

Town and Country Planning Act 1990
Section 78 Appeal

in respect of

Land North of Holt Road, Wrexham, LL13 9EH

and the decision of

Wrexham County Borough Council

to refuse the granting of planning permission for the

‘Outline application for up to 74 dwellings together with vehicular / pedestrian access from Holt Road; open space which can be used with adjoining land to the west to create a formal sports pitch; site landscaping; sustainable drainage and other related infrastructure’.

Planning Application Ref No: WRA/P/2018/0673
Appeal Ref No: APP/H6955/A/19/3238470

31st March, 2020

Comments on behalf of
“Friends of Dean Road
Playing Field”

Real Planning

Dunmore, Church Street
Penycae, Wrexham. LL14 2RL



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1. Introduction

1.1 Real Planning has been instructed by the “Friends of Dean Road Playing Field” to submit comments to the Planning Inspectorate in relation to the appeal against the refusal of Wrexham County Borough Council to grant outline planning permission for the following description of development:

- *Outline application for up to 74 dwellings together with vehicular / pedestrian access from Holt Road, open space which can be used with adjoining land to the west to create a formal sports pitch; site landscaping; sustainable drainage and other related infrastructure*

1.2 On behalf of the “Friends of Dean Road Playing Field” this document is Real Planning’s response in support of the refusal to grant planning permission and now, to seek the dismissal of the appeal.

2. Report to Planning Committee

2.1 The planning application was reported to the Council’s Planning Committee in July 2019 with a recommendation to grant conditional planning permission, subject to S106 Obligation. This was despite the proposal not being in accord with Wrexham Unitary Development Plan¹ Policies GDP 1d) and CLF 4. There were also a large number of objections to the application:-

Internal

- *Highways*
- *PROW*
- *Local Land Flood Officer*
- *Housing and Economy*

External

- *Sports Council for Wales*
- *DC/WW [if it had known that soakaways would not be suitable]*
- *75 letters of objection*
- *Petition with 541 signatories*

3. Council’s Decision

3.1 The recommendation by the Chief Officer, Planning and Regulatory was not accepted by the Members of the Planning Committee and the planning application was refused. The Decision Notice, dated 1st July 2019, detailed the following reasons for refusal:

1. *The proposed development would result in the loss of a playing field in an area deficient of such provision. As no alternative provision of equivalent community benefit is made available, its loss would be detrimental to the amenity offered to the community, contrary to Wrexham Unitary Development Plan Policy CLF4 and Welsh Government TAN 16.*

¹ *Wrexham Unitary Development Plan – Wrexham County Borough Council [adopted February 2005]*

2. *The Council consider that the additional traffic generated from the proposed development will have an adverse impact upon the Greyhound public house roundabout on Holt Road, which already operates beyond its design capacity. To allow the development would be contrary to Wrexham Unitary Development Plan Policy GDP1 (d).*

4. Loss of Community Facility

4.1 The Officer's report to the July 2019 Planning Committee began by stating that *'the current lawful use of the land in planning terms has policy implications'*. It then confirmed that *'it is an area of open space ...'* and although in the ownership of Wrexham Glyndwr University (the then applicant), it is *'used for various purposes, but mainly for the purposes of amenity land for local residents i.e. dog walking and informal play and is also used by a local junior football team for training and matches'*. Despite this the report argued that the loss of the community facility was acceptable, in accord with national and local planning policies and guidance and recommended the granting of planning permission, thereby, supporting the redevelopment of the appeal site.

4.2 However, the Members of the Planning Committee disagreed, considered that the proposal was not in keeping with planning policies and guidance in that the loss of the community facility was unacceptable together with having an adverse impact upon local highways [discussed later in Section 5].

Policy Considerations

4.3 The appeal site is located within the settlement limit of Wrexham Town as shown as unallocated 'white land' in the Wrexham UDP [Proposals Map Inset 2 – Wrexham Town] and remains as such in the emerging Wrexham Local Development Plan [Deposit Plan]². In policy terms there are certain areas of land that should be considered exceptions to development and it is considered that the appeal site is one of those. The Officer's report to the July 2019 Planning Committee listed the raft of Wrexham UDP Policies [used for Planning Control purposes] together with Planning Policy Wales³ [PPW] and relevant PPW Technical Advice Notes which were relevant in the Council's consideration of the proposal.

4.4 In refusing the application, Reason 1 identifies Wrexham UDP Policy CLF 4 supported by PPW Technical Guidance Note 16⁴. These are significant in support of the dismissal of the appeal. Policy CLF 4 clearly states that, in this instance, the redevelopment of sports grounds, playing fields and areas of informal open spaces will not be permitted. However, it is recognised that the Policy also lists certain exceptions [discussed later].

4.5 The Welsh Government is committed to ensuring that people have access to rich, stimulating environments and recognises that providing opportunities for physical activity can help address wider health and well-being issues. Planning Policy Wales [PPW] demonstrates this by recognising the importance of open space / playing fields, stating:

² *Wrexham Local Development Plan 2013 – 2028 Deposit Plan – Wrexham County Borough Council [March 2018]*

³ *Planning Policy Wales - Welsh Government [Edition 10 December 2018]*

⁴ *PPW Technical Advice Note 16: Sport, Recreation and Open Space [Welsh Government January 2009]*

“Recreational spaces are vital for our health, well-being, amenity and can contribute to an area’s green infrastructure. They provide a place for play, sport, healthy physical activity and a place to relax often in the presence of nature, and they contribute to our quality of life. Networks of high quality, accessible green spaces and recreation spaces will also promote nature conservation, biodiversity and provide enjoyable opportunities for residents and visitors to participate in a wide range of physical activities. These activities are important for the well-being of children and adults and for the social, environmental, cultural and economic life of Wales.” [Para 4.5.1]

4.6 PPW Technical Advice Note 16 states that:

“Young people’s recreational needs are a priority, improving levels of physical activity and access to facilities in and outside schools.” [Para 1.9]

and

“Playing fields and green open spaces have special significance for their recreational and amenity value and, particularly in towns and cities, for their contribution to the urban environment and for supporting biodiversity. Playing fields and green spaces add interest and vitality to living and working environments. As a means of responding to climate change, they can help maintain reasonable local temperatures, improve local air quality in urban areas, and may be useful in reducing surface water run-off.” [Para 3.7]

4.7 PPW also states that ownership should not be an issue. It states that:

“All playing fields whether owned by public, private or voluntary organisations, should be protected from development ”

4.8 Nevertheless, it is noted that both PPW and TAN 16 do make the point that there are exceptions with regard to the protection of such sites, sentiments also detailed in UDP Policy CLF 4, where:

- a) redevelopment of only a small part of the site would allow the retention and enhancement of that existing facility; or*
- b) the long-term requirement for the facility has ceased and it would not lead to, or increase an existing shortfall of that facility in the immediate locality; or*
- c) the loss can be replaced with an equivalent or greater provision in the immediate locality. Alternative sites should be within settlement limits or, in exceptional circumstances, adjacent to settlement limits provided that associated buildings, lighting, and parking facilities are not intrusive in the landscape and user accessibility is not reduced.*

4.9 It is considered the appeal proposal fails to meet the above criteria of UDP policy CLF 4.

4.10 **Firstly, it fails Criteria a)** - a single football pitch is proposed and approximately 70% of the site will be redeveloped – 70% is not **‘a small part of the site’** nor does it result in **‘the existing facilities to be retained and enhanced’**.

4.11 **Secondly, it fails Criteria b)** – the long-term requirement for the facility has not ceased as, for years, it has been and continues to be used by the local community facility [see para 4.15]. The loss would also result in the increase of an existing shortfall. The appeal site is noted as a ‘playing field’ in the 2009 Public Open Spaces⁵ Survey which identifies a significant 8.7 hectares deficit of playing field provision [see Appendix 1 – extract from 2009 survey]. Confusingly, the appeal site, only 7 years later, is categorised as ‘amenity greenspace’ in the more recent assessment undertaken for the LDP in 2016⁶ even though it was still in constant use as a playing field. A use, gone unnoticed by the author, [proper research was required for this size of open space – ie the posts are taken down and stored after each game] resulting in there being a significant shortfall of playing fields in Rhosnesni [see Appendix 2].

Thirdly, it fails Criteria c) - in proposing an alternative residential use for the land, the applicant sought to mitigate the loss of the informal open space by the provision of **one** new football pitch. This is definitely not replacing the loss with an equivalent or greater provision. However, the Inspector is asked to consider that TAN 16 states:

“In some circumstances better, or at least equivalent, alternative provision can be made available. This means that the replacement land or facilities should be equivalent to, or better than, that taken in terms of its capacity to provide for the area’s needs. It will usually, but not necessarily, relate to its size, characteristics, location and accessibility. [Para 3.9]

4.12 Strangely, Para 2.4 of the appellant’s Planning Statement says a single ‘football pitch occupied the land’. However, it is important to note that there is more than just one football pitch on Dean Road [see aerial photo below which shows seven pitches of varying sizes].



Aerial photograph of Dean Road playing field showing various marked pitches

⁵ Public Open Space Survey: Wrexham County Borough Council [2009]

⁶ Open Space Audit and Assessment of Need Report – Wrexham County Borough Council [Knight Kavanagh and Page – October 2016]

4.13 The reasoned justification for Policy CLF 4 states how important it is to protect these areas, such as the appeal site, from built development as, in repeating sentiments expressed in PPW and TAN 16, it states that:

“Significant emphasis will be placed on the protection of existing playing fields, which will be safeguarded from development and retained for recreational use.”

and

“Increasing importance is placed on the contribution to the character of the local landscape and townscape and residents' quality of life made by open space through both its active recreational and visual contribution.”

4.14 There are a large number of objections to the appeal proposal mostly all stating that the loss of the playing field is unacceptable. Significantly, the Sports Council for Wales in referring to PPW and TAN 16, repeated the sentiments expressed above. It is of the opinion that it is doubtful the local authority or another body would be able to take on the offer of even a single pitch without funding. More information or improved mitigation is required to address the policy issues without which it objects.

4.15 It is considered that the Council has not given sufficient consideration to the protection of the appeal site as existing playing fields, historically used for many decades by the local community, nor placed sufficient importance on the contribution of it to the character of the local landscape and townscape and residents' quality of life provided by both its active recreational and visual contribution. Nor has the Council given any consideration to the relevant replacement Policy to UDP Policy CLF 4 ie CF1 [Wrexham Local Development Plan 2013 – 2028 Deposit Plan] which lists two additional, but very important criteria, in that redevelopment will only be permitted where:

- i. *It would not cause or exacerbate a deficiency of open space in accordance with the most recent open space study; and*
- ii. ***The open space has no significant functional or amenity value and there is no prospect of improvement; and***
- iii. ***The open space is of no significant quality; and in all cases;***
- iv. *Alternative open space and / or sport and recreation provision of equivalent or greater community benefit is made available in a suitable location.*

4.16 The emerging LDP Deposit Plan, which also shows the Appeal Site as ‘white land’, carries some weight as it progresses through the process to adoption even though the Inspector has not issued her report into the examination. Consequently, the Inspector is asked to give some consideration to criteria (ii) and (iii) above. It is considered that Dean Road playing field **has significant functional and amenity value** and could easily be improved through funding and **is of significant quality** through continued community use.

LDP Register of Candidate Sites

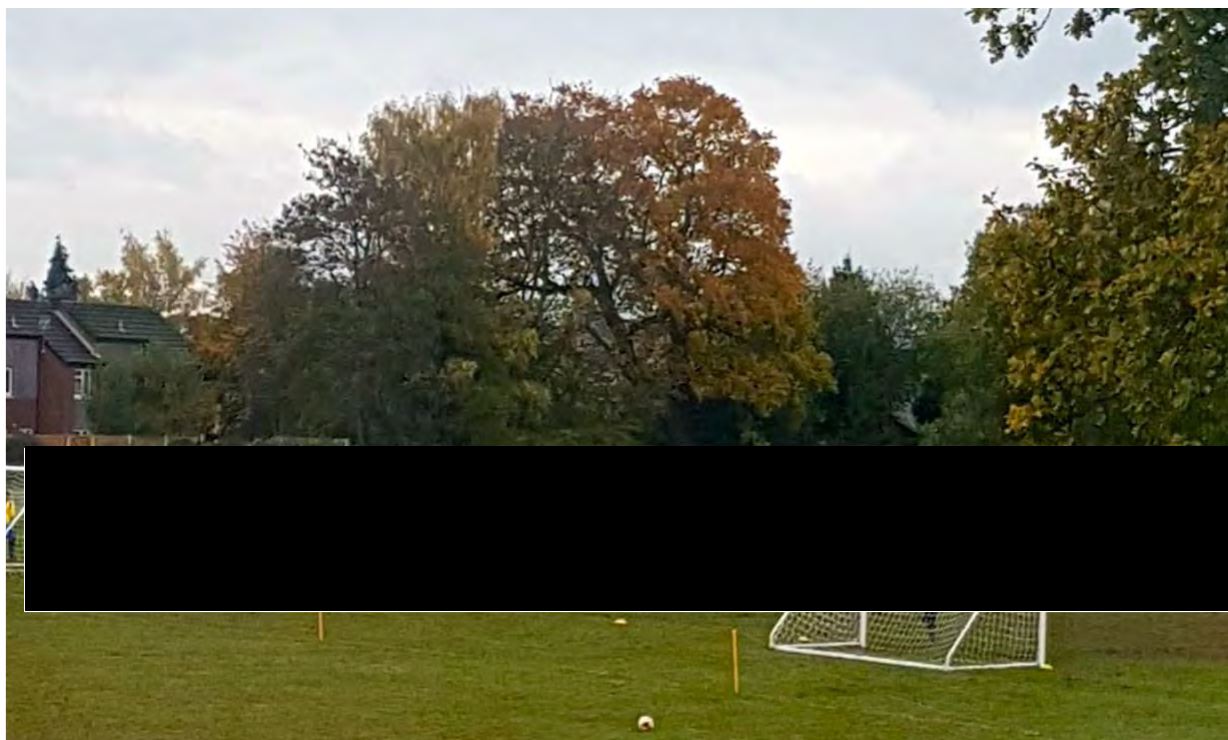
4.17 In response to the LDP 'Call for Sites' exercise, the Appeal Site was submitted as a Candidate Site for housing [WR14CS] but failed Stage 1 of the Candidate Site Assessment⁷ [see Appendix 3] stating:

'Constraints unlikely to be overcome [loss of POS, highways] not proposed to be allocated in the LDP.'

4.18 Clearly, in 2016, just two years before the application was submitted, the Council disagreed with the then Candidate Site submission by Glyndwr and did not put the site forward as an allocation for housing within the LDP.

Continual Use

4.19 The Appeal Site has been used for decades by the local community – carnivals, fetes, informal recreation use and competitive football [see Appendix 4] showing photos of examples of use]. Lord Kenyon gave permission for the local community to use it for local events. In 1953 the land was transferred to Wrexham Sports Club when it was used for rugby and hockey. Later squash courts were built. It continued to be used for events by the local community and in 1976 it was sold to Clwyd County Council and transferred to the Council upon the 1996 reorganisation after which, in 1998, a large portion was taken over by the then NEWI [now Glyndwr University].



Photograph showing football training

⁷ Wrexham Local Development Plan 2013 – 2028 Deposit Plan: Site Register 2018

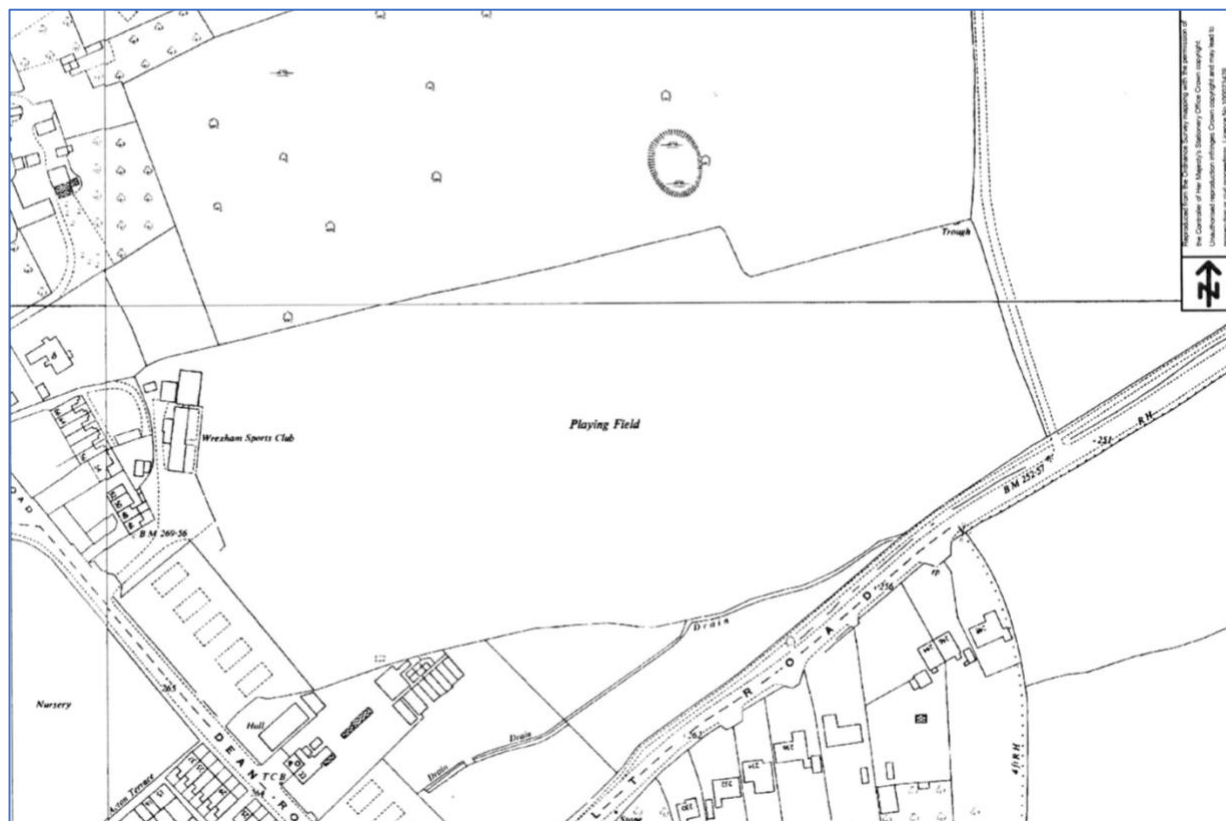
4.20 The petition [totalling 541] objecting to the application was prefaced with information on 2018/19 usage [see Appendix 5] – approximately 90 home matches plus evening training for most of the season totalling over 7000 children using the site in one season. Local residents have mentioned playing competitive football on the site over 40 years ago when there were also rugby and hockey pitches. The Council's Country Parks Department response states that the playing field provides 'space for various football pitches at junior and senior level' and its loss:

"Would reduce the pitch capacity within the Town Centre area which is highly unlikely to be supplemented in the future, due to the lack of availability of large areas of open space or development land that can be converted to sports pitch use. There remains a strong demand for usage of pitches by local teams, particularly junior teams, and the site is used by a local football team with a large junior section."

4.21 The response lists the remaining facilities within the Town which are not considered:

"adequate to encourage the further development of outdoor sport and encourage young people to become fitter and healthier in the densely populated urban area of Wrexham. There is a shortage of good quality pitches within the Town Centre area and this site could be improved and developed in the future for more grass-based sports use."

4.22 There are OS maps dating back to 1958 [see overleaf] all showing the Appeal Site as a Playing Field [see Appendix 6].



Extract of OS map 1958 showing the Appeal Site as a playing field

5. Adverse Impact Upon the Local Highway

5.1 The submitted Transport Assessment admits that the Greyhound Roundabout at the junction of Holt Road / Cefn Road / Dean Road and Bryn Estyn Road is already over capacity in the 2020 baseline scenario. It is understood that the actual observed queuing at the roundabout greatly exceeds what is presented within the report. A similar survey was undertaken at this roundabout for a potential LDP development of 600 houses [as referred to in the Council's Highway response – memo dated 07/02/19] on land approximately 700m east of this site. That study also showed that there were significant existing capacity issues at the Greyhound roundabout.

5.2 The addition of another 74 dwellings will only exacerbate existing queuing problems at this roundabout. There are seriously substandard cycling and pedestrian facilities on the roundabout making crossing at peak times hazardous particularly for vulnerable adults and schoolchildren.

5.3 The applicant has offered nothing by way of mitigating the serious capacity issues at the roundabout and it is our conclusion that the proposed development would create additional danger to all highway users and exacerbate existing capacity issues. In fact, this was confirmed in the Council Highway's response. Therefore, the appeal should be dismissed as it has not *'ensured safe and pedestrian and vehicular access to and from the site, both on site and in the nearby locality'*. [UDP Policy GDP1 d) refers]

6. Adverse Impact upon Drainage

6.1 Although drainage was not one of the reasons for refusal, I would respectfully request that the Inspector considers some pertinent issues.

6.2 It is quite clear in DCWW response to the application that it considered *'only foul flows from the proposed development can be accommodated within the public sewerage system'*. However, the officer's report to Planning Committee shows a disregard to this advice, suggesting without any evidence, that a suitable system could be designed.

6.3 There is photographic evidence of significant flooding events on Holt Road, with manhole covers blown due to capacity problems. The application should clearly have been refused on drainage reasons as well and it is deeply concerning that the officer's report did not make reference to this fact. Also, the response [email dated 25/06/19] from the Council's Senior Flood Management Officer summarised that:

"It has not been demonstrated that surface waters generated by the proposed development can be sustainably managed. In the absence of any information to the contrary I would request the application be refused."

6.4 This sentiment has been reiterated in a separate submission to the Planning Inspector by the Council's Senior Flood Management Officer [see Appendix 7].



Photograph showing recent flooding on Holt Road

7. Conclusion

7.1 It is considered that there are substantial policy objections to the allowing of the appeal. This Statement has clearly shown that the loss of the playing field is not in accord with national and local planning guidance. In particular, it fails to comply with UDP Policy CLF 4.

- *It does not result in only a small part of the site being developed – the proposal totals approximately 70%.*
- *There is no retention or enhancement of the facility.*
- *The long-term requirement for the facility has not ceased.*
- *It would lead to an increase in the shortfall of that facility in the immediate facility.*
- *The loss has not been replaced or greater provision in the immediate vicinity.*

7.2 Neither has the proposal:

- Ensured safe and pedestrian and vehicular access to and from the site, both on site and in the nearby locality.
- Demonstrated that there is a feasible and sustainable means to drain the site without detriment to flood risk locally

7.3 It is also important to note that site is not allocated for housing in the recently examined Deposited 2018 Wrexham LDP and, in fact, in the Council approved 'background document' to the LDP – Register of Sites – the Council rejected the suggested 'Candidate Site for housing' for the very same reasons why the application was refused.

7.5 The Members were correct in overturning the officer's recommendation and the Inspector is respectively asked to dismiss the appeal.

Public Open Space Survey

2009

Acton

Site Ref	Description	Size Ha
Children's Equipped Playground		
WRA08	Off Lon y Gelli	0.014
WRA26	Acton Park	0.067
WRA28	Swings at Arran Road	0.054
WRA30	Small playground, Acton Park	0.022
Informal Playing Space		
WRA01	Off Lon y Gelli	0.445
WRA02	Off Gredington Park	0.314
WRA03	Park Avenue / Aston Grove	0.340
WRA04	Plas Gwyn (a)	0.120
WRA06	Acton Park (a)	0.996
WRA07	Off Sunningdale Close	0.929
WRA10	The Green / Horsley Drive	0.436
WRA11	Lake View	0.274
WRA13	Adjoining Borrass Park Juniors	1.360
WRA22	Plas Gwyn (b)	0.084
WRA27	Off Hinsley Drive	0.461
WRA31	Neville Crescent	0.283
WRA34	Lincoln Close	0.037
WRA46	Smithy Close	0.299
WRA47	Kenisington Grove	0.307
WRA51	Blanter Way	0.234
WRA52	Overton Way	0.204
WRA53	Francis Avenue	0.118
WRA54	Off Ffordd Gwilym (a)	0.066
WRA55	Off Ffordd Gwilym (b)	0.085
WRA56	Off Craig Way (a)	0.084
WRA57	Off Craig Way (b)	0.055
WRA58	Off Acton Park Way (a)	0.211
WRA59	Off Acton Park Way (b)	0.108
WRA60	Jcn of Aston Grove/Glan Garth	0.067
Outdoor Sport		
WRA16	Bowling Green, Gate Hangs High, Acton	0.111
WRA17	Bowling Green, Cunliffe Arms, Acton	0.139
WRA18	Tennis Courts, Acton Park, Acton	0.109
Playing Field		
WRA14	1 Football Pitch, Rhosnesni Lane, Acton (b)	0.310
WRA15	1 Football Pitch, Rhosnesni Lane, Acton (a)	0.319
WRA24	Football Pitch, Dean Road, Acton	3.527
WRA29	Oak Drive / Borrass Road	3.109

Acton

Site Ref	Description	Size Ha		
wra		Community Requirements	Actual Community Amount	Surplus/Deficit (Ha)
	Children's Equipped Playground	3.327	0.157	-3.170
	Informal Playing Space	7.319	7.915	0.596
	Outdoor Sport	5.323	0.359	-4.964
	Playing Field	15.968	7.266	-8.703
	Total	31.937	15.697	-16.240

20. Acton Community

Public Open Space Survey 2009

- Childrens Equipped Playground
- Informal Playing Space
- Outdoor Sport
- Playing Field
- Community Boundary
- Settlement Limit

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WREXHAM COUNTY BOROUGH COUNCIL

OPEN SPACE AUDIT & ASSESSMENT OF NEED REPORT

MARCH 2016

Integrity, Innovation, Inspiration

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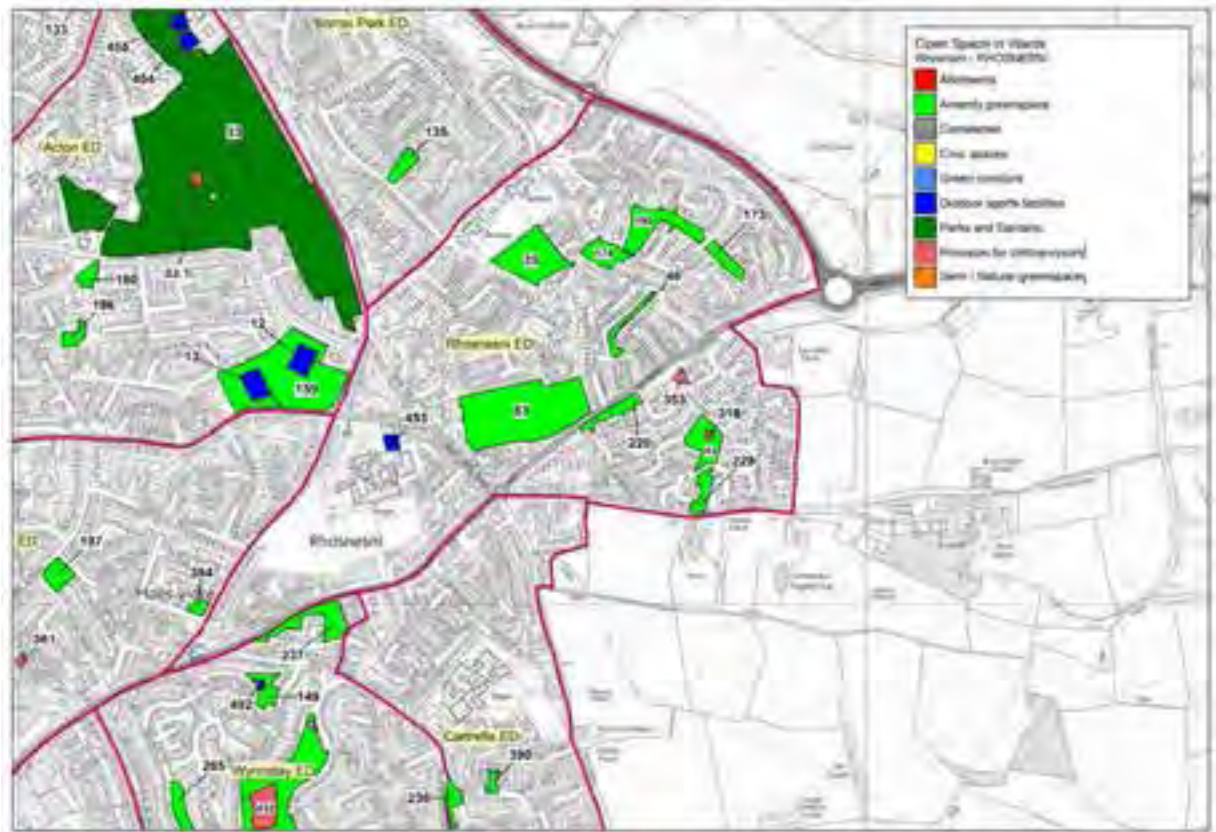
WREXHAM COUNTY BOROUGH COUNCIL

OPEN SPACE AUDIT & ASSESSMENT OF NEED REPORT

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WREXHAM COUNTY BOROUGH COUNCIL OPEN SPACE AUDIT AND ASSESSMENT OF NEED

RHOSNESNI



KKP ref	LA ref	Site name	Typology	Size (ha)	Quality score	Value score
173	WRA02	Off Gredington Park	Amenity greenspace	0.31	51.7%	29.0%
35	WRA13	Adjoining Borrass Park Juniors	Amenity greenspace	1.36	31.4%	23.0%
43	HOL16	Augusta Drive (a)	Amenity greenspace	0.62	50.5%	20.0%
46	WRA51	Blanterne Way	Amenity greenspace	0.23	38.4%	18.0%
83	WRA24	Deans Road	Amenity greenspace	3.53	47.9%	29.0%
174	WRA27	Off Hinsley Drive	Amenity greenspace	0.46	48.8%	19.0%
190	WRA07	Off Sunningdale	Amenity	0.93	45.6%	19.0%

WREXHAM COUNTY BOROUGH COUNCIL
OPEN SPACE AUDIT AND ASSESSMENT OF NEED

		Close	greenspace			
220	HOL15	Ryder Close (a)	Amenity greenspace	0.35	59.1%	35.0%
229	HOL18	St Andrews Crescent (b)	Amenity greenspace	0.30	52.2%	20.0%
318	HOL14	Off Augusta Drive	Provision for children and young people	0.03	63.9%	54.5%
353	WRA39	Sandy Way	Provision for children and young people	0.08	55.3%	38.2%
453	WRA16	Bowling Green, Gate Hangs High	Outdoor sports facilities	0.11	-	-

Typology	Amount of provision (ha)	Ha per thousand population	Sufficient/deficient against WCB standard per 1000 population	Sufficient/deficient against WCB standard based on ward population
Amenity greenspace	8.09	2.98	1.73	4.69
Provision for children and young people	0.11	0.04	-0.05	-0.14
Outdoor sports facilities	0.11	n/a	-	-



Wrexham Local Development Plan 2013 - 2028

KPD07a

housing

open space

employment

community

transport

education

Site Register
Wrexham

This is the definitive site register of sites submitted by interested parties as part of the development plan process. In accordance with the Council's site assessment methodology (see Background Paper BP4a: Site Assessment Methodology (Updated January 2018)) a three stage filtering exercise has been undertaken and the results are included in the updated register.

A summary of the conclusions of the assessment for each site is provided and indicates the following:

- Whether the site fails one of the stages of the Site Assessment process
- Whether the site will be allocated or not
- Whether it has planning permission as at 1st April 2017
- Whether the site may come forward as a potential windfall site

The register is also available online. This includes more detail relating to each site together with site maps. Comments received on the site register during the Preferred Strategy Consultation are included in document KPD14a Site Register Comments and Officer Responses (January 2018).

WREXHAM LOCAL DEVELOPMENT PLAN 2013 – 2028

SITE REGISTER

Site Ref: WR14CS

Site Address: Land to east of Dean Road and north of Holt Road, Wrexham

Settlement: Wrexham

Community: Acton

Ward: Rhosnesni

Size ha: 3.3

Greenfield: Yes

Brownfield: No

Settlement Hierarchy Tier: 1

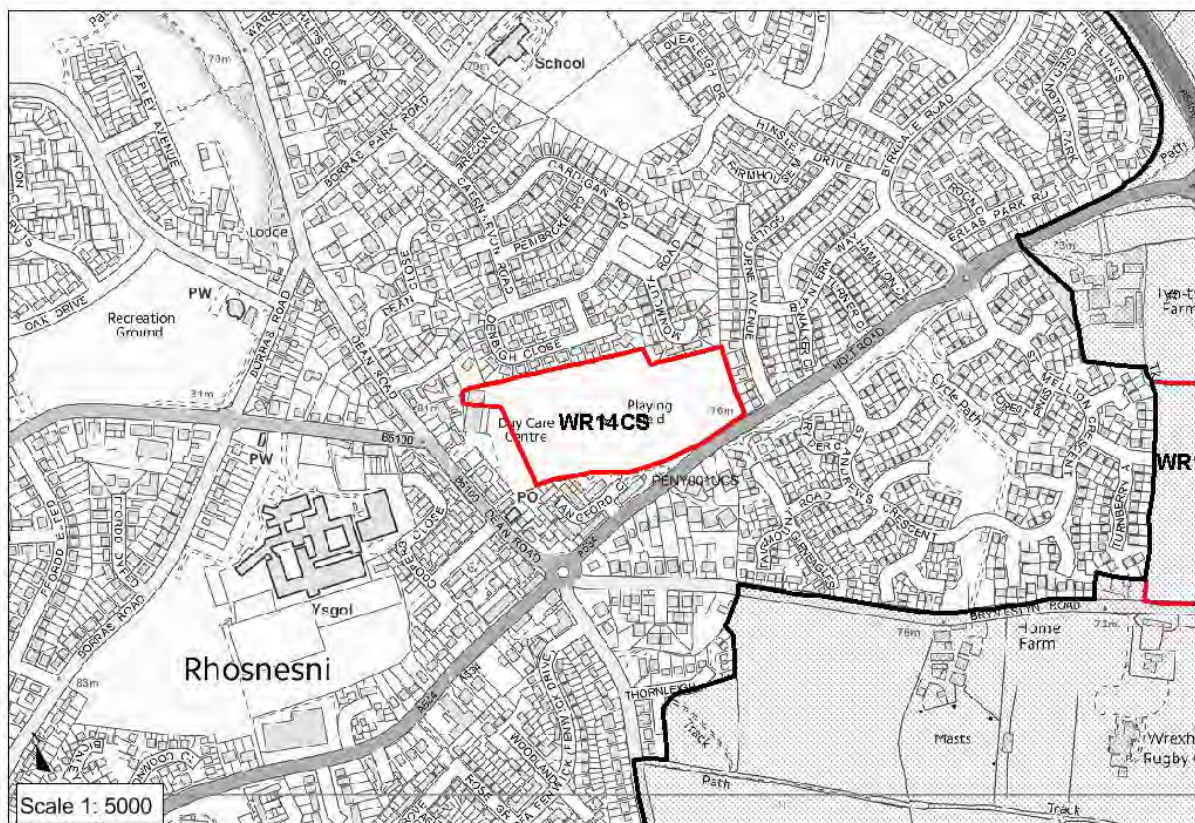
Current Use: Playing Fields

Proposed Use: Residential

Small Sites: No

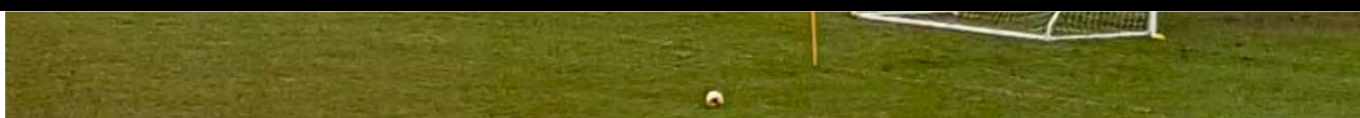
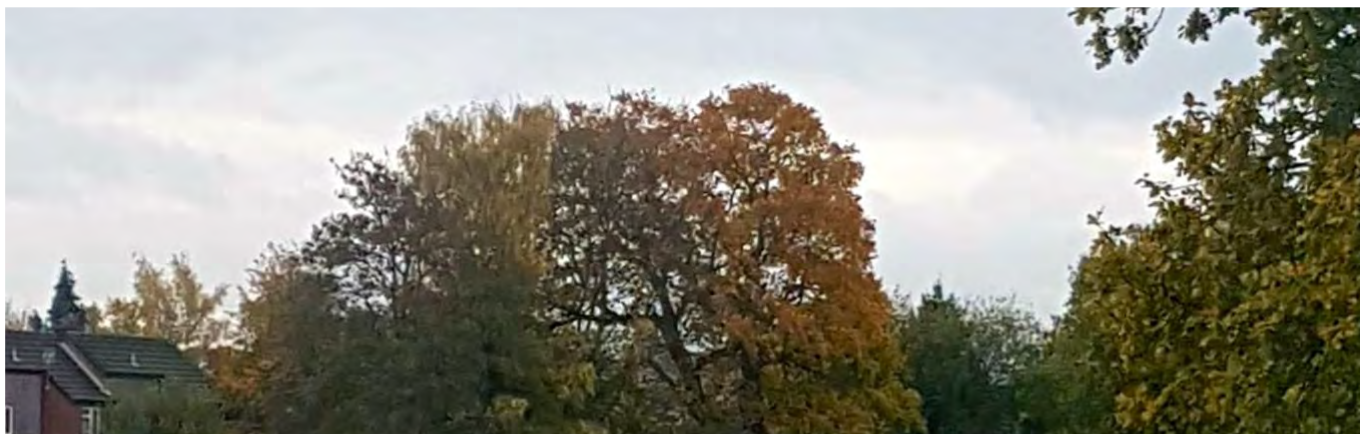
Large Sites: Yes

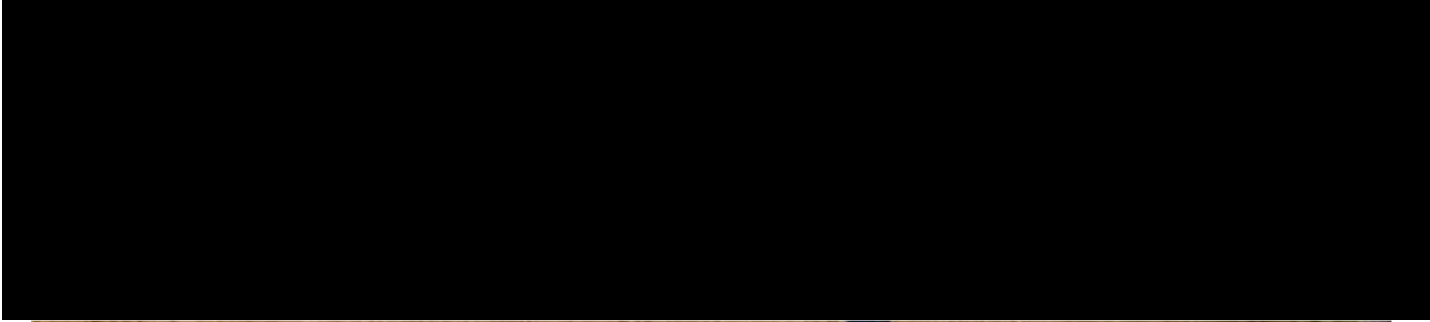
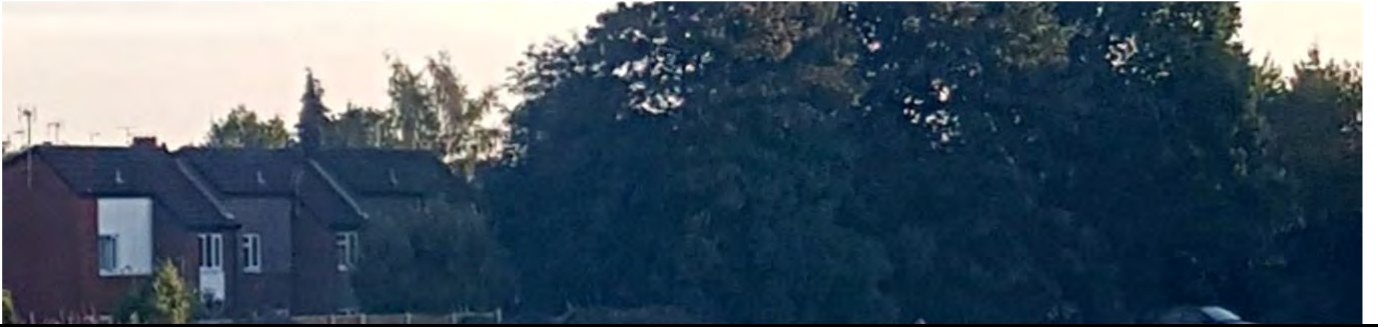
Comment: Fails stage 1 of the Candidate Site Assessment process - Constraints unlikely to be overcome (loss of POS, highways). Not proposed to be allocated in the LDP.



Appendix 4: Photos showing continual use











BORRAS PARK ALBION GIRLS FOOTBALL CLUB



NOW RECRUITING FOR

GIRLS FOOTBALL

U12 AND U14 AGE GROUPS

Training every Thursday 6pm to 7.30pm

at Dean Road Sports Field, Borrass, Wrexham. LL13 9EF

A great opportunity to learn how to play football and to make new friends. The girls will be given the opportunity to play in the club's kit. All expenses are free and there is no cost.





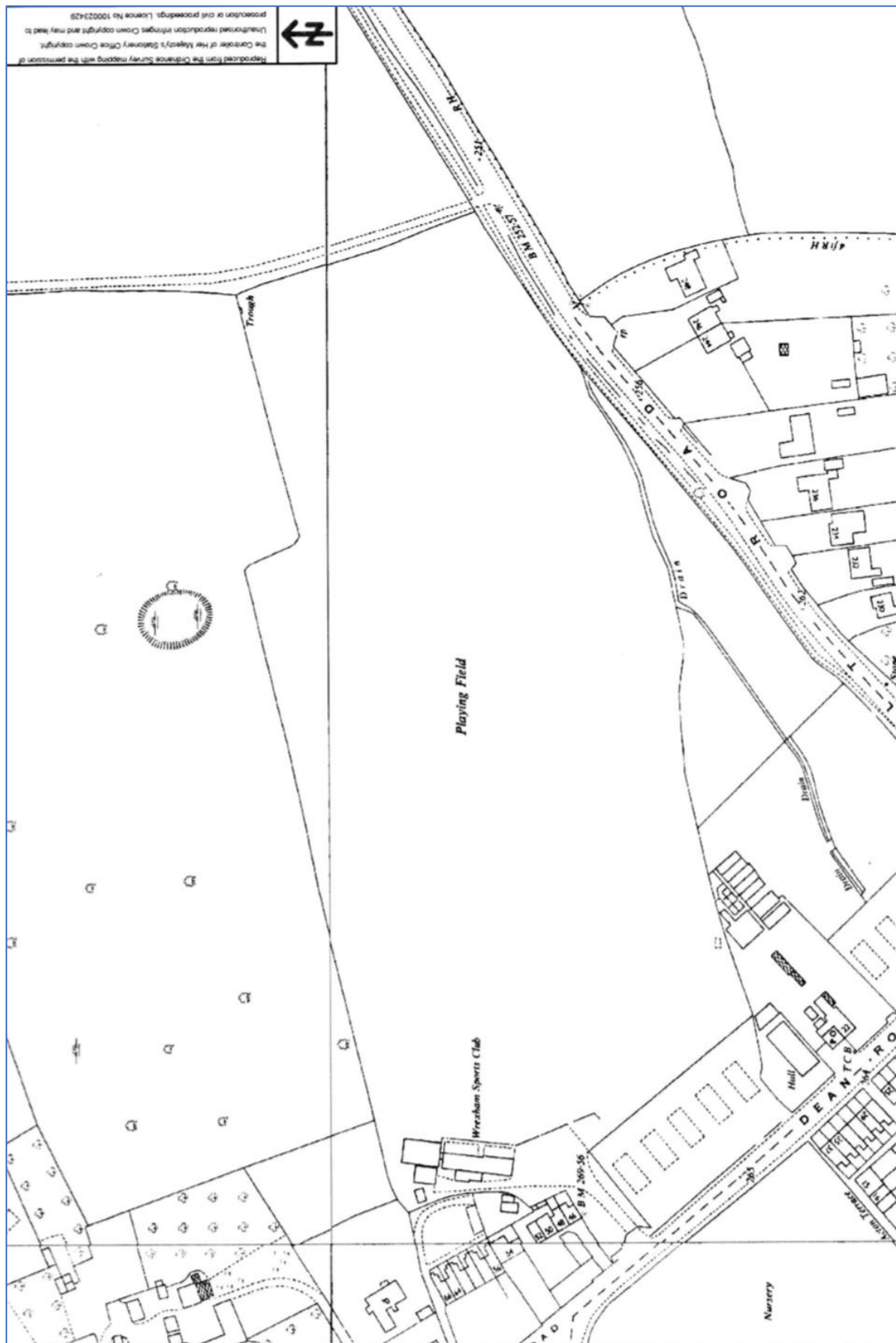
Appendix 5: Amount of recent use

May 28, 2019

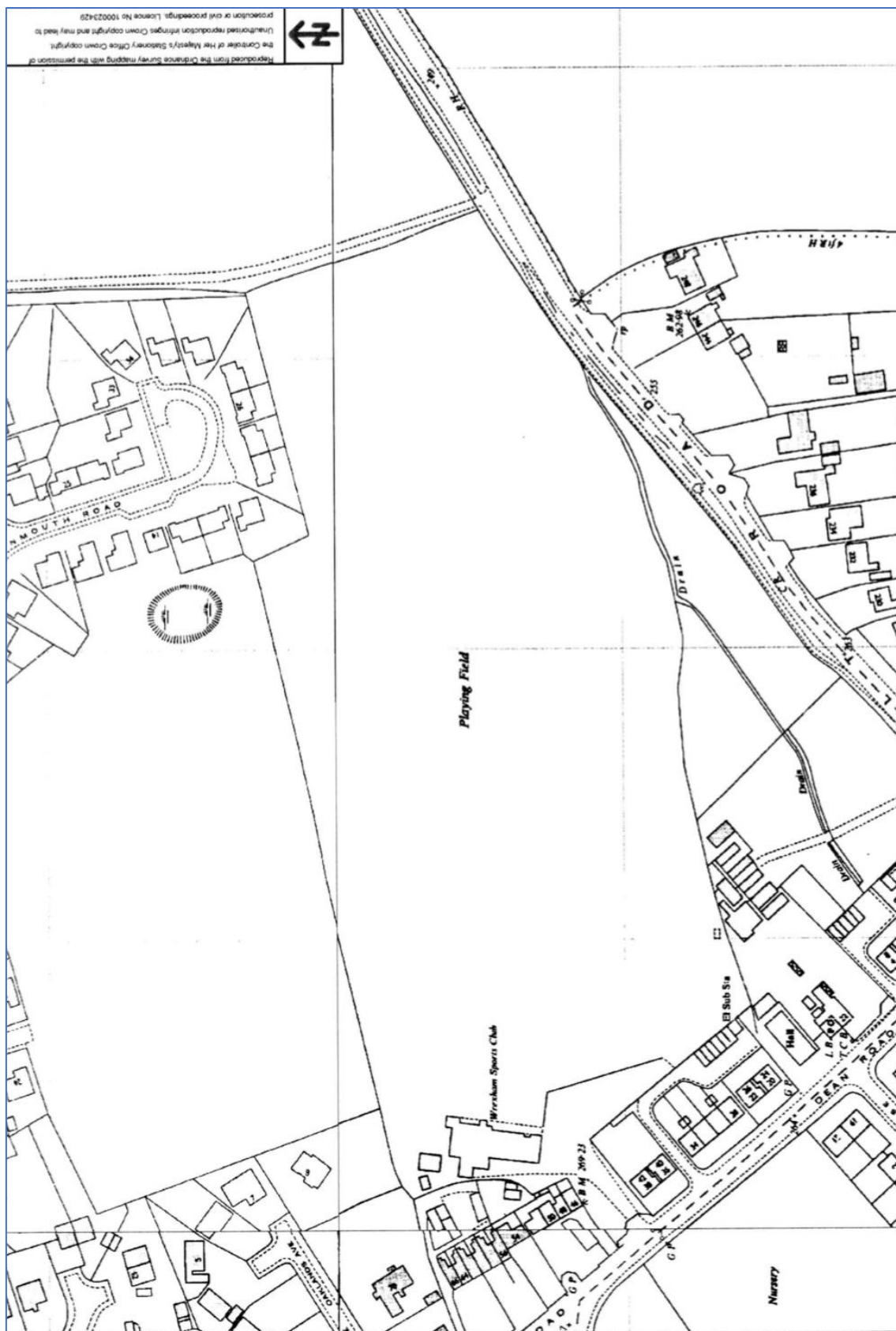


I worked out on the local football league website that there has been approximately 90 home competitive matches played at Dean Road this season, each year is split into two teams - with the opposition, around 3600 Children have played competitive football there in the last year alone. Also they train in the spring, summer and autumn so probably another 150-175 Children train for 20 weeks of the year. That's over 7000 Children in one community exercising a year just playing football alone. Where will so many Children be able to play football in the area. The whole field or a very good proportion of the field needs to be permanently kept for sport. If the field is transferred to Glyndwr University there are no guarantees for the future - they will be able to do what they want. This must not happen!

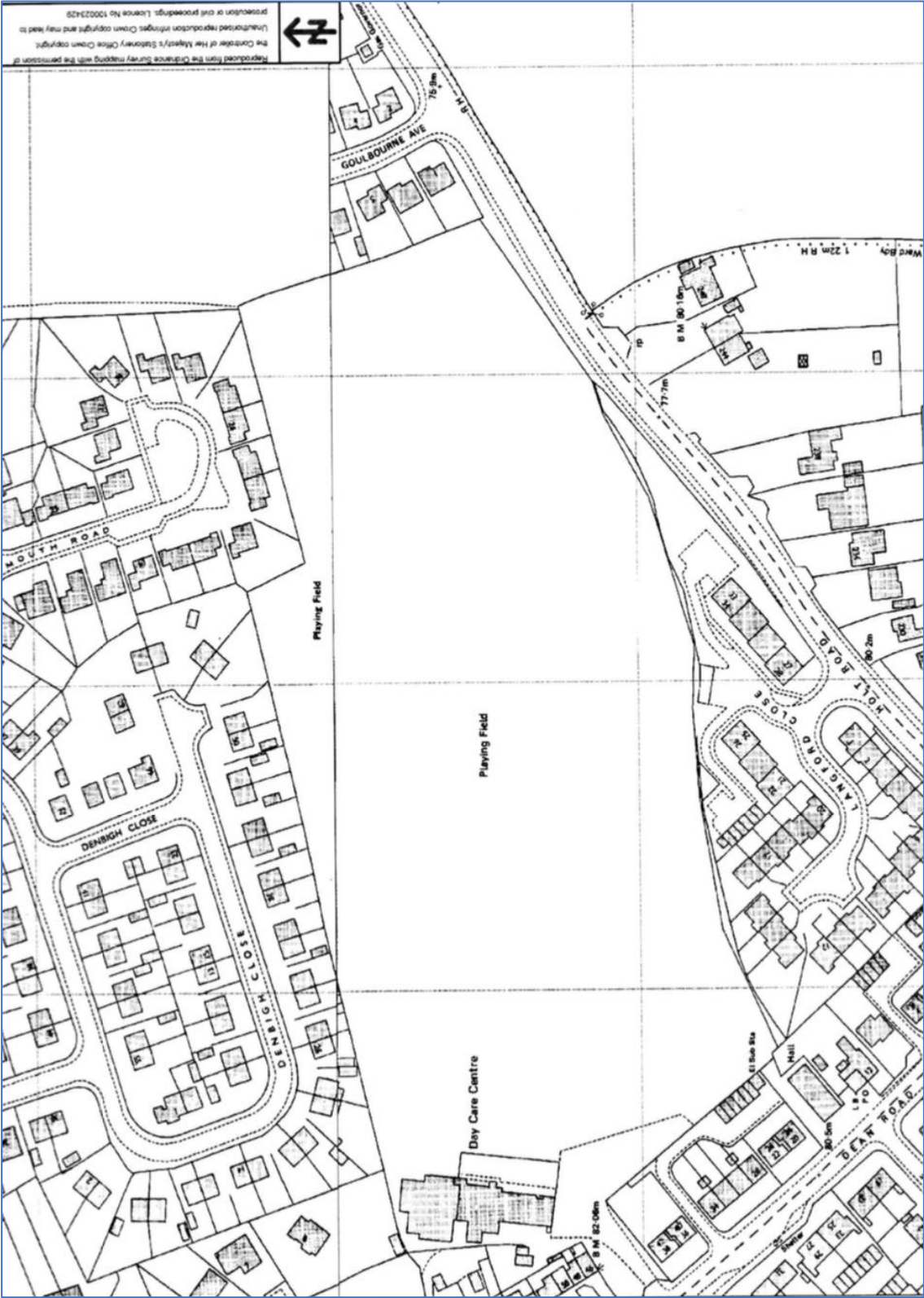
SIGN PETITION



Map 2 – 1963 [Not to scale]



Map 3 – 1980 [Not to scale]



Appendix 7: Submission by Council's Flood Management Officer

From: Neil Taunt [REDACTED]
Sent: 24 March 2020 09:10
To: wales@planninginspectorate.gov.uk
Cc: flooding [REDACTED]; Sharon Williams [REDACTED]
Subject: H6955/A/19/3238470: Section 78 Appeal at: , LAND NORTH OF, HOLT ROAD, WREXHAM

Dear Sir/Madam,

I have received notification that an appeal has been made with respect to the above site.

I did provide comments on the original planning application (PLN Consultation Response - Flood - WEB.pdf attached for your reference) and would advise that my previous recommendation for refusal remains valid for this application site. In addition, I would like to add the following comments.

I have reviewed the available documentation provided in support of the above application and can see no clear evidence to support the recommendations of the addendum report (page 8 of PLN Addendum Report - Web.doc) produced for the original planning committee that states:

"Whilst the Flood Officer has raised concerns that the applicant has not adequately demonstrated the suitability of the ground conditions to deal with surface water on site, I am minded that Welsh Water have not recommended that surface water and land drainage should not enter their sewer network in any way. If, as a result of detailed investigations at detailed design stage, adequate on site, surface water disposal cannot occur, I am satisfied that there will be an opportunity to design a drainage scheme which may allow surface water to drain from the site at an attenuated rate. This is consistent with Welsh Water's recommendation for a condition to approve a comprehensive drainage scheme for the site."

It is not apparent from review of the documents available that DCWW have provided any additional comment other than that provided to the original drainage strategy (PLA0036760.cleaned.doc). Within this response they state that:

"Having reviewed the proposal, we note it is proposed for both foul flows and surface water runoff from the proposed development to be discharged into the combined public sewerage system. Only foul flows from the proposed development can be accommodated within the public sewerage system."

The sewer in question has contributed to significant flooding of the adjacent Holt Road on multiple occasions, most recently during the summer of 2019 during periods of heavy and intense rainfall (evidence of reported flood incidents can be provided should they be required). I would strongly advise that clarification from DCWW is sought with regards to the capacity of this system to accept additional surface water flows from the proposed development.

In the absence of this clarification, the nature of ground conditions experienced on site and the lack of any other identified means of surface water disposal, it has not been demonstrated that there is a feasible and sustainable means to drain the site without detriment to flood risk locally (contrary to WCBC UDP policy EC13) and would reiterate my previous view that the application be refused.

Yours Sincerely
Neil Taunt MCIWEM C.WEM CEnv CSci
Uwch Swyddog Rheoli Llifogydd / Senior Flood Management Officer