doing so consider whether measures to adapt to climate change impacts give rise to additional impacts.*
 - *The capacity of and effects on the transportation network relating to the construction and operation of the proposal (Paragraph 12.10.1).*
- 5.33 Combined Heat and Power (CHP) schemes are encouraged as part of the imperative to reduce carbon emissions (Paragraph 12.10.2)

Environmental Risks and Pollution

- 5.34 The planning system has an important role in avoiding or minimizing the adverse effects of any environmental risks on future land use (Paragraph 13.1.2).
- 5.35 To this end, development proposals, should, inter alia:
- Seek to reduce, and certainly not increase, flood risk arising either from river and/or coastal flooding or from additional run-off from development in any location (Paragraph 13.2.4).
 - Ensure that noise-sensitive developments, such as housing and schools, that need to be located close to the existing transportation infrastructure to facilitate access, are designed in such a way as to limit noise levels within and around those developments (Paragraph 13.14.1).
 - Ensure that suitable and appropriate measures are taken to reduce and mitigate the lighting impact of development (Paragraph 13.14).

Technical Advice Notes

- 5.36 Technical Advice Notes (TANS) should be read in conjunction with Planning Policy Wales and may be material to decisions on individual planning applications.

TAN2: Planning and Affordable Housing (2006)

- 5.37 This guidance requires local planning authorities to, inter alia, include an affordable housing target in the development plan which is based on the housing need identified in the local housing market assessment, indicate how the target will be achieved using identified policy approaches and monitor the provision of affordable housing against the target and, where necessary, take action to ensure that the target is met (Paragraph 3.2).

TAN4: Retailing and Town Centres (1996)

- 5.38 TAN4 explains how all applications for retail developments over 2,500m² gross floorspace should be supported by an impact assessment providing evidence of the sequential approach, their likely economic and other impacts, accessibility by a choice of means of transport, the likely changes in travel patterns over the defined catchment area and any significant environmental impacts. Such assessments *“may also be necessary for some smaller*

developments” such as “those that are likely to have a large impact on a smaller town or district centre” (Paragraph 6).

TAN5: Nature Conservation and Planning (2009)

- 5.39 This guidance provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation (Paragraph 1.2.1). Biodiversity conservation and enhancement is considered *“an integral part of planning for sustainable development”* (Paragraph 1.6.1). Development *“can also present significant opportunities to enhance wildlife habitats and the enjoyment and understanding of natural heritage”* (Paragraph 1.6.1).
- 5.40 When considering development proposals, local planning authorities are expected to have regard to, inter alia:
- *The principles of sustainable development;*
 - *The need to contribute to the protection and improvement of the environment;*
 - *Promoting the conservation and enhancement of statutorily protected areas;*
 - *Ensuring that all material considerations are taken into account and decisions are informed by adequate information about the potential effects of development on nature conservation; and*
 - *Ensuring that the range and population of protected species is sustained* (Paragraph 2.4).

TAN11: Noise (1997)

- 5.41 This guidance reiterates the need for local planning authorities to ensure that the noise impacts of development or of new noise-sensitive development are properly assessed and, where appropriate, mitigated.

TAN12: Design (2009)

- 5.42 TAN12 reflects the Welsh Government’s strong commitment to achieving the delivery of good design in the built and natural environment (Paragraph 2.2). Design *“which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities”* (Paragraph 2.6).
- 5.43 The design of new development should be appraised in terms of its local context (Paragraph 4.3), character (Paragraph 4.8), landscape (Paragraph 4.11), public realm (Paragraph 4.12), movement and ease of access for all (Paragraph 4.13), the legibility of an area (Paragraph 4.14) and also in terms of its adaptability and diversity (Paragraph 4.15).
- 5.44 Housing development proposals should aim to:
- *Create places with the needs of people in mind, which are distinctive and respect local character.*
 - *Promote layouts and design features, which encourage community safety and accessibility.*

- *Focus on the quality of the places and living environments for pedestrians rather than the movement and parking of vehicles.*
- *Avoid inflexible planning standards and encourage layouts, which manage vehicle speeds through the geometry of the road and building.*
- *Promote environmental sustainability features, such as energy efficiency, in new housing and make clear specific commitments to carbon reductions and/or sustainable building standards.*
- *Secure the most efficient use of land including appropriate densities.*
- *Consider and balance potential conflicts between these criteria (Paragraph 5.11.2).*

5.45 Furthermore:

“The location and definition of public and private space and the design of boundary treatment are particularly important for housing. New development should take account of the existing relationship of buildings to landscape and the local means of boundary definition such as hedges, walls and fences. In general, every effort should be made to orientate dwellings so that they front existing roads and spaces, ensuring a balance with the need to promote features of environmental sustainability. The relationship of the perimeter of a development to its setting is important and developments which turn their back on existing roads do not integrate well with their context” (Paragraph 5.11.4).

5.46 In this respect:

“The regular application of rigid highway standards with no consideration of Manual for Streets; over reliance on standard house types and a failure to relate to local context have all been identified as obstacles to good housing design and factors which mitigate against achieving a distinctive sense of place in housing development” (Paragraph 5.11.5).

5.47 The design of employment areas is also considered *“important”*, as high quality design *“can add value to commercial property, support the image of modern businesses and encourage further investment”* (Paragraph 5.12.1). Large new employment buildings can make a *“bold statement”* and *“recognizing the functionality of business premises is important to ensure they contribute to the economic success of the occupier”* (Paragraph 5.12.2). A *“sufficient scale of planting and earth forms is essential to absorb the bulk of the building”* (Paragraph 5.12.3) and where situated in proximity to other uses, buildings *“will need to be more closely related in terms of scale and appearance to their context”* (Paragraph 5.12.4).

TAN13: Hotels (1997)

5.48 This guidance reiterates the important of tourism and the *“major contribution”* it can make to the local economy in terms of its ability to provide employment in a wide variety of occupations and, in particular, the resultant benefits it can bring to local economies and communities in urban and rural areas (Paragraph 4).

5.49 In this respect, hotel development *“can bring benefits for the local community and support amenities and activities for residents and tourists”* (Paragraph 5).

Such development is nevertheless expected to be compatible with neighbouring uses.

TAN16: Sport, Recreation and Open Space (2009)

- 5.50 As part of the Welsh Government's overarching strategy for creating sustainable communities and sustainable accessibility, local planning authorities are expected to ensure that new development makes adequate provision to meet the recreational needs arising and opportunities for walking and cycling. This should then result in *"better planned"* and *"more attractive"* developments (Paragraph 3.15). In this respect, *"rather than applying blanket standards of open space and recreational provision to all new developments, consideration should be given to how the new development relates to the priorities established in the LDP"* (Paragraph 3.15). The provision of open spaces, places and facilities for sport, recreation and play should be *"important considerations in proposals for regeneration"* (Paragraph 3.19).

TAN18: Transport (2007)

- 5.51 An "efficient and sustainable transport system" is considered to be *"a requirement for a modern, prosperous and inclusive society"* (Paragraph 2.1) and this guidance reflects the Welsh Government's commitment to securing the provision of transport infrastructure and services, which *"improve accessibility, build a stronger economy, improve road safety and foster more sustainable communities"* (Paragraph 2.2). In this respect, the integration of land use planning and development of transport infrastructure *"has a key role to play"* in addressing the environmental aspects of sustainable development (Paragraph 2.3).
- 5.52 Key to delivering these sustainable development policy objectives will be:
- *Promoting resource and travel efficient settlement patterns;*
 - *Ensuring new development is located where there is, or will be, good access by public transport, walking and cycling thereby minimizing the need for travel and fostering social inclusion;*
 - *Managing parking provision;*
 - *Ensuring new development includes appropriate provision for pedestrians (including those with special access and mobility requirements), cycling, public transport and traffic management and parking/servicing;*
 - *Supporting provision of a high quality, inclusive public transport network; and*
 - *Encouraging good quality street design to provide a safe public realm and a distinct sense of place* (Paragraph 2.3).
- 5.53 New housing development should therefore be planned so that:
- They are at locations with good access by walking and cycling to primary and secondary schools and public transport and by all modes to employment, services, shopping and leisure, or where such access will be provided as part of the scheme;

- In the case of significant housing schemes, ancillary uses can be provided such as local shops and services and, where appropriate, local employment (Paragraph 3.4).

5.54 New or improved public transport provision has the potential to provide alternatives to the private car and change existing travel demands (Paragraph 7.1). In view of this, there will be an obligation on developers to contribute towards the provision of necessary infrastructure. In particular:

“Where enhanced public transport services or infrastructure is necessary to serve the new development, but provision on a commercial basis is not viable, a contribution from developers towards an agreed level of service of infrastructure provision may be appropriate” (Paragraph 7.1).

5.55 Developers will be expected to submit transport assessments with planning applications for major new development so that the impacts are properly examined (Paragraph 9.1).

Development Plan

5.56 Section 38(6) of the Planning and Compulsory Purchase Act (2004) provides that ‘if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise’.

5.57 The Wrexham UDP remains the statutory development plan for the area following the withdrawal of the proposed replacement Local Development Plan (2006-2021) in March 2012. The Local Development Plan (LDP) was found on Examination to have several failings that were considered to undermine the soundness of the Plan, including a significant shortfall in the supply of housing relative to Welsh Government household projections.

5.58 In this respect, it was concluded in the Inspector’s Preliminary Findings Report (February 2012) on the LPD Examination that:

“For the reasons set out above, the available evidence suggests that the Plan fails to make adequate provision for additional housing over the Plan period. There are insufficient grounds to justify setting a level of growth that departs so significantly from the latest household projections, whilst the need to provide adequate housing for the County’s population, including affordable housing, reinforces the appropriateness of providing new housing in line with these projections” (Paragraph 3.22).

5.59 Furthermore:

“Concerns regarding the quantum of the shortfall between the Plan’s housing target and that which would meet the projected need are exacerbated by potential difficulties in bringing the allocated sites forward in a timely fashion. However, it is acknowledged that, as this issue has not been examined in detail, reaching a firm conclusion on this matter is not yet possible” (Paragraph 3.23).

5.60 Consequently, and by necessity, the Council is continuing to partly rely on the UDP for the purposes of development control despite being beyond its end

date and not providing for a five year housing land supply in accordance with national policy requirements.

- 5.61 The Council is nevertheless currently in the formative stages of preparing a new Local Development Plan 2 (LDP2) to cover the period 2013-2028. The planned housing provision over this period is being reviewed against the Welsh Government's 'Local Authority Population Projections for Wales', which were published on 28 September 2013.
- 5.62 The projected population growth for Wrexham County Borough in the period between mid-2011 and mid-2026 is estimated to be 18,300 (increasing from 135,100 in 2011 to 153,400, as projected, in 2026). This represents an increase of 13.5% and is the fourth highest forecast population increase in an administrative area after Cardiff, Newport and Swansea.
- 5.63 An overview of the principal planning policy considerations considered material to an assessment of the proposed development is set out below.

Site-Specific Policy

- 5.64 The subject site is identified in the Wrexham UDP (at Appendix II) as land having planning permission for employment development at 1 April 2001. The relevant extract is reproduced at **Appendix 4**. This reflects the extant planning permission granted for a business park on the site in 2005 (P/2003/1484) and which remains extant.
- 5.65 In this respect, it is expected to contribute towards the Council's future employment land supply requirements in the County Borough in the period to 2011, which Policy E1, and specifically the supporting text at Paragraph 7.4, quantifies as 254 hectares.

General Planning Strategy

- 5.66 The UDP reflects the Council's corporate vision for the County Borough based on developing a modern, robust economy across all sectors with Wrexham as its civic hub, whilst improving the quality of life for its residents and, inter alia, conserving the environment (Paragraph 2.1). The planning policy framework therefore seeks to:
- Ensure the continued vitality and viability of Wrexham Town Centre;
 - Promote a distribution of development sites, which will provide all residents with a reasonable level of choice and convenience;
 - Promote the recycling and re-use of derelict, vacant and underused land for beneficial development; and
 - Ensure that development is promoted in accessible locations where community facilities are available and where adequate access to public transport exists (Paragraph 2.11).
- 5.67 The overarching planning strategy is to deliver sustainable development and ensure future land development needs *"are satisfied in a controlled and incremental manner and new development is balanced against the interests of conservation and rehabilitation"* (Paragraph 3.1).

5.68 The UDP contains a number of strategic (Part 1) policies defining the broad location of development, including, inter alia:

- Policy PS1 seeking to concentrate new development for housing, employment and community services to within defined settlement limits/employment areas.
- Policy PS2 requiring development not to materially detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment.
- Policy PS3 seeking to concentrate development on previously used brownfield land, wherever possible, particularly where greenfield land is of ecological, landscape or amenity value or comprises quality agricultural land.
- Policy PS4 requiring development to maintain the existing settlement pattern and character and be integrated with the existing transport network to help reduce the overall need to travel and encourage the use of alternatives to the car.
- Policy PS5 seeking provision for the development of 5775 dwellings between 1996-2011 (although this requirement is now being reviewed by the Council to inform the preparation of its proposed Local Development Plan 2).
- Policy PS6 seeking to make available approximately 300 hectares of employment land for development in the period 1996-2011.
- Policy PS7 identifying the priority areas for new shopping and commercial office development as being the defined Wrexham Town Centre and district centre shopping areas.

General Development Principles

5.69 All new development in the County Borough is expected to comply with the general objectives of Policy GDP1. Such development should:

- a) *Ensure that built development in its scale, design and layout, and its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the nearby locality;*
- b) *Take account of personal and community safety and security in the design and layout of development and public/private spaces;*
- c) *Make the best use of design techniques, siting and orientation in order to conserve energy and water resources;*
- d) *Ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and the nearby locality;*
- e) *Ensure that built development is located where it has convenient access to public transport facilities, and is well related to pedestrian and cycle routes wherever possible.*
- f) *Ensure the safety and amenity of the public and safeguard the environment from the adverse effects of pollution of water, land or air,*

hazards from industry and quarrying, and associated noise, odour or vibration arising from development.

- g) Secure public services (e.g. gas, water, electricity) to development at minimum public cost.*
- h) Safeguard sites and areas of nature conservation and wildlife interest, and to provide new habitats where there is an unavoidable loss of existing habitats and areas of wildlife interest.*
- i) Ensure that development does not result in, or is subject to, flooding, soil erosion, landslides or contamination, either on or off the site.*
- j) Have regard to the need to safeguard those areas that possess a strong Welsh cultural and/or linguistic identity from development that could harm this identity;*
- k) Secure the development of sustainable communities, through the promotion of the economic, social and environmental well-being of the area.*

5.70 Furthermore, all new development will be assessed against Policy GDP2 in order to ensure that any impacts on existing infrastructure and community facilities are properly mitigated. Policy GDP2 provides that:

“Where the capacity of infrastructure, including community facilities, is likely to be deficient as a consequence of new development, a planning agreement/obligation will be negotiated whereby the developer provides the additional capacity either on or off-site. and/or provides funding for the Council to provide the additional capacity itself. Requirements will be fairly and reasonably related in scale and kind to the proposed development”.

Environment and Conservation

5.71 The UDP Proposals Map shows the subject site bounded to the north and east by designated ‘Green Barriers’ (see extract at **Appendix 5**). Paragraph 5.2 explains the purposes of Green Barriers as follows:

- (i) To prevent the coalescence of urban areas and villages with other settlements;*
- (ii) To assist in safeguarding the countryside from encroachment;*
- (iii) To protect the setting of urban areas and villages;*
- (iv) To assist in urban regeneration by encouraging the recycling of derelict and other urban land.*

5.72 Paragraph 5.2 further explains how green barriers possess the same characteristics and purposes of formal green belts, except in their long-term permanency, and have coped with a wide variety of development pressures, successfully serving their purpose in this respect.

5.73 All development proposals will also be expected under Policy EC4 to provide for the conservation and management of hedgerows, trees, orchards, woodland, wildlife and other natural landscape and water features, while also including new planting in order to enhance the character of the landscape and townscape. Developments resulting in the loss or significant damage to valuable trees, important hedgerows or ancient woodland sites will not be permitted.

- 5.74 Policy EC5 is also material to the assessment of the proposed development insofar as the land directly to the south and east of the subject site is situated within a defined 'Special Landscape Area'. Within such areas, "priority will be given to the conservation and enhancement of the landscape" with development "strictly controlled" and regulated.
- 5.75 Paragraph 5.5 explains how *"much of the landscape's quality stems from the patterns of hedgerows, trees and woodland and other nature features such as ponds"*. As such, "the conservation, planting and proper management of such features must be encouraged in order to maintain and enhance the landscape" and, inter alia, "conserve wildlife habitats".
- 5.76 Related to this is the expectation under Policy EC6 that development should appropriately mitigate any identified biodiversity impacts. Policy EC11 extends this to archaeology and states:

"Development which would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological site of national significance will not be permitted. Development that directly affects non-scheduled sites of archaeological importance will only be permitted if an archaeological investigation has been carried out to determine the nature, extent and significance of the remains, and this investigation indicates that in-site preservation is not justified, and a programme of excavation and recording has been agreed. Development will also be carefully controlled to ensure that the setting of non-scheduled sites of archaeological importance is not harmed where appropriate".

- 5.77 Development on green field sites will also be expected to comply with Policy EC14 and its requirement for appropriate surface water drainage strategies to prevent any unacceptable adverse impacts on the capacity, flow, quality or availability of controlled waters and associated land.

Housing

- 5.78 The UDP is currently beyond its end date in that it was only ever intended to provide for the County Borough's future housing growth requirements in the period 2001-2011. Following the withdrawal of the proposed replacement Local Development Plan, the Council does not currently have a 5 years housing supply.
- 5.79 Notwithstanding this, the subject site is situated outside the defined settlement boundary of Ruabon and so the housing element of the proposed development will need to be assessed against the provisions of Policy H5, which states:

"Outside defined settlement limits new dwellings will only be permitted where:-

- a) Proposals accord with Policies H3, H4 and H8; or*
- b) Proposals comprise infilling subject to Policy GDP1; or*
- c) An essential need to house a full time agricultural or forestry key worker can be established and*
 - (i) The long term financial viability and functional management of the enterprise is proven;*

- (ii) *The person, due to the nature of the work, has to live on the site rather than in a nearby settlement; and*
- (iii) *There are no suitable buildings nearby which could be converted into a dwelling; and*
- (iv) *The new dwelling is sited adjacent to an existing building, can be landscaped, and is of a form, bulk, design and materials, which reflect the locality's rural character.*

Any permission will be conditional to limit residential occupancy to essential workers”.

5.80 Paragraph 6.12 explains:

“This policy is designed to prevent new housing in the form of isolated dwellings, the consolidation of sporadic groups, or the extension of ribbon development in the countryside as it would result in a loss of visual quality and landscape character and adversely affect agriculture”.

5.81 Exceptionally, proposals for the change of use or conversion of existing buildings into residential use outside settlement limits (Policy H3), the subdivision of existing dwellings (Policy H4) and limited affordable housing developments will be allowed (Policy H8) will be allowed, subject to satisfying identified criteria.

5.82 Proposed housing developments of 25 or more dwellings will also be assessed against the provisions of Policy H7 relating to affordable housing and stating:

“Where there is a proven lack of affordable housing to meet local needs, the Council will negotiate with developers to provide an element of affordable housing in new proposals of 25 or more homes. The initial benefit of discounted prices will be retained for subsequent and future occupants through the scheme's management by a suitable local housing body with the aid of legal agreements”.

5.83 The Inspector's findings on the withdrawn LDP are also material to this overall assessment in that a significant shortfall in housing need and supply was identified relative to the overall level of growth proposed in that Plan. The significance of these findings to the proposed development are explained more fully in Section 6 of this statement, but it is important to highlight at this point how the Inspector concluded that the perceived harmful effects of providing for future housing growth outside the defined settlement boundaries were considered to be outweighed by the *“potentially detrimental impacts that would arise from restricting housing growth”* (Paragraph 3.14, Inspectors' Preliminary Findings Report).

Employment

5.84 As explained above, the subject site is identified in the UDP (at Appendix II) as land having planning permission for employment development at 1 April 2001 (consistent with the extant business park planning permission). It is therefore expected to contribute towards the Council's future employment land supply requirements in the County Borough in the period to 2011. As this is an extant planning permission, the retention of a significant amount of commercial employment development (Classes B1/B8) would continue to

contribute positively towards the Council's identified economic growth strategy.

Retail

- 5.85 Policy S4 requires a need to be identified for 'large scale retail development' and for it to be demonstrated that there are no sites available within Wrexham Town Centre or the defined District Shopping Centres for such developments. Large-scale retail developments are defined for the purposes of this policy as having a floor area in excess of 2,500m². If no such sites are available in the centres, a sequential approach should be applied with the next preference being sites on the edge of Wrexham Town Centre or District Centres and only then will out-of-centre sites be considered.
- 5.86 The proposed development seeks to bring forward a local neighbourhood store of 1,858m² gross and so as there is no equivalent UDP policy relating to such smaller scale retail proposals below the defined threshold of 2,500m², regard should be had instead to the national retail policy contained in Planning Policy Wales and specifically at Chapter 10.
- 5.87 Notwithstanding this, the proposed development will also need be assessed against Policy S8 of the UDP, which states:

"The development of land allocated for employment use, for retail and other uses, will only be permitted where it can be demonstrated that the loss of the employment land would not result in limiting the range and quality of available employment sites".

Community Facilities

- 5.88 All new development will be expected to provide new or improved community facilities where existing provision is substandard (Paragraph 9.1). Development considered to adversely affect either indoor or outdoor community facilities, particularly within settlement limits, will not be permitted (Policy CLF1).
- 5.89 New development of ten or more dwellings will also be expected to provide informal public open space within the site at a minimum level of 0.4 hectare per 50 dwellings (Policy CLF5). Such provision should be conveniently located for users and usable for playing field(s) and/or equipped children's play area(s) and open amenity area(s).
- 5.90 Related to this is an expectation that the existing pattern of public rights of way should be protected, maintained and improved (Policy CLF6), while the development of countryside and water resources for informal recreation will be permitted, provided it does not harm amenity or nature conservation interests (Policy CLF7).

Transport

- 5.91 Policy T6 requires all new development adjacent to the defined primary and core highway networks to be assessed according to their impact and the need to ensure the free and safe flow of traffic. Furthermore, development will be expected to provide car parking on site in accordance with the Council's standards with special regard being had, inter alia, to the availability of public

transport when determining an appropriate level of provision in this respect (Policy T8). Related to this is the expectation that development should also provide walking and cycling routes, where feasible and appropriate, that link with existing or proposed walking and cycling routes and integrates with the public transport network (Policy T9).

Local Planning Guidance Notes

- 5.92 The Council has also published a series of local planning guidance notes, which are intended to both reinforce and amplify development plan policy on a number of topics. Those relevant to an assessment of this planning application include LPG7 (Landscape and Development) clarifying the landscape information requirements for planning applications; LPG10 (Public Open Space in New Housing Development) seeking to ensure, inter alia, that adequate public open space is provided in housing developments (and at a minimum level of 0.4 hectares per 50 dwellings for all housing schemes of 10 dwellings or more) and reaffirming the expectation for developers to enter into legal agreements to secure the necessary funding for the future maintenance of such provision; LPG16 (Parking Standards) setting out, inter alia, the Council's parking and cycle parking standards for all new development; LPG21 (Space Around Dwellings) seeking, inter alia, to ensure that new housing development benefits from a satisfactory degree of privacy and light and benefit from sufficient garden space; LPG27 (Developer Contributions to Schools) requiring development to be assessed according to its impact on existing education infrastructure and outlining the Council's intention to secure developer contributions to mitigate such impacts where the projected pupil yield of a scheme cannot be accommodated within existing schools; LPG28 (Affordable Housing) outlining the further supplementary information required in connection with applications for affordable housing; and LPG30 (A Guide for Developers and Architects when Designing Residential Developments) reaffirming the Council's expectation for good design in all new residential developments.

Summary

- 5.93 Planning policy seeks to facilitate sustainable economic growth and development that can be accommodated without any adverse impacts or harm. A key planning priority in the County Borough is the creation of new employment while a planning imperative also now exists for new housing development in circumstances where there is currently a less than 5 years land supply. The Council has acknowledged that it is unable to meet its housing requirements in urban areas and so the application site would be ideally suited to this purpose whilst also providing for the significant number of jobs that would be created from the proposed commercial elements of the scheme. In this respect, the proposed development would evidently be in the proper planning interests of the area.

6.0 PLANNING ASSESSMENT

Pre-Application Engagement

- 6.1 The applicant formally engaged the Council for pre-planning application advice on the future of this site in November 2012 and a series of meetings followed to help determine an optimum land-use strategy and development masterplan.
- 6.2 A formal pre-application response was issued to the applicant on 30 September 2013 identifying a number of issues that Council Officers considered relevant to an overall planning assessment of the proposed development. These are briefly reviewed in turn below.

Planning Policy

- 6.3 On the matter of planning policy, it was stated that:

“The site subject to these pre-application discussions is outside any defined settlement limit. There is currently no policy support for residential, retail and commercial development of the site. Any such proposal would be considered as a departure from the development plan. The site currently has an extant permission for employment uses and this relates to planning permission P/2003/1484. A proposal for a mixed use development led by retail and housing would need to justify such uses in the light of the extant permission and the loss of prospective employment land”.

Land Use

- 6.4 In terms of the proposed housing element of the scheme, the applicant was advised as follows:

“Any proposal for housing outside any defined settlement limits will need to be justified in terms of National Policy and objectives as contained within PPW, in particular chapter 4 Planning for Sustainability (4.4 and 4.7) and Chapter 9 Housing. The UDP has passed its end date and we do not have a five year land supply, however, this does not mean that any site would be suitable for housing. Proposals would still need to comply with the objectives of national policy. With regards to chapter 9, the main issues are: housing land supply; local housing needs; site search sequence starting with the re-use of previously developed land and buildings within settlements, then settlement extensions, and then new development around settlements with good transport links; a criteria approach to site selection contained within para 9.2.9; and affordable housing needs”.

- 6.5 On the matter of the proposed retail element, the applicant was referred to Policy S4 of the Wrexham UDP requiring a need to be identified for ‘large-scale retail’ proposals exceeding 2,500m² gross, although a smaller format store is now proposed (1,858m² gross). In the event of there being no demonstrable need for convenience retail space, it was suggested that any proposal should be justified according to the policy guidance in Planning Policy Wales (Paragraph 10.2.10) and according to whether it supports the objectives and strategy of the plan or objectives within PP; is highly accessible by walking, cycling or public transport; contributes a substantial

reduction in car journeys; contributes to the co-location of facilities in existing town, district, local or village centres; significantly contributes to the vitality, attractiveness and viability of such centres; or where it alleviates a lack of convenience provision in a disadvantaged area.

Highways and Transport

- 6.6 The applicant was advised that one of the key issues needing to be addressed in this respect (beyond highway impact and public transport accessibility) relates to the physical connectivity of the site to Ruabon and overcoming the presence of the dual carriageway to the north. It was acknowledged that discussions were ongoing with the Local Highway Authority about a proposed 'at grade' pedestrian crossing.

Landscape and Ecology

- 6.7 In this respect, the applicant was advised, inter alia, that:

"The site forms the edge of the Ruabon settlement boundary and was deliberately excluded from the Green Barrier and Special Landscape designation due to the planning history of the site. However, the site must be viewed in the context of the highly sensitive surrounding landscape character and position within the Grade I listed Wynnstay Estate which forms part of the CADW Register of Parks and Gardens. The Council will have regard to the extant planning permission as a material planning consideration and comparisons would be made between this and any proposed scheme. Detailed consideration of this matter was made in 2008 when an application for outline planning permission was refused to redevelop the site with the inclusion of an A1 retail use. While the situation is now somewhat different, in that now the Council must accept that the site can be developed, there remain comparisons with the principles behind the extant permission and the 2008 refusal, which will have to be addressed. I understand from discussions in our meeting that landscape impact is a matter being considered and the submission of a landscape/visual impact assessment would be crucial to the consideration of any formal proposal".

Planning Assessment

- 6.8 The key issues are as follows:
1. The principle of development on the site;
 2. The acceptability of the proposed land-use mix;
 3. Scale and Design;
 4. Landscape and Visual Impact;
 5. Ecology;
 6. Traffic & Transportation;
 7. Tree Impact;
 8. Sustainable Development and Energy Efficiency;
 9. Heritage and Archaeology;
 10. Noise Impact;
 11. Local Community Opinion;

Principle of Development

- 6.9 The extant business park planning permission has established the acceptability of a major development on the site such that it remains a commitment in planning terms (as acknowledged at Appendix II of the UDP).
- 6.10 The Council has continued to acknowledge this fact in its pre-application advice to the applicant, although the proposed development now seeks to diversify the employment offer according to current market demand alongside residential development that would meet an identified planning need in the area and County Borough generally.
- 6.11 The acceptability of these proposed land uses in planning policy terms is examined below, but in light of this extant planning permission the principle of the developing the site for an alternative form of development is acceptable.

Land Use

Housing

- 6.12 The Council has acknowledged that it is unable currently to demonstrate an up-to-date 5-year supply of deliverable housing in the County Borough. The significant shortfall in the supply of housing was one of primary reasons why its Local Development Plan (LDP 2006-2021) was withdrawn on the Inspectors' recommendation following examination. This decision was taken in the context of the Planning Policy Wales advice on assessing housing requirements.
- 6.13 The housing target previously identified in the LDP was for 8,065 dwellings (Policy SP3), which was later revised upwards to 8,870 dwellings during the examination process to incorporate a 'contingency for slippage'. The calculation of housing need in the Plan originated from the Welsh Government's 2003 household projections for North Wales, which identified a requirement for 6,300 dwellings in the County Borough. The LDP was prepared prior to the publication of the Welsh Government's 2008 based household projections and it should be noted in this context that its 2011 based household projections have just recently been published.
- 6.14 At the LDP examination, the Council agreed that the projected housing requirement (using mid year estimates for the first 2 years of the Plan combined with an annual rate of growth adjustment) would result in a need for 11,786 homes over the Plan period. This equated to an overall shortfall of 3,721 dwellings relative to the LDP target.
- 6.15 The shortfall in housing provision is expected to become more acute following the publication of the Welsh Government's 2011 household projections, which identifies an estimated population growth increase of 18,300 in the period between mid-2011 and mid-2026. This represents an increase of 13.5% and is the fourth highest forecast population increase in Welsh administrative area.
- 6.16 The Council accepted at the LPD examination that although the Wrexham Urban Potential Study 2007 (on which it was reliant at the time) focused on the availability of sites within settlements (as opposed to outside), there was no reason to believe that the landscape character of the County was such it

could not accommodate growth beyond and as extensions to settlement boundaries. In this respect, the Council was advised that:

“Not only is there a lack of evidence to support the Council’s position that further housing growth would cause unacceptable social and environmental impacts, but there is no evidence that these perceived harmful effects have been weighed against the potentially detrimental impacts that would arise from restricting housing growth” (Paragraph 3.14 LDP Examination – Inspectors’ Preliminary Findings).

6.17 Furthermore:

“Restricting housing growth will limit the scope to secure affordable housing as a proportion of general market housing” (Paragraph 3.15).

6.18 It was therefore accepted by the Council at the examination that sites would need to be allocated and brought forward outside settlement limits in order to deliver this amount of housing (Paragraph 3.21).

6.19 The Council is now in the formative stages of preparing a Local Development Plan 2 (LDP2) with a view to addressing the deficiencies of the withdrawn Plan. However, there is evidentially already an undeniable planning imperative to deliver more housing in the County Borough in the short-term. On the Council’s own previous assessment, the identified shortfall in housing supply cannot be met on brownfield land within the existing urban areas and so it is inevitable that appropriate opportunities will now need to be brought forward beyond the defined settlement boundaries and in locations where such development can be sustainable and where also there would be no significant landscape harm.

6.20 It is in this context that the Ruabon Business Park site is considered ideally suited to such development. The acceptability of developing the site in planning terms has already been established under the extant planning permission and the further technical assessment work undertaken in this respect (and as presented in this application) simply reinforces the overall merits of the site in these terms. It would be a preferable planning outcome, therefore, to take advantage of the opportunity presented by an already committed development site to deliver an early supply of housing to meet the identified market demands.

6.21 Planning Policy Wales requires new housing developments to be well integrated and connected with existing settlements (Paragraph 9.3.1). Accordingly, measures are being taken to overcome the physical barrier presented by the A539 dual carriageway to the north of the site to provide the necessary pedestrian and cycle connectivity with Ruabon. It is also proposed that the site would be served by the existing bus network as a means of further enhancing its overall accessibility profile to non-car modes of transport.

6.22 Planning Policy Wales also attaches importance to co-locating newly proposed housing with other compatible uses in the interests of maximizing the sustainability benefits of development (Paragraph 9.2.9). This also reinforces the merits of the site, because it provides a unique opportunity to bring forward a housing development that can readily integrate with the

planned commercial employment opportunities and help prevent the out-commuting of workers to destinations further afield.

6.23 Having regard to the above, it is considered that the proposed housing development can be accepted in planning policy terms for the principal reasons:

- It would contribute positively to a significant shortfall in housing supply in the County Borough and area generally, which the latest Welsh Government household projections suggest will become more acute unless positive action is taken to address this.
- It would underpin a sustainable regeneration strategy for the site that is based on co-locating compatible land uses and providing physical connectivity with Ruabon.
- It is planned to meet a number of identified market requirements and as the site is readily deliverable for development, the opportunity can be taken to bring forward much-needed housing in the short-term. The merits of the site for such development are reflected in the positive expressions of interest received from housing developers prior to this application being made.
- It would also provide much needed affordable housing.
- Significant improvements are proposed to upgrade the capacity of the existing physical and social infrastructure to accommodate the anticipated demands of the housing development. This includes allocating land for a new primary school in the development.

Employment

6.24 The application site currently benefits from an extant planning permission for a business park and in the Council's pre-application advice, the applicant was specifically asked to justify the proposed development in the context of the prospective loss of employment land. This is examined further in the 'Employment Land & Market Overview Report', prepared by GVA and forming part of this planning application.

6.25 The site is identified in the UDP as an employment commitment (Appendix II). However, it has failed to come forward for development since planning permission was first granted in 1995. Some reservations were expressed about the future deliverability and overall market suitability of the site for such development in the 'Wrexham Employment Sites Study' (ESS), published by the Council in August 2007. At the same time, doubts were raised about the future viability of the site for development, "*given the protracted nature of the development process*" (Paragraph 5.55, ESS).

6.26 In view of this, the ESS suggested that alternative sites should be brought forward ahead of the application site to accommodate high quality business park users in the County Borough. The preferred location was on a major junction off the A483 and, in particular, to the west and north of Wrexham between junctions 4 and 7, i.e. on the Chester side of Wrexham (Paragraph 6.51). The other site identified in the ESS as being suitable for a high quality

business park (Western Gateway, Wrexham Technology Park Phase II) has yet to be developed and it is understood that significant further investment is needed to upgrade the primary infrastructure before any development can commence. Notwithstanding this, it is further understood that there is further land to the south of the Western Gateway site, which is being considered for employment allocation.

- 6.27 In qualitative terms, therefore, the application site is considered to be in a secondary location when compared to other opportunities elsewhere in Wrexham. From a purely commercial perspective, there appears to be little immediate prospect of the application site being developed out in accordance with its existing planning permission. While the site may be suitable for SMEs and small indigenous businesses looking to expand and generally serving the local region, this would not produce the values required to make development viable. In view of this, the stimulus of higher value uses will be needed to pump-prime the site for B-Class employment development.
- 6.28 In light of this and the significant amount of new and/or refurbished office space currently available for immediate occupation in Wrexham, it is considered that there is significant planning merit in broadening the scope of the overall employment offer on the site to help kick-start development and investment on the site generally.
- 6.29 It is understood that one of the key drivers for the Council in facilitating future economic growth and prosperity in the County Borough beyond the provision of new jobs is prioritising a qualitative improvement in the County Borough's overall employment offer.
- 6.30 To this end, the proposed development not only retains a significant amount of high-quality Class B1 space (12,960m² gross), but also seeks to diversify the overall employment offer to include Class B8, a small format supermarket (for which there is current market demand and an identified planning need) and a hotel/pub (for which there is identified market demand). The overall philosophy behind the masterplan is that it should be both flexible and responsive to future market demand and the inclusion of an element of Extra-Care (Class C2) use is also considered desirable, not least in terms of the not insignificant amount of further employment that would be created from such a development.
- 6.31 In overall terms, the proposed development is projected to generate in the order of 1,181 jobs across a wide range of employment sectors. Unlike the formerly proposed business park use, elements of the scheme are considered to readily deliverable in the short term and as a precursor to further phases of development coming forward.
- 6.32 The resultant regeneration and economic benefits arising would fulfill a number of key related areas of planning policy at both national and local levels and it is considered that the proposed development can be fully justified in such terms.

Retail

- 6.33 The proposed supermarket would have a gross external area of 1,858m² with an assumed net sales area of 1,300m² of which 15% (195m²) would be dedicated to comparison goods sales. While there is no named operator at

this stage, the supermarket would meet an identified retailer requirement in the area.

- 6.34 The acceptability of this element of the scheme has been assessed in light of the previous refusal of planning permission for a Sainsbury's foodstore (4,971 m² gross) on the site as an amendment to Phase 1 of the extant business park planning permission (P/2008/0844), the Council's subsequent resolution to grant planning permission for a foodstore (4,182 m² gross) on the former Griflex site at the Vauxhall Industrial Estate in Ruabon (P/2012/0210) and material planning policy generally. This assessment is outlined in the Retail Planning Statement prepared by GVA and submitted in support of this application.
- 6.35 The scale of the proposed retail offer is modest insofar as it falls below the threshold of 2,500m² defining a 'large-scale retail development', which is identified under Policy S4 of the Wrexham UDP and TAN4. This is also significant in that planning policy does not require an impact assessment to be undertaken of the proposed development.
- 6.36 The principal conclusions arising from the retail assessment are as follows:
1. The Council's own planning assessment of the Griflex scheme accepted that there is a quantitative and qualitative need for a new large-scale foodstore in the local catchment area. The quantitative need is primarily predicated on the claw-back of (main food) convenience expenditure leaking to the mainstream foodstores both in and around Wrexham. Furthermore, a substantial claw-back of this expenditure would generate significant economic and sustainability benefits by reducing the need for local residents to travel longer distances to meet their primary shopping needs.
 2. The Griflex proposal is not currently under planning permission with the s106 agreement remaining unsigned. As such, it is not yet a planning commitment and so the identified need for an additional foodstore in the area continues to be unmet. However, it is accepted this could change at any time prior to this application being determined and so as a worst-case scenario, it has been assumed for the purposes of this assessment to be a planning commitment.
 3. The Griflex retail assessment identified a residual convenience capacity of c. £35.4m within the defined catchment area with the proposed foodstore drawing c. £22.7m (85%) of its overall turnover from the defined primary catchment area. This leaves a residual capacity of c. £12.7m in 2017. The convenience turnover of the now proposed supermarket on the business park site as derived from the defined catchment would be in the order of £10.8m. Consequently, there is sufficient expenditure capacity and quantitative need to support both proposals.
 4. The Council's previous assessment of the Griflex scheme accepted that there were no other suitable sites either available or capable of conversion both within and on the edge of the defined Ruabon District Centre that could accommodate the proposed foodstore. This included the Flexsys site in Cefn Mawr and the Air Products site in Acrefair. The identified need could therefore be met on the out-of-centre Griflex

site. In light of the quantitative need identified above for both schemes, a sequential assessment has been undertaken of this proposed development.

5. In this respect, it is understood that the Flexsys site remains available for development. However, the Council has previously accepted that it would not address the spatial deficiency in (main food) convenience shopping provision in the defined Ruabon catchment area. This conclusion still stands and it is considered that a supermarket on the business park site represents a more deliverable and sustainable planning outcome, as, with the measures proposed, it would be no less accessible to public transport and would command a significant walk-in trade from the proposed housing development being planned as part of the overall scheme. With the Air Products site currently under planning permission for a residential-led redevelopment (P/2012/0045), it is considered that the business park site would be a sequentially acceptable location for a supermarket to help meet the identified retail need.
6. Although there is no planning policy requirement to undertake any impact assessment, the modest size of the supermarket (and its significantly lower convenience turnover relative to the proposed Griflex store) is such that it is unlikely to have any adverse impact on the defined Ruabon District Centre. The Council has accepted that the majority of the proposed Griflex store turnover is likely to be derived from local residents diverting from their current main food shopping trips both in and around Wrexham. The existing district centres in the catchment area (Ruabon, Rhos and Cefn) are all identified as having a fairly limited role as main food shopping destinations and are predominantly orientated towards meeting day-to-day top-up shopping needs. As with the Griflex scheme, it is not expected that the proposed supermarket would have any adverse impact on the vitality and viability of these district centres given that the majority of its trade would be drawn from claw-back and the adjoining housing development.

6.37 Having regard to the above, therefore, it is the case that:

1. There is a quantitative need for the proposed supermarket based on the accepted findings of the retail assessment work undertaken for the Griflex scheme. Planning Policy Wales (paragraph 10.2.10) advises local planning authorities to give precedence to establishing quantitative need when assessing the merits of a site for retail development and so the development can be appropriately justified on this basis.
2. The application site is a sequentially acceptable location to meet this identified need having regard to the suitability and availability of other sites in the area.
3. A supermarket of the modest size proposed is unlikely to have any significant detrimental impact on the vitality and viability of the defined district centres in the catchment area.

4. The supermarket would help to support the objectives and strategy of the current development plan in terms of meeting an identified retail need and through the significant amount of employment that would be generated (estimated to be broadly equivalent to 76 FTE jobs). It is planned to meet an identified retail requirement in the area and would help to unlock the future regeneration potential of the site for a development that is aligned with the identified market demands and planning needs of the area. Planning Policy Wales acknowledges that the regeneration and employment benefits of a retail development may be material considerations in any assessment of a planning application (paragraph 10.3.3) and it is considered that such benefits are significant in the context of this proposed development.
5. The supermarket would also reinforce the overall sustainable development credentials of the scheme as a whole in that it would be readily accessible either by foot or the bicycle to the newly proposed housing community on the site. Allied to this are the measures aimed at improving the public transport accessibility of the site to the wider catchment area.

6.38 For all of the above reasons, therefore, it is considered that the proposed retail element of the scheme can be supported in planning policy terms.

Extra-Care

6.39 The masterplan is designed to be flexible, durable and responsive to market demand and so in this respect there is considered to be significant merit in extending the proposed land-use mix to allow for the possibility of an element of extra-care (Class C2) housing to come forward. This would be a compatible and complementary use and would help to reinforce the overall deliverability of the site for development.

Hotel/Pub

6.40 It is for this same reason that the masterplan also allows for a hotel and/or pub to come forward on the site. The heritage of the County Borough is both rich and diverse and the importance of the tourism and visitor economy to the area generally is outlined in the Council's 'Destination Management Plan' (2012-2017), which seeks, inter alia:

- To deliver a strategic and visitor focused approach to the development and management of the visitor product/experience in the County Borough; and to
- To drive up tourism business performance year on year.

6.41 An integral element of this overall strategy is *"investing in product excellence"* and *"stimulating development and investment"* with one of the *"key priorities"* being the provision of quality visitor accommodation (Paragraph 2.3, Development Management Plan). Indeed, this is one of the key principles of the 'Tourism Strategy North Wales 2010-2015, published by the Tourism Partnership North Wales.

6.42 The application site is less than 3 miles to the northeast of the Pontcysyllte Aqueduct & Canal World Heritage Site (WHS), which the Council wishes to

promote as a primary visitor destination with a new visitor centre and associated car, coach and public transport connections (Paragraph 2.4, Destination Management Plan). A qualitative appraisal of the County Borough's existing visitor accommodation offer identifies it as being "*average*" with "*few places which are high quality, unusual or with really distinctive features*" (Paragraph 2.6, Destination Management Plan). In view of this, one of the Council's six 'priority projects' is to encourage the development of new visitor accommodation as "*an enhanced accommodation offer and greater choice could start to increase overnight visitors and increase visitor spend*" (Page 16, Destination Management Plan).

- 6.43 Accordingly, in light of the identified market demand for such a development, there is significant planning merit in incorporating a hotel use within the site masterplan. This is also the case for a family pub for which there is also an identified market demand in the area.
- 6.44 Overall, it is considered that these uses are positive features of the overall development underpinning the future deliverability and regeneration of the site for an economically beneficial purpose.

School

- 6.45 The existing primary school infrastructure is understood to be at or near capacity in the assumed catchment area of the site and this was reflected in some of the concerns expressed by local residents attending the public exhibition into the scheme. The Council's standard mechanism for mitigating such impact is to secure a financial planning contribution from an applicant in accordance with Local Planning Guidance Note 27. However, in this instance it is considered that there would be a greater planning benefit arising if provision were instead made within the proposed development for a new primary school that can become an integral element of the planned housing development and in light of the perceived difficulties of meeting this requirement elsewhere. Accordingly, the masterplan has set aside 0.73 hectares of land for this purpose that would otherwise be allocated for housing. This would be in lieu of making the standard developer contribution and further discussions will be needed with the Council to determine the most appropriate phasing strategy for the school having regard also to the equivalent financial contributions that have already been secured from proposed developments elsewhere in the vicinity.

Scale and Design

- 6.46 The overall design philosophy underpinning the illustrative site masterplan is explained in the Design and Access Statement prepared by NRAP Architects. The site has been subject to an extensive feasibility assessment to determine the opportunity for development in the context of the identified site constraints and having regard also to the various design parameters that were incorporated into the previously proposed business park scheme and accepted under that planning permission.
- 6.47 The overall objective has been to create a vibrant and accessible development with a strong sense of place and community, which would form a natural extension to the village of Ruabon and provide for the employment, housing, shopping and recreation needs of the existing and future populations.

- 6.48 By necessity, the masterplan has to be versatile, durable and capable of facilitating the identified development needs according to market demand. It presents a blueprint for the future and represents a new and exciting vision of how development could come forward on the site.
- 6.49 A landscape-led approach has been taken to inform the layout, structure and physical form of the proposals in response to some of the unique qualities of the site. The existing pond will be retained as an integral element of the overall scheme and the opportunity will be taken to enhance the natural environment generally in this area and elsewhere on the site. Central to this is the provision of an extensive area of public open space within the development, and significantly in excess of the Council's minimum standards, to provide a valuable outdoor recreational resource, which would be accessible to all. This also helps to soften the overall impact of the development.
- 6.50 The development has been planned to integrate with Ruabon both in terms of the general arrangement of land use and its physical connectivity. The pre-application discussions held with the Council have contributed to this process and helped influence the illustrative site layout. The commercial employment element of the scheme is accessed independently of the housing, while a small format supermarket is positioned on the main road frontage so that it can become the focal point of the scheme and be accessible to the wider community in Ruabon and the surrounding area.
- 6.51 The masterplan retains a number of the development parameters accepted under the business park planning permission. The various exclusion zones are maintained in order to protect the identified heritage and ecology assets, while a number of height parameters have been determined to help integrate the development into its general setting. There is a transition of scale from single-storey buildings at the southern end of the commercial area rising to three storeys at the gateway entrance. The housing has a generally uniform building height (1.5-storeys) rising in some instances to 3-storeys. A key, determining factor in this respect has been the need to ensure that the proposed development can be accepted in terms of its wider landscape and visual impact.
- 6.52 Although the final form of development will be determined at the reserved matters stage, the proposed masterplan presents an exciting, alternative vision for the site. It is geared specifically towards the identified needs of the market and the more diversified land use now proposed would contribute significantly towards unlocking the development potential of this site and delivering the resultant regeneration benefits in terms of the employment generated.

Landscape and Visual Impact

- 6.53 The proposed development has been the subject of a landscape and visual impact assessment, which is presented in the Visual Impact Assessment report prepared by Robert Myers Associates (RMA) and submitted with this planning application.
- 6.54 Some of the principal points arising from this assessment are as follows:

- The principle of a major development on the site and the part registered park and garden area has been established under the extant business park planning permission.
- The proposed development maintains the development exclusion zones established under the extant planning permission for protecting the setting of the Offa's Dyke scheduled ancient monument in the immediate vicinity of the site and the Ha Ha along the western boundary.
- The landscape-led approach based on retaining and enhancing the immediate setting of the pond and other important landscape features as well as providing a significantly larger area of public open space than planning policy would normally require helps integrate the proposed development into its immediate and wider surroundings. Where possible, the buildings have been designed to screen the visual impact of the identified parking areas.
- The wider visual impact of the proposed development on the identified designated heritage assets of Wynnstay Hall, the former Wynnstay Colliery buildings and Offa's Dyke is neither significant nor harmful.
- A combination of mitigation tree and vegetation planting both on the principal site boundaries and within the proposed development areas would help to assimilate the development into its immediate and wider landscape setting. Appropriate measures can be designed at the reserved matters stage for mitigating the lighting impact of the development.

6.55 In overall terms, it is considered that the suitable measures either have or can (at the reserved matters stage) be designed into the proposed development to ensure that the landscape and visual impact is acceptable.

Ecology

6.56 The ecology implications of the proposed development are examined in the Ecological Survey Report prepared by BSG Ecology. This assessment has been informed by the findings of the extensive survey work previously undertaken on the site and the further surveys now undertaken in this respect. An Extended Phase 1 Habitat Survey was completed in the first instance followed by a number of other more detailed surveys including bat activity surveys, breeding bird surveys, great crested newt surveys, reptile surveys, butterfly surveys and botanical surveys, all of which were undertaken in accordance with standard practice and methodology.

6.57 The principal conclusions that can be drawn from this survey work are as follows:

1. The proposed development would not have any harmful impact on the three designated Sites of Special Scientific Interest (SSSI), including the two Special Areas of Conservation beyond the site boundary and within a 2km radius.

2. The existing site is not considered to be of any significant intrinsic botanical interest.
3. Appropriate measures can be designed into the scheme to mitigate the loss of some of the existing tree belt along the northern boundary to facilitate the construction of the secondary site access.
4. Four bat species have been recorded foraging and commuting both within and across the site. The proposed development would retain the majority of the habitat used by bats for foraging and appropriate mitigation measures can be taken in the form of native tree, shrub and hedgerow planting and the creation of native species rich wild flower grassland to provide enhanced foraging habitat for bats within the site. Furthermore, no trees are being removed with the potential to support roosting bats. Suitable measures can also be taken at the detailed design stage to ensure that the lighting impacts of the development at the post-completion stage are appropriately controlled to prevent any harmful light spillage into the identified bat foraging areas.
5. The majority of the boundary features and the habitat surrounding the retained pond will be retained and so there will not be any significant loss of breeding bird habitat for the species currently using these areas. The potential also exists within the proposed development to provide additional breeding bird opportunities. The site and immediately surrounding area supports a range of ground nesting species such as lapwing, skylark, snipe, mallard and linnet, all of which (with the exception of mallard) are Species of Principal Importance under the Natural Environment and Rural Communities (NERC) Act 2006. Once developed, the site will be unsuitable for the ground nesting species and so it is proposed to provide an off-site habitat to compensate for the loss of the on-site habitat. This will be provided on land within the applicant's ownership, which will be managed in the long-term for lapwing. Such measures are also necessary to facilitate the construction of the business park under the extant planning permission.
6. No great crested newt was recorded in any of the ponds during the site surveys and the periodic survey results suggest that there is no longer a population present. Accordingly, no further survey work or mitigation is required in this respect.
7. The retained principal pond will continue to support the other identified amphibian species and habitats on the site and further complementary and compensatory habitats can be created within the proposed development to ensure that there are no adverse impacts in this respect.
8. Although no reptiles were recorded during the site surveys, a single grass snake was recorded in 2003 and the majority of the habitat used by grass snake would be retained within the proposed site masterplan and enhanced through the additional planting measures proposed.
9. No evidence of badger was identified either within or in the vicinity of the site and so no ecological mitigation or further survey work is considered necessary.

10. Five butterfly species were recorded on the site, although none are listed as Species of Principal Importance under the provisions of the NERC Act 2006. The majority of the existing habitats would be retained and enhanced through the additional planting measures proposed.

6.58 The principal ecology habitats will therefore either be retained or enhanced on-site, while appropriate mitigation measures can be secured off-site to compensate for the unavoidable loss of ground nesting bird habitat that would be necessary to facilitate the future development of the site. In overall terms, it is considered that there would be the same low magnitude impact arising that was accepted to be the case under the extant business park planning permission.

Traffic and Transportation

6.59 The traffic and transportation implications of the proposed development are reviewed in the Transport Statement prepared by Connect Consultants. The assessment has been undertaken in the context of the extant business park planning permission and the overall traffic impacts that were accepted by the Council under that scheme. A significant amount of further survey work has also been undertaken to help inform the proposed site masterplan and determine the overall acceptability of the development in these terms.

6.60 The overall site access strategy is based on providing separate entry points into the site for the housing and commercial elements. A new fifth arm would be taken off the existing A539/B5605 roundabout to serve the housing and also the proposed supermarket, which would be better located on this part of the site in order to maximize its pedestrian connectivity with Ruabon and have a more visible road frontage. The capacity of this junction to accommodate both existing and projected traffic flows to and from the proposed development during peak hours and at a 2023 baseline year has been tested using the standard industry computer modelling. The results (which are presented in the Transport Statement) show that it would have sufficient capacity to accommodate the resultant traffic generation. This is also the case with the new roundabout junction proposed on the B5605 and accessing the commercial area of the proposed development. The junction capacity assessment has also been extended to include the A539/A483 western and eastern roundabouts, both of which would function with 'negligible difference' to the extant business park planning permission. In overall terms, there would be a significant reduction in the forecast traffic generation from the proposed development during the morning and afternoon/early evening peak hours in comparison with the business park scheme.

6.61 The transport assessment has also considered the optimum means of enabling pedestrian and cycle connectivity between the proposed development and Ruabon village and improving the overall public transport accessibility profile of the site. Various options have been considered for enabling the pedestrian/cycle access by providing a crossing point on the A539 and these are outlined at Appendix 2 of the Transport Statement. This assessment has resulted in provision being made for a signalized pedestrian crossing to the east of the existing A539 roundabout junction. This would meet the necessary highway design standards and the surveyed 85th percentile vehicle speeds (as determined through the average speed surveys

undertaken) and alterations to the roundabout geometry both indicate that the crossing type is appropriate. Capacity modelling also shows that there should be no resultant queuing and tailing back to the roundabout. This represents the preferred solution for facilitating the desired connectivity of the site to central Ruabon. The pedestrian and cycle permeability also extends to the proposed development with various cycle routes and pedestrian footways incorporated into the masterplan design to enhance its overall sustainable development credentials in this respect.

- 6.62 Related to this are the measures aimed at facilitating public transport access and it is intended that one of the existing local bus services would be diverted into the site, subject to agreement being reached with the operator.
- 6.63 The overall conclusion of the transport assessment is that the proposed development is acceptable in terms of its traffic generation, site access strategy, highway and pedestrian safety and the measures aimed at enabling pedestrian, cycle and public transport accessibility.

Tree Impact

- 6.64 The overall tree impact of the proposed development is examined in the Arboricultural Report, prepared by Wharnccliffe Trees and Woodlands Consultancy. The assessment was informed by a site walkover and undertaken in the context of the equivalent assessment undertaken to inform the acceptability of the approved business park scheme.
- 6.65 The proposed land-use arrangement shown on the indicative site masterplan has been specifically designed to retain the narrow belt of woodland on the northwest edge of the site, which is protected under Tree Preservation Order. The indicative building footprints have also been set back in order to prevent any encroachment into the defined root protection areas of these trees and the identified crown spreads. The TPO also extends along the northern boundary to include a line of 28 native oak trees, which appear to have been planted in the last 10 years or so. Some of these trees would, however, need to be removed to facilitate the proposed site access arrangement off the B5605, as was the case under the extant business park planning permission. In view of this, it is proposed to undertake a significant amount of new tree planting elsewhere within the site to compensate for the loss of these trees.
- 6.66 In overall terms, it is considered that the tree removals needed to facilitate an economically beneficial and viable development on the site can be justified, subject to an appropriate tree management and planting plan(s) being agreed with the Council at the future reserved matters stage.

Sustainable Development & Energy Efficiency

- 6.67 The proposed new housing will be expected to meet Code for Sustainable Homes Level 3 as a minimum and achieve 6 credits under Ene 1 – Dwelling Emission Rate. Furthermore, all of the non-residential buildings exceeding 1,000m² will be expected to meet a ‘Very Good’ BREEAM standard and a mandatory credit of ‘Excellent’ under Ene 1 – Reduction of Co₂ emissions.
- 6.68 It is expected that a raft of measures can and will be adopted into the proposed development to ensure that these policy requirements are met as a minimum. The precise details will be submitted to the Council for approval at

the reserved matters stage according to the more detailed plans that will emerge for development on the site. However, a general outline of the likely contribution of the development in this respect is set out in the Sustainability Statement prepared by Greengage.

- 6.69 The likely energy contribution of the proposed development is outlined in the Energy Statement prepared Greengage. This identifies a raft of possible measures that could be potentially adopted at the detailed design stage to help achieve national and local planning policy objectives for energy efficiency and the use of renewable energy.

Heritage Impact

- 6.70 The proposed site masterplan has been designed to retain the requirement under the extant business park planning permission for an exclusion zone of 15m to be adopted from the boundary of the scheduled area of Offa's Dyke and from the conjectured boundary of its likely continuation to the north. Similarly, a 10m minimum exclusion zone has been retained from the inner edge of the defined Ha Ha and along its entire length.
- 6.71 The principle of development on the site in the context of the part-registered park designation has been established under the extant business park planning permission and it is anticipated that the same planning conditions could be attached to any grant of planning permission for this proposed development in the interests of ensuring that the heritage and any other features of historical and archaeological importance are suitably protected.

Noise Impact

- 6.72 The noise implications of the proposed development are examined in the Noise Assessment prepared by Sharps Redmore. Noise surveys were undertaken at locations representative of the nearest existing residential dwellings to the site and at locations to determine the extent of the likely exposure of the proposed housing to noise from the A539.
- 6.73 The findings show that the predicted noise levels from the proposed development would comply with the World Health Organisation Guidelines by some margin. The one exception is a marginal exceedence of the sleep disturbance threshold at one of the existing residential receptors in the adjoining housing area directly to the north of the application site, which is caused by an assumed service vehicle arrival. However, this can be appropriately mitigated to ensure there is no such noise disturbance by restricting the delivery hours to the foodstore and petrol filling station to outside nighttime hours.
- 6.74 In overall terms, the change in noise environment as a result of the development would be negligible. Furthermore, suitable noise insulation measures can be appropriately incorporated into the proposed housing at the detailed design stage to ensure that there would be no harmful noise nuisance or disturbance arising.

Local Community Opinion

- 6.75 The applicant has sought to engage the local community proactively and at the earliest possible stage in order to determine an optimum form of

development on the site. 58% of those residents attending the public exhibition into the proposed development and who completed a feedback form were supportive with the need for employment and housing to sustain Ruabon village being viewed as particularly important. 69% of respondents also supported the proposed supermarket on the grounds that it would improve retail choice and be accessible to Ruabon village. The primary issue raised by those respondents maintaining concerns related to the anticipated impact of the proposed development on existing education and healthcare infrastructure in the area.

- 6.76 In view of this, the applicant has reserved an area of land originally intended for housing within the proposed development for a primary school and in lieu of the standard financial planning contribution that would ordinarily be sought by the Council in this respect. It is considered that this would be a more preferable outcome in planning terms in view of the anticipated difficulty in increasing the capacity of the education infrastructure elsewhere in the area.
- 6.77 The positive local opinion expressed in support of the proposed development represents a further material consideration underpinning the overall planning credentials of the scheme.

Summary

- 6.78 The principle of proposed development is already established on the site by virtue of the extant business park planning permission. The current planning application presents an alternative vision for the site underpinned by an up-to-date assessment of market need and demand. It would make a major contribution towards meeting the planning imperative for more housing in the County Borough and area generally, whilst also providing a much-needed boost to the local economy in terms of the significant number of jobs that would be created over time. A thorough assessment of the proposed development has been undertaken having regard to a number of material planning considerations and other interests of acknowledged importance. The overall conclusion is that it can be accepted in all these terms.

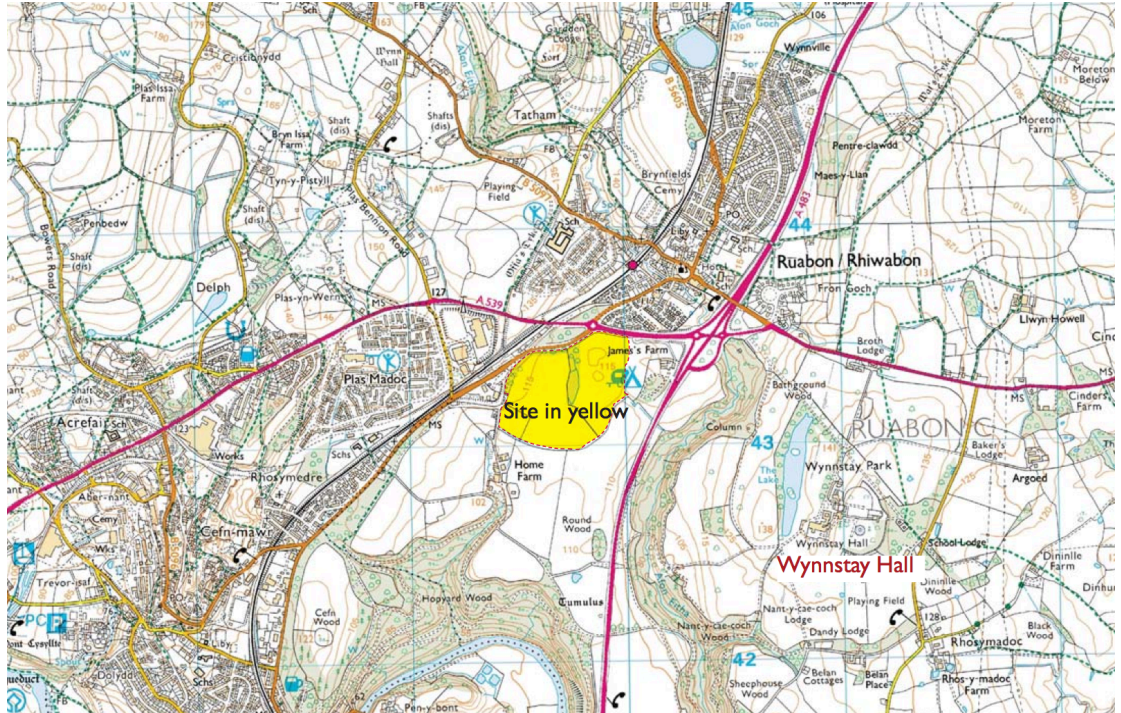
7.0 CONCLUSIONS

7.1 It is considered that planning permission can be appropriately granted for the proposed development for the following principal reasons:

1. **Sustainable Development:** It is proposed to reuse a site currently benefiting from an extant business park planning permission for a more beneficial and effective development that is sustainable, viable and deliverable and which would realise significant economic, social and environmental benefits.
2. **Deliverability:** The proposed development comprises a mix of compatible and complementary land uses which are specifically geared towards the identified needs of the market. The overall land use mix is designed to be both durable and adaptable to this market demand. The intention is to finally unlock the development potential of the site and to provide a major stimulus to the local economy in terms of the resultant regeneration benefits arising.
3. **Economic Benefits:** The proposed development would create in the order of 1,180 jobs across a range of employment types, excluding the significant number of construction jobs that would also be created. It is anticipated that various social inclusion initiatives will be adopted to help prioritise these employment opportunities for the local community.
4. **Housing Need:** The proposed development would make a major contribution towards meeting the pressing need for more housing in the County Borough and area generally in circumstances where there is widely acknowledged to be a less than 5 years housing land supply and where such provision cannot be exclusively made within existing urban areas. The opportunity can and should be taken to use a committed development site for this purpose.
5. **Affordable Housing:** The proposed development would also contribute positively towards the pressing need for more affordable housing in the County Borough. The affordable housing contribution is not insignificant in light of the viability concerns expressed generally by the Inspector in terms of affordable housing provision in the County Borough his Preliminary Findings Report into the withdrawn Local Development Plan.
6. **Retail Need:** The small format supermarket would meet an identified quantitative need for additional convenience floorspace in the defined catchment area. It would provide competition and choice and help prevent the identified leakage of convenience goods expenditure to the other foodstores further afield and in Wrexham. As a result, shopping trips would become more sustainable in terms of the reduced length of car journeys.
7. **Education Infrastructure:** The proposed development would help alleviate the pressure that is already being brought to bear on the existing education infrastructure in the area by setting aside land for a new primary school on the site.

8. Development Impact: The proposed development can be accommodated on the site without any significant detrimental impact arising in terms of ecology, heritage, landscape (including trees) and noise.
9. Traffic Impact: The forecast traffic generation of the scheme would be less than that accepted under the extant business park planning permission. The overall traffic impact would therefore be acceptable and the proposed highway and pedestrian improvement measures can equally be accepted in safety terms.

APPENDIX 1



APPENDIX 2

Application Reference	Proposal	Decision	Date
RUA 23477	Outline application for 24 ha business park B1 use (high technology, manufacturing, research and development of prestige offices)	Granted	31.05.95
RUA CB01467	Variation of Condition 2 of outline planning permission RUA 23477 to allow a further 3 year period within which to submit reserved matters	Granted	05.10.97
RUA P/2000/0418	Relaxation of Condition 2 imposed under planning permission RUA CB01467 to allow extension of time for submission of reserved matters application.	Granted	31.07.00
RUA P/2000/0491	Variation of Condition 6 of outline planning permission RUA CB01467 to allow maximum 65% of the total site area to be taken up by operational and built development.	Withdrawn	31.07.00
RUA P/2000/0769	Variation of Condition 6 of outline planning permission RUA CB01467 to allow a maximum of 65% of the total site area to be taken up by operational and built development.	Withdrawn	10.11.00
RUA P/2003/0058	Variation of Conditions 2 and 3 of planning permission RUA P/2000/0418 to allow a further 3 year period within which reserved matters may be submitted and a further 5 year period for commencement of development.	Granted	10.03.03
RUA P/2003/1484	Reserved matters application for Business Park, B1 use (high technology, manufacturing, research and development of prestige offices).	Granted	06.06.05
RUA P/2004/0294	Variation of Condition 1 of outline planning permission P/2003/0058 to allow a further one year period within which to submit an application for reserved matters.	Withdrawn	19.05.05
RUA P/2008/0844	Outline application for development of B1 office, A1 food retail, access arrangements and associated site works.	Refused	01.06.09
RUA P/2010/0847	Application for a Certificate of Lawfulness on relation to development comprising the construction of an access road to serve the development of the Ruabon Business Park as approved in decision note ref. RUA P/2003/1484.	Refused Appeal Allowed (2160288)	04.02.11 20.06.12

PROPOSED DEVELOPMENT SCHEDULE

Use	Units	GFA (m2)	GFA (ft2)	Area (ha)
Class B1 (Office)		12,960	139,500	
Class B8 (Warehousing)/ Class C2 (Extra-Care)		4,646	50,000	
Class A1 (Retail) + PFS		1,858	20,000	
Class A3 (Pub) and/or Class C1 (Hotel)		2,787	30,000	
Class C3* (Residential)	300			
Class D1 (School)				0.73
Total		22,251	239,500	

* Class C3 residential element assumed for indicative purposes to take the form of 14 x 2-bed, 196 x 3-bed & 90 x 4-bed dwellings with 10% (30 dwellings) affordable housing.

APPENDIX 4

LAND WITH PLANNING PERMISSION: 1 APRIL 2001

2. Employment

Table 5. Wrexham Industrial Estate

Ref Location	Area (ha)
1. Abenbury Way (ii)	7.0
2. Bridge Road (former Firestone site)	46.1
3. Cefn Park Land, Redwither Road	11.5
4. Clywedog Road South (i)	0.9
5. Coed Aben Road (I)	2.6
6. Redwither (i)	0.6
7. Ridley Wood Road	0.3
Wrexham Industrial Estate Sub-Total	69



Table 6. Other Sites

Ref Location	Area (ha)
8. Brymbo : former Steelworks	15.0
9. Gwersyllt: Adj. Graham Packaging, Mold Rd	4.9
10. Hafod: Adj. Dennis Ruabon, Hafod Road	17.6
11. Johnstown: Vauxhall Industrial Estate	0.2
12. Llay: Industrial Estate (D)	0.4
13. Llay: Industrial Estate (F)	0.5
14. Llay : Industrial Estate (H)	0.8
15. Llay : Industrial Estate (I)	3.4
16. Llay : Industrial Estate (K)	0.6
17. Llay Hall Industrial Estate	0.3
18. Pentre Broughton : Quarry Road	0.5
19. Ruabon : Adj. A483	24.0
20. Ruabon : Gardden Industrial Estate	0.2
21. Wrexham : Technology Park	0.2
Other Sites Sub-Total	69.3
TOTAL EMPLOYMENT SITES	138.3

