

PLANNING STATEMENT

Removal of Condition 11 attached to P/2018/0671.

PROPOSED RESIDENTIAL DEVELOPMENT at
GLYNDWR UNIVERSITY NORTHERN QUARTER

PLAS COCH ROAD

WREXHAM

LL11 2BZ

On behalf of EDWARDS HOMES LIMITED



D S Jones & Co. Architectural & Planning Consultants.



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1.0 INTRODUCTION.

1.1

This brief Planning Statement has been prepared in support of an application for variation or removal of a planning condition which is attached to the grant of planning permission under LPA reference No. P/2018/0671 dated the 7th of May 2020.

1.2

The description of the development on the decision notice reads as :-

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

1.3

The condition which is to be removed is Condition 11 attached to the grant of planning permission referred to. The condition states that :-

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

REASON : In the interests of highway safety and to ensure compliance with Policy GDP1 of the Wrexham Unitary Development Plan.”

2.0 DESCRIPTION OF THE SITE AND SURROUNDINGS

2.1

The application site extends to 3.1 hectares (7.66 acres) and is situated within the settlement limits of Wrexham as defined in the Adopted UDP. The site occupies the northern quarter of the existing Plas Coch Campus and currently contains redundant former student halls of residence, car parking and

structural landscaping. To the south are the existing academic buildings within the Plas Coch Campus, to the west is the B5101, Plas Coch Road and beyond this, Plas Coch Retail Park, to the north is a tennis centre and to the east are existing properties on Ashfield Road / Crispin Lane and other academic buildings within the Glyndwr University Campus.

2.2

The site is generally flat and there are no public rights of way which cross the site.

2.3

The surrounding area is of mixed-use containing Glyndwr University, Wrexham General Railway Station, Plas Coch Retail Park, the Tennis Centre and existing residential properties.

2.4

Access to the centre of Wrexham (about 0.25 metres distant) can be readily achieved via walking and cycling along a relatively flat route which is well signposted.

3.0 REASONED JUSTIFICATION FOR REMOVAL OF THE CONDITION.

3.1

Welsh Government Circular, WGC 016/2014 – “The Use of Planning Conditions for Development Management” sets out the six tests that the Welsh Government considers that planning conditions should meet in order to be properly used. Conditions should only be imposed where they satisfy all of the tests described in chapter 3 of the Circular. In summary, conditions should be :-

- (i) necessary;
- (ii) relevant to planning;
- (iii) relevant to the development to be permitted;

- (iv) enforceable;
- (v) precise; and
- (vi) reasonable in all other respects.

3.2

It is the Joint Applicants' view that Condition 11 is neither necessary, relevant to the development nor reasonable in all other respects and we set out below the evidence for this.

3.3

The Condition was conceived as a result of Highways Observations on a package of applications for Campus improvements which included the proposed development (P/2018/0671) and one other application which affects the Campus directly. Application No. P/2018/0666 sought the *"Demolition of Student Union, Refectory and other redundant buildings and redevelopment of Academic Campus to provide new Learning Gateway Building, Engineering Building, New Sports Hall Extension, redevelopment of Multi-Use Games Area, refurbishment of Social Learning and Academic Tuition Space together with new car parking, infrastructure, landscaping and public realm works."*

This application involved the use of all three access points to the Campus and Condition 18 secured improvements to the junction of Mold Road and Crispin Lane. It is the Joints Applicants' view that Condition 11 was wrongly added to the conditions imposed upon planning permission P/2018/0671 and there are a number of reasons for this view having been adopted.

3.4

The description of development set out on the decision notice describes the development as follows :-

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

The description of development is clear in that access to the development must be derived from the B5101, Plas Coch Road at the existing north west

point of access to the Campus only. This means that whilst Condition 11 might be relevant to the other proposed developments within the Campus, it is not *“relevant to the development to be permitted”* and is therefore neither *“necessary”* nor *“reasonable in all other respects.”*

3.5

Condition 4 attached to planning permission P/2018/0671 states that :-

“The vehicular access to the site shall be implemented in accordance with the detail shown in approved plan AL-00-002 Revision P1.”

This drawing is included in support of this application and clearly shows that access to the development site is to be derived from the Plas Coch Road access only and that no access through the Campus is to be available to residents of the residential development. This means that Condition 11 is not *“relevant to the development to be permitted”* and is therefore neither *“necessary”* nor *“reasonable in all other respects.”*

3.6

In the report to Planning Committee on the 1st of July 2019 when all three applications which were situated within the Plas Coch Campus were considered, in relation to application No. P/2018/0671, the officer provided the following comments in respect of access to the residential development site :-

Highways:

Access

Approval of the means of access to the site is sought at this outline stage. The intention is to provide an access onto an existing carriageway that forms an internal circulation road which forms a junction arm with the Plas Coch retail park

roundabout. Detail of this access is included in the Traffic Assessment (TA). In conjunction with the proposed Campus 2025 redevelopment scheme (P/2018/0666 refers), contrary to the original submission, the intention is to retain this access for university staff/student traffic as well as the proposed residential traffic. No residential traffic is intended to be permitted into the university campus itself. A parking restriction is intended to be imposed to manage the university's own car park for the purposes of serving staff and students through a car parking management plan. A condition will be imposed on any approval to ensure that this plan is prepared and implemented prior to the first use of the development. The indicative layout plan shows a secondary access which currently exists on to the Tennis Centre access. No specific detail of this access is shown in the TA, but this is likely to be utilised for the purpose of emergency access. Again, a condition will restrict its use for this purpose.

To reinforce the point – *“No residential traffic is intended to be permitted into the University Campus itself.”* Accordingly, this is further evidence that Condition 11 is not *“relevant to the development to be permitted”* and is therefore neither *“necessary”* nor *“reasonable in all other respects.”*

4.0 SUMMARY AND CONCLUSION.

In summary it is clear from the evidence set out above that the imposition of Condition 11 is not relevant to the development and is therefore neither necessary nor reasonable in all other respects. This Condition therefore fails the tests of validity of planning conditions as set out in Welsh Government Circular WGC 016/2014

In consideration of the above and the drawings and other information provided as part of the application, officers are respectfully requested to view these proposals favorably and subsequently resolve to remove Condition 11 from the grant of planning permission under LPA reference No. P/2018/0671.

D.S. Jones &Co. June 2020.

For and on behalf of Edwards Homes Limited & Glyndwr University.

