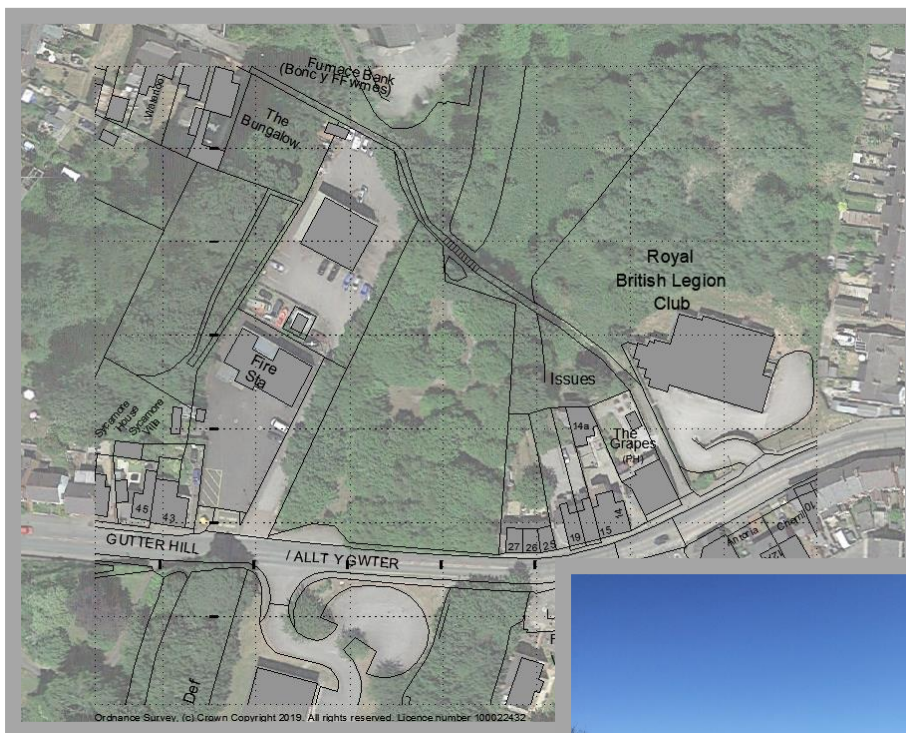


# DESIGN STATEMENT

## Enhancement & Creation of Grassland

### For Great Crested Newts

#### Land at Gutter Hill, Rhosllanerchrugog



July 2020 Rev C

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## Introduction

This Design & Access statement is developed in line with the CABE publication Design & Access Statements, how to write, read and use them, based on the principles of inclusive design.

We are instructed by JC Dyke/Kef Properties to prepare a Design and Access Statement to support the planning application for the proposed commercial/industrial development with associated external works. A pre-app was submitted to Wrexham County Borough 3<sup>rd</sup> April 2019 and a response was received 29<sup>th</sup> April 2019, ref: ENQ/2019/0094, and a copy of the response is appended to this submission.

The pre-app response noted that

*...the site is located within a settlement limit as defined by the Wrexham Unitary Development Plan. In accordance with policies PS1, PS2, PS3, PS4 and E4, the development of this land would be acceptable in principle subject to compliance with the council's general development principles (GDP1) and other site-specific policies. ....*

*.....The site is previously developed land with what appears to be a well-established access. I do not consider any element of the proposal would result in significant levels of traffic generation that could not be handled by an improved access layout. The site is not located within a defined flood zone where there is considered to be a risk from flooding.....*

The pre-app response confirmed that the following survey/reports would be required as part of a planning application:

- Ecology appraisal
- Noise assessment

Planning applications were submitted, ref P/2019/0597 for the Western Boundary and P/2019/0597 for the Eastern Boundary.

Although attempts were made to address the concerns raised by the LPA during the course of the applications the Western Boundary application was refused based on the following reasons:

- 1. The proposed development would result in harm to Great Crested Newts, which are a primary feature of the Johnstown Newt Site Special Area of Conservation. No evidence has been submitted with the application to demonstrate that this harm can be prevented or mitigated against and the proposal would conflict with UDP Policies GDP1, EC6 and the provisions set out in TAN 5.*
- 2. The site cannot comfortably accommodate the development proposed which includes provision of the necessary space required for turning and manoeuvring of delivery vehicles into, within and out of the site. The proposal represents overdevelopment of the site and on this basis, it has not been demonstrated that a safe and convenient vehicular access is achievable, resulting in harm to highway safety. The proposal conflicts with UDP Policies GDP1 (a) and (d) as well as the provisions set out in LPG16.*

Although attempts were made to address the concerns raised by the LPA during the course of the applications the Eastern Boundary application was refused based on the following reasons:

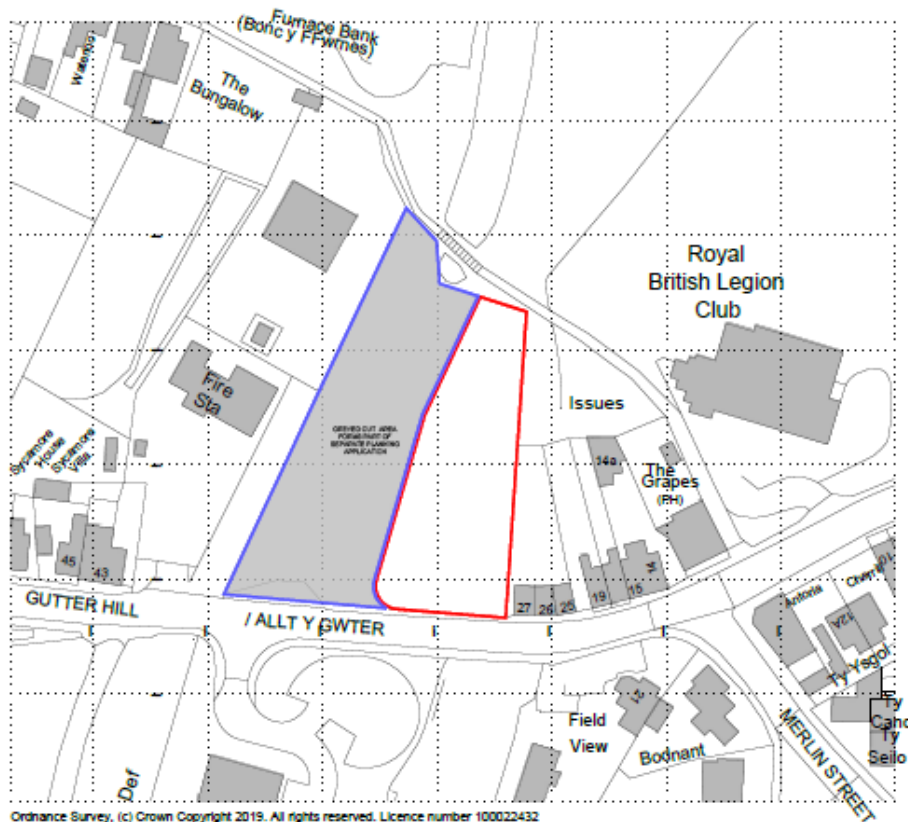
- 1. The proposed development would result in harm to Great Crested Newts, which are a primary feature of the Johnstown Newt Site Special Area of Conservation. No evidence has been submitted with the application to demonstrate that this harm can be prevented or mitigated against and the proposal would conflict with UDP Policies GDP1, EC6 and the provisions set out in TAN 5.*

2. *The site cannot comfortably accommodate the development proposed which includes provision of the necessary space required for turning and manoeuvring of delivery vehicles into, within and out of the site. The proposal represents overdevelopment of the site and on this basis, it has not been demonstrated that a safe and convenient vehicular access is achievable, resulting in harm to highway safety. The proposal conflicts with UDP Policies GDP1 (a) and (d) as well as the provisions set out in LPG16.*
3. *Insufficient information has been submitted with the application to demonstrate that the land within the application site can accommodate the development without resulting in instability to the development itself, to its occupants or to the local environment. The proposal would be contrary to paragraphs 6.9.25 and 6.9.26 of Planning Policy Wales.*
4. *The proposal would result in overbearing impacts sufficient to result in harm to existing levels of residential amenities of neighbouring properties to the east. In the absence of any information submitted to demonstrate that the harm identified can be mitigated or overcome, the proposal is contrary to UDP Policy GDP1.*

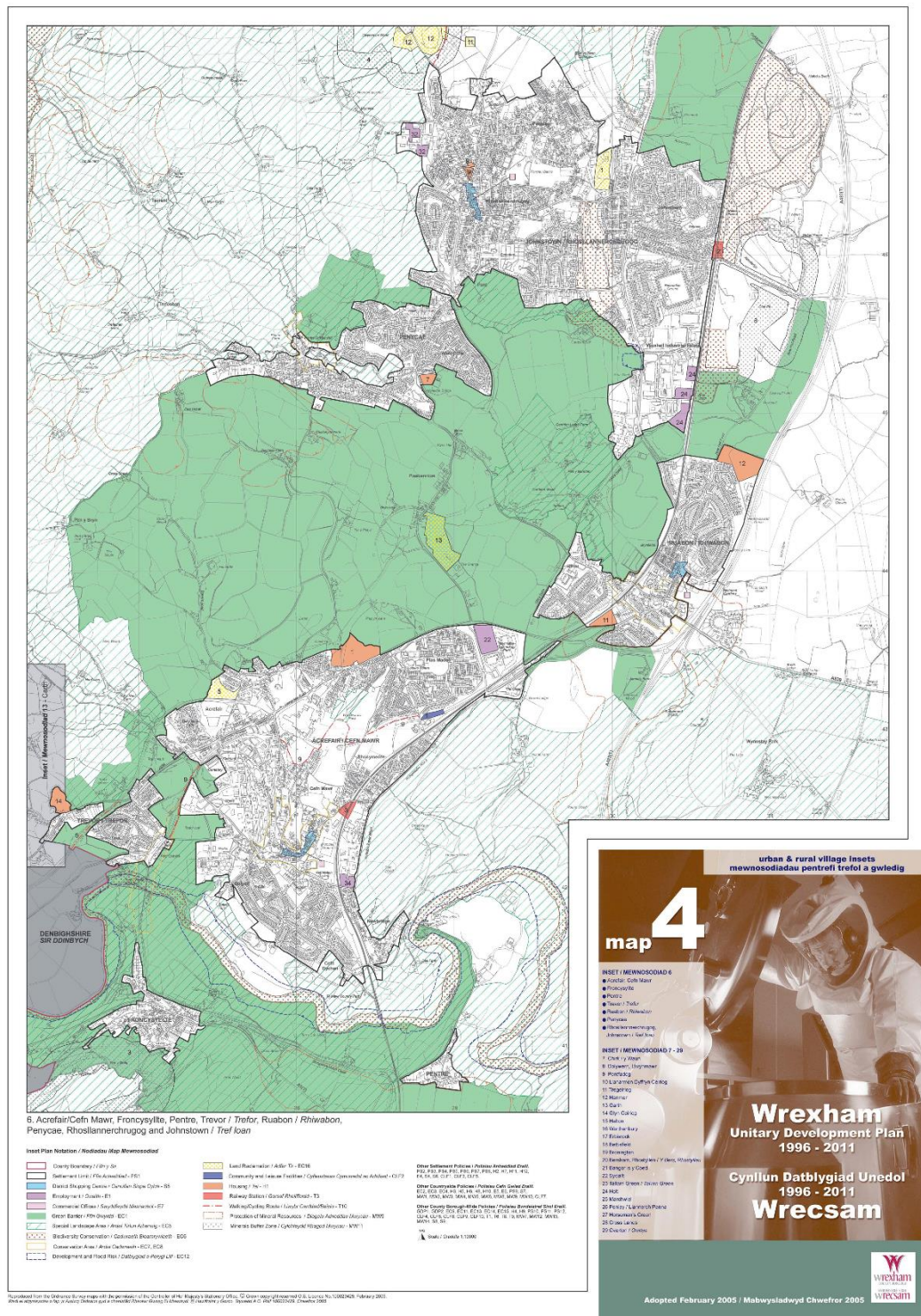
## Site Location – Description & History

The site is situated approximately four miles south of Wrexham Town Centre fronting onto Gutter Hill / B5426 which is accessed off the main B5097. OS grid reference SJ29874638. A mixture of commercial and residential properties surrounds the site which was once a builder's yard but has been vacant for many years. A public footpath outside the northern site boundary, and will not be affected by the development. The site is within WCBC Unitary Development Plan 4 inset map 6 and with the settlement limit of Rhosllanerchrugog.

In response to the eastern boundary planning application ref: P/2019/0598 being refused a new planning application is submitted detailing the GCN mitigation and improvements to the grassland.



Location plan – not to scale



Wrexham County Borough Council Unitary Development Plan Map 4 Inset 6 – Not to scale

## Public Rights of Way Definitive Map

Key: — Byway open to all traffic, — Bridleways, — Footpaths. For further information please call Pride in your Streets 01978 298989.

! If the map is blank - please click here to reload the page.



## Wrexham County Borough Council Public Rights of Way Map

### Proposals

The proposals involve the Enhancement & Creation of Grassland for Great Crested Newts



Block Plan – not to scale

## Response to Reasons for Refusal of Application P/2019/0598

1. *The proposed development would result in harm to Great Crested Newts, which are a primary feature of the Johnstown Newt Site Special Area of Conservation. No evidence has been submitted with the application to demonstrate that this harm can be prevented or mitigated against and the proposal would conflict with UDP Policies GDP1, EC6 and the provisions set out in TAN 5.*

Please see submitted DPA drawing 19047 P-05 D Ecology Mitigation to allow the western boundary development to be supported as per correspondence as part of previous planning application P/2019/0598 with Emma Broad and Matthew Ellis, see copies of their e-mails below.

It is considered that the ecological issues were successfully resolved as part of planning application P/2019/0598 and should not have been a reason for refusal.

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### Gareth Edwards

**From:** Emma Broad <Emma.Broad@wrexham.gov.uk>  
**Sent:** 15 November 2019 08:20  
**To:** Gareth Edwards; Ellis, Matthew  
**Cc:** Philip Forster; Ben Jones; Amy Lawrence; Zoe Edwards  
**Subject:** RE: Land At Gutter Hill Rhos, Wrexham, LL14 1LT - Ecology

**Follow Up Flag:** Follow up  
**Due By:** 18 November 2019 16:00  
**Flag Status:** Completed

Thank for copying me in on this.

Whilst I agree with Matthew, that some development on the western side of the plot might be acceptable, the entire plot is identified in a document (SPG35) approved by WCBC Executive board as unsuitable for development due to being a 'key ecological corridor' for protection and enhancement to secure long-term protection and connectivity for Johnstown Newt Site SAC. The 6 units on the Eastern side of the road need to be removed from the development proposal, and the whole mitigation area passed over to an organisation with nature/newt conservation as its primary focus. Without these significant improvements it is not compliant with the key ecological corridors map shown in appendix 2 of SPG 35.

Regards  
Emma

## Gareth Edwards

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**From:** Ellis, Matthew <Matthew.Ellis@cyfoethnaturiolcymru.gov.uk>  
**Sent:** 11 November 2019 09:18  
**To:** Gareth Edwards  
**Cc:** Philip.Forster@wrexham.gov.uk; Ben Jones; Amy Lawrence; Zoe Edwards; Emma.Broad@wrexham.gov.uk  
**Subject:** RE: Land At Gutter Hill Rhos, Wrexham, LL14 1LT - Ecology

**Follow Up Flag:** Follow up  
**Due By:** 11 November 2019 16:00  
**Flag Status:** Completed

Hi Gareth

Thank you very much for your email dated 23 October and 8 November 2019. I apologise for any delay in replying to you/

Without prejudice, it is my view that a development based construction of units on the western side of plot is likely to be acceptable.

As a guiding principle, we require like for like in terms of area. This is particularly relevant in this case owing to the proximity of Johnstown Newt Sites Special Area of Conservation

Consequently, do you have area figures of your currently proposed scheme?

We welcome the proposed construction of the new water body.

We are unclear in terms of what is proposed on the south eastern component part of your scheme.

What are your current proposals in respect of the tenure of the ecology area?

We trust the above will be of assistance to you

Yours sincerely

Matt  
Matt

Matt Ellis  
**Uwch Ymgynghorydd Rhywogaethau /Senior Species Advisor**

Cyfoeth Naturiol Cymru/Natural Resources Wales  
Ffordd Caer/Chester Road  
Bwcle/Buckley  
Sir Y Flint/Flintshire  
CH7 3AJ

2. *The site cannot comfortably accommodate the development proposed which includes provision of the necessary space required for turning and manoeuvring of delivery vehicles into, within and out of the site. The proposal represents overdevelopment of the site and on this basis, it has not been demonstrated that a safe and convenient vehicular access is achievable, resulting in harm to highway safety. The proposal conflicts with UDP Policies GDP1 (a) and (d) as well as the provisions set out in LPG16.*

No HGV access proposed

3. *Insufficient information has been submitted with the application to demonstrate that the land within the application site can accommodate the development without resulting in instability to the development itself, to its occupants or to the local environment. The proposal would be contrary to paragraphs 6.9.25 and 6.9.26 of Planning Policy Wales.*

No commercial development proposed

4. *The proposal would result in overbearing impacts sufficient to result in harm to existing levels of residential amenities of neighbouring properties to the east. In the absence of any information submitted to demonstrate that the harm identified can be mitigated or overcome, the proposal is contrary to UDP Policy GDP1.*

No commercial development proposed

## **Ecology**

Greenscape Environmental carried out an ecological appraisal and a copy of their report is submitted as part of the planning application.

In conclusion the report states that no ecological constraints will have impact on the proposed developments, and have proposed ecological enhancements that will be provided as part of the works. The recommendations of Greenscape Environmental report will be fully adhered to and implemented as part of the development works.